

1. Policy Overview

This Complaints Policy sets out the structure for receiving and resolving player complaints and disputes. It aims to deliver a transparent, equitable, and efficient process in line with Article 5.3 of the National Ordinance on Games of Chance (Landsverordening op de kansspelen, LOK). Compliance with this Policy is a requirement under the LOK; non-compliance may be addressed by the Curaçao Gaming Authority (CGA) through its supervisory, monitoring, and enforcement powers.

The Policy ensures that players have access to a clear and effective complaints pathway, including free alternative dispute resolution (ADR) services that emphasize independence and quality.

Pursuant to Article 5.3 of the LOK, additional rules, policies, and guidelines concerning complaints and ADR may be introduced.

- The operator's complaints policy for players must be clearly included in, or referenced from, the operator's Terms and Conditions and must describe all Stages of Complaint Resolution (Clause 3.2).
- At the operator's discretion, the policy may be published as a standalone document and linked from the website homepage and/or the registration page.
- Subject to applicable private law, the operator may require players to explicitly acknowledge acceptance of the Complaints Policy (e.g., via a tick box, pop-up, or email confirmation).
- The operator may also incorporate acceptance of the Complaints Policy into the registration workflow.

This Complaints Policy reflects regulatory obligations under the LOK and does not alter applicable private law, including provisions of Book 6 of the Civil Code of Curaçao on general terms and conditions. Operators remain independently responsible for meeting all civil law requirements and should obtain appropriate legal advice to ensure their complaints procedures and Terms and Conditions align with private law.

2. Definitions

2.1 Player Interaction

Any written message initiated by a player and addressed to the operator's customer support team, including general inquiries, feedback, or requests for information, assistance, or clarification.

2.2 Complaint

A written statement from a player expressing dissatisfaction with the operator's services, decisions, terms, or conduct, indicating an expectation of a response or remedy. For Reporting purposes (Clause 6), a complaint exists when a Complaint Submission Form (Clause 3.2 paragraph 3) has been submitted to the operator and/or the matter has been escalated to ADR.

2.3 Dispute

A complaint that remains unresolved to the player's satisfaction following the internal process and has been escalated either within the organization or to an independent third party (e.g., an ADR provider or a court).

3. Complaint Submission Process

3.1 Complaint Window

1. This Policy applies to all players of operators licensed under the LOK from the date their licence is issued, and to operators licensed under the NOOGH framework from the moment they were granted a green or orange dynamic seal.
2. Players may submit a complaint free of charge at any time within six months of the bet settlement or the incident prompting the complaint.
3. For P2P (e.g., poker) or ante-post fixed-odds betting, the six-month period begins after settlement or the conclusion of the specific event, not at wager placement.
4. For in-running sports betting complaints, customers should be advised that although a complaint may be filed within six months, prompt action might be required if the investigation relies on data which—due to the nature of in-running betting—may no longer be available after a short time, where the operator cannot reasonably be expected to retain such data longer...

3.2 Stages/Escalation of Complaint Resolution

1. Only the registered player may file a complaint. Article 1.3(c) of the LOK prohibits a player from selling, donating, renting, leasing, pawning, or pledging any claim against a CGA-licensed operator.
2. As a first step, the operator must provide customer support via email and/or live chat.
3. An official Complaint Submission Form must be made available to players.
 1. The form may be downloadable (to complete and submit by email or upload) and/or provided as an online form to be completed and submitted on the website.
 2. At minimum, the form must include:
 1. Complainant's name, address, and place of residence.
 2. Complainant's account number (if applicable).
 3. Dates of the complaint and of the disputed event.
 4. A description of the conduct being disputed (with selectable predefined categories where applicable).
 3. The form must be available in English and in the language of the site/domain used by the player.
 4. The operator may request supporting documentation from the player. Any additional requests must be reasonable in the context of resolving the complaint.
4. The operator must provide players with an ADR option, subject to Clause 5.
5. Except where mutually agreed under specific ADR terms (Clause 5), the operator must not restrict the player's right to pursue legal action personally.

3.3 Role of the CGA

1. The operator must clearly describe the CGA's role to players within the Terms and Conditions.
2. The CGA does not resolve or adjudicate individual player complaints concerning gambling transactions on operator websites.
3. Unless handling is deemed inadequate, decisions by the operator and/or ADR provider will not be reviewed or overturned by the CGA.
4. Notwithstanding 2. and 3., the operator must not prevent players from contacting the CGA directly regarding issues such as malpractice, licence breaches, or whistleblowing.
5. While the CGA does not mediate individual disputes, it may use complaint information to inform supervisory and enforcement activities.

4. Complaint Resolution Process

4.1 Timeline: Responsible Gaming Complaints

Complaints relating to responsible gaming must be prioritized due to potential impacts on player welfare. A complaint should be categorized as responsible gaming where it concerns targeting of Vulnerable Players, the availability or timely application of self-exclusion/cooling-off and the required outcomes defined in the Responsible Gaming policy.

Operators must use best efforts to resolve such cases within five business days.

Within two days of receiving a complaint, the operator will:

- Acknowledge receipt in writing.
- Explain the steps of the complaint handling process.
- Indicate the typical timeframe for resolution of such cases.

If additional time is needed to reach a reasonable, informed decision, the player must be notified. Any operator-caused delay may not exceed two weeks. If the delay is due to missing or slow player responses, the period may be extended by no more than an additional two weeks.

4.2 Timeline: All Other Complaint Types

The operator will evaluate and respond within four weeks. Where justified by complexity or incomplete information, this may be extended once by a further four weeks, with prior written notice to the player.

Within one week of receiving a complaint, the operator will:

- Confirm receipt in writing.
- Outline how the complaint will be processed.
- Provide the average expected resolution timeline.

4.3 Response and Resolution

The player will always receive a written final decision.

The response will consist of one of the following:

1. A reasoned final outcome/resolution, with supporting evidence where necessary or appropriate.
2. Detailed reasons for declining to handle the complaint. If further information is needed to fully address the matter, the operator must have requested it within the initial four-week period. If the player fails to provide it within that period, the operator may reject the complaint.
3. If the player remains dissatisfied and lodges a further complaint, they must be advised of the option to escalate to an independent ADR body.

4.4 Artificial Intelligence (AI)

AI tools may be used under this Policy subject to the following conditions:

1. Where a complaint is identified as a Responsible Gaming matter (Clause 4.1), communications must be handled by a human agent rather than AI.
2. Complaints reasonably deemed complex must be managed by a human, not AI.
3. AI outputs must be monitored to ensure recommendations are reasonable and consistent across similar complaints.

5. Alternative Dispute Resolution

To comply with LOK licensing conditions, every licensed operator must make independent ADR services available to players in line with the ADR Policy.

1. The operator's Terms and Conditions must include complete information about the ADR process.
2. Within one month of publication of the Certified ADR Providers on the official website, operators must upload to the CGA Portal an agreement with at least one CGA-certified ADR entity.
3. If a complaint cannot be resolved internally, players may escalate to an independent ADR provider free of charge; the operator bears all ADR costs.
4. Once an ADR process is concluded, it cannot be restarted by either party with a different ADR entity.
5. If the player withdraws from an ongoing ADR process, they should not be able to revive the dispute at a later date.
6. Provision of ADR is mandatory. If the operator sets ADR parameters to deter abuse (e.g., requiring ADR before legal action, the binding nature of outcomes on the player, or a minimum claim threshold), the CGA recommends careful consideration and independent legal advice regarding applicable civil law.

The CGA will consider all relevant circumstances when evaluating whether anti-abuse measures are justified. For example, in very low-value claims, concerns about misuse may be legitimate.

Nonetheless, each case must be assessed on its own merits. For instance, where a claim involves admission of a self-excluded person, the CGA expects it to be treated seriously regardless of monetary value.

6. Record-Keeping and Reporting

The operator will:

1. Submit reports to the CGA on January 15 and June 15 summarizing complaints submitted since the previous period via the Complaint Submission Form. The first reports are due January 2026.
2. Include in the report:
 1. Total number of complaints received.
 2. Total number of resolved complaints (upheld and rejected).
 3. Number of pending or unresolved cases.
 4. Breakdown by complaint category.
 5. Number escalated to ADR.
 6. Number and details of complaints where legal action has been initiated by a player.
3. Maintain transparency and compliance with ADR outcomes and regulatory changes.
4. Note that ADR providers have their own reporting duties under the CGA's ADR Policy.
5. Retain records of unresolved complaints and those escalated to ADR or legal proceedings for the lesser of five years or the period required by data protection, limitation statutes, or other applicable laws/guidelines.
6. Recognize that the CGA may request access at any time to complaint records and information on pending disputes.

7. Terms and Conditions

A statement of the Complaints Procedure must be clearly visible and accessible on the operator's website as a separate link or document.

The Complaints Procedure must also be explicitly described within the Terms and Conditions.

At a minimum, the information must include:

1. Links to customer support and details on how to contact the operator.
2. A description of the information required to submit a complaint and links to the online form and/or downloadable PDF/Word document.
3. Timelines for acknowledgment, response, and resolution.
4. Player rights to complain, including access to ADR services and regulatory escalation.
5. An explanation of the potential effects of an ADR decision and how it may impact the player's right to further legal or judicial remedies.
6. Details of the ADR process and player entitlements.
7. Contact details for the ADR provider(s).
8. A clear statement that the CGA does not mediate individual disputes; however, players who believe the operator has breached regulations may contact the CGA.

8. Reasons for Complaint

Players may raise a complaint about any aspect of their relationship with the operator or any incident linked to participation in games of chance, including (but not limited to):

1. Deposit problems
2. Withdrawal problems
3. Bonus terms and conditions
4. Account closures or limitations
5. Alleged errors or unfair outcomes in games
6. Responsible gaming concerns
7. Treatment of player balances
8. KYC and verification
9. Data protection
10. Technical or software issues
11. AML-related concerns
12. Matters involving minors
13. Fraudulent games
14. Fraudulent practices
15. Licensing or regulatory issues