

# Player Complaints Handling Procedure Curaçao (\*com markets) as for 18/06/2025

## 1 Policy Overview

This Complaints Policy outlines the framework for managing player complaints and disputes, ensuring a transparent, fair, and efficient process in alignment with the requirements under Article 5.3 of the National Ordinance on Games of Chance (Landsverordening op de kansspelen, “LOK”).

Adherence to this Complaints Policy is considered a requirement under the LOK, and failure to comply will be addressed by the Curacao Gaming Authority (CGA) in accordance with its supervision, monitoring and enforcement procedures.

The Complaints Policy guarantees players access to a straightforward and effective complaint and dispute resolution process, including free alternative dispute resolution (ADR) services that prioritize quality and independence.

In accordance with Article 5.3 of the LOK, further rules, policies and guidelines regarding complaints and ADR processes may be established and implemented from time to time. These will be published and made available on the CGA website.

- The operator's player complaints policy must be clearly included or referenced in the operator's Terms and Conditions. It must include details of all Stages of Complaint Resolution (Clause 3.2)
- The operator may, at its own discretion, publish the policy as a “standalone” document with link(s) from the website homepage and/or registration page.
- The operator may, at its own discretion and subject to compliance with applicable private law, require the player to explicitly confirm acceptance of the Complaints policy in any way including a tick box, popup or email.
- The operator may, at its own discretion, include acceptance of the Complaints policy as part of its registration process.

This Complaints Policy is based on regulatory requirements under the LOK. It does not affect or override the applicable rules of private law, including, but not limited to, the provisions of Book 6 of the Civil Code of Curaçao concerning general terms and conditions. Operators remain responsible for ensuring compliance with all relevant civil law obligations independently of this policy. They are expected to seek appropriate legal advice to ensure that their complaints procedures and terms and conditions conform to private law requirements.

## 2 Definitions

**2.1 Player Interaction** Any written communication initiated by a player and directed to the operator's customer service team. This includes general enquiries, feedback, or requests for information, assistance, or clarification.

2.2 Complaint A Complaint is a written expression of dissatisfaction by a player relating to the operator's services, decisions, terms, or conduct, which indicates the player is unhappy and expects a response or resolution. For the purpose of Reporting requirements (Clause 6) a complaint is when a Complaint Submission Form (Clause 3.2 paragraph 3) has been submitted by the player to the operator and/or a complaint has been escalated to ADR.

2.3 Dispute A complaint that has not been resolved to the player's satisfaction through the internal complaints process and has been escalated, either within the organisation or to an independent third party (e.g. an ADR provider or court of law).

### **3 Complaint Submission Process**

#### **3.1 Complaint Window**

1. This Complaints Policy applies to all players of operators licensed under the LOK from the date of licence issuance, and to all operators licensed under the NOOGH regime from the moment they were issued a green or orange dynamic seal.
2. Players may lodge a complaint free of charge at any time up to six months of the settlement of the bet or the incident about which they are making a complaint.
3. In the case of P2P (such as poker) or ante post fixed odds betting the six month clock begins after the bet settlement or conclusion of a specific event rather than the placement of the wager.
4. In the case of complaints about in-running sports betting, customers must be advised that while they may submit a complaint within six months, prompt action may be necessary if the investigation may depend on data specific to the complaint which — due to the nature of in 4 running betting — may no longer be available after a short period, insofar as the operator cannot reasonably be expected to preserve such data any longer...

#### **3.2 Stages/Escalation of Complaint Resolution**

1. Complaints can only be made by the registered player. Article 1.3 section c of the LOK mandates that a player is not allowed to sell, donate, rent out, lease, pawn, or pledge, under any title, any of their claims against the holder of a gaming license from the CGA.
2. In the first instance the operator must offer customer support via email and/or live chat.
3. An official Complaint Submission Form must be available to the player.
  - a. This form must be either a downloadable form that can be completed and emailed or otherwise uploaded by the player, and/or a form that is fully completed and submitted online.
  - b. The form must include at a minimum the following sections
    - i. ii. iii. Complainant's name, address, and place of residence. Complainant's account number (if applicable) Date of the complaint and date of the disputed event.

- iv. Description of the conduct being disputed (using a selection of pre determined category topics if/as applicable).
  - c. The form must be available in English and in the language of the website/domain that the player is using.
  - d. The operator may request supporting documentation the player requires to include as part of the complaint. Any additional information or documentation requested by the operator must be a reasonable in the context of complaint resolution.
4. The operator must offer an ADR option for the players, subject to the requirements of Clause 5. ]
  5. Except if mutually agreed under specific terms of ADR (Clause 5), the operator must not restrict the rights of the player him/herself to take legal action.

### **3.3 Role of the CGA**

1. It is the responsibility of the operator to make the role of the CGA clear to the player in the Terms and Conditions.
2. The CGA will not resolve or make decisions on any player complaints regarding gambling related transactions on the operator's website(s).
3. Unless deemed to be inadequately handled, the decisions made by the operator and/or ADR provider will not be subject to reviewing and/or overturning by the CGA
4. Notwithstanding 2. and 3. above the operator must not restrict the player's ability to contact the CGA directly with regard to matters including but not limited to malpractice, breach of license conditions or whistleblowing.
5. While the CGA does not mediate in individual disputes it will use the information to support its supervisory and enforcement actions.

## **4 Complaint Resolution Process**

### **4.1 Timeline: Responsible Gaming Complaints**

Complaints related to responsible gaming should be prioritized due to potential impacts on player well-being. Complaints should be categorized as related to responsible gaming in any case when it regards targeting of Vulnerable Players, the availability and/or timely implementation of self-exclusion and/or cooling-off and the mandated consequences therein as outlined in the Responsible Gaming policy.

Operators must use best in efforts to resolve these cases within five business days. Within two days of receiving a complaint, the operator will:

- Confirm receipt of the complaint in writing.
- Provide an explanation of how the complaint will be processed.

- Provide notice of the average timeline for resolution of such complaints. If more time is needed by the operator to make a reasonable and informed decision, players must be informed of the delay, which cannot exceed two weeks. If a delay is due to a lack of or a slow response from the player, the resolution period may be extended by no more than a further two weeks.

#### **4.2 Timeline: All Other Complaint Types**

The operator will assess and respond to complaints within four weeks. If necessary, due to complexity or lack of information, this period may be extended once by an additional four weeks, with prior written notice to the player. Within one week of receiving a complaint, the operator will:

- Confirm receipt of the complaint in writing.
- Provide an explanation of how the complaint will be processed.
- Provide notice of the average timeline for resolution of such complaints.

#### **4.3 Response and Resolution**

A player will always receive a final determination of their complaint in writing. The response will be either:

1. A reasoned final assessment of the outcome/resolution of the complaint with supporting evidence if necessary or applicable.
2. Detailed reasons for not handling the complaint. If additional information is reasonably required to address the complaint fully, the operator must have requested this information within the initial four week time period. Should the complainant not provide the necessary information within that time period, the operator may reject the complaint.
3. If the player is unsatisfied with the resolution and makes a further complaint to that effect, the player is informed that they may escalate the matter to an independent ADR entity.

#### **4.4 Artificial Intelligence (AI)**

The use of AI is permissible under this Complaints Policy Guideline subject to the following terms:

1. Once a player complaint has been identified as pertaining to Responsible Gaming (Clause 4.1), communications with the player should be conducted by a human, not AI.
2. Complaints that can be reasonably considered as complex should be dealt with by a human, not AI.
3. The AI records must be monitored to ensure that they are reasonable in their solutions/recommendations and consistent across players with like-for-like complaints.

### **5 Alternative Dispute Resolution**

In order to be compliant with their license conditions as mandated by LOK, each licensed operator must offer independent ADR services to their players in accordance with the ADR Policy.

1. Full details of the ADR process must be included in the operator's Terms and Conditions.
2. Operators must have uploaded to the CGA Portal an agreement with at least one CGA Certified ADR entity, within one month of the publication of the Certified ADR Providers on the official website.
3. If a complaint cannot be resolved internally, players are entitled to escalate the matter to an independent ADR provider, free of charge. For avoidance of doubt, the operator will bear all costs of the ADR process.
4. Once ADR process is completed it cannot be recommenced by either the player or the operator with another different ADR entity.
5. In the event that the player drops out of the ADR process (but it has already begun) – it should be noted the player should not have the right to resurface the dispute in the future.
6. Provision of ADR services by the operator is mandatory. If the operator sets ADR parameters in order to prevent abuse (such as whether ADR must be undertaken before a player can initiate legal proceedings, the binding nature of the ADR outcome on the player, or whether there is a minimum claim value required for escalation to ADR), the CGA advises the operator to carefully consider these conditions and seek independent legal advice regarding any applicable civil legislation.

Furthermore, the CGA will take all relevant circumstances into account when assessing whether the operator's measures to prevent abuse are justified. For example, the CGA may understand that in cases involving very low-value claims there may be a legitimate concern about potential misuse. At the same time, each case must be assessed on its own merits. For instance, if a claim concerns the admission of a self-excluded person, the CGA expects the matter to be taken seriously, regardless of the monetary value involved.

## **6 Record-Keeping and Reporting**

The operator will:

1. Submit reports to the CGA on January 15th and June 15th based on complaints submitted to the operator since the previous reporting period by players using the Complaints Submission Form. The first reports become due in January 2026.
2. The report will summarise the following:
  - a. Total number of complaints made.
  - b. Total number of settled complaints (upheld and rejected).
  - c. Number of pending or unresolved complaints.
  - d. Number of complaints by category.
  - e. Number referred to ADR.

- f. Number and detail of complaints for which a player has taken legal action.
3. Ensure transparency and compliance with ADR decisions and regulatory updates.
4. ADR service providers will have their own reporting requirements in accordance with the Alternative Dispute Resolution policy issued by the CGA.
5. Records of unresolved complaints and/or complaints that have been escalated to ADR or legal proceedings will be kept for the lesser of five years or the relevant time stipulated by data protection, statute of limitations or other relevant laws or guidelines.
6. The CGA reserves the right to request, at any time, access to records of complaints received as well as any disputes that are pending resolution.

## **7 Terms and Conditions**

The Complaints procedure statement will be visible and accessible on the operator's website as a standalone link or document. The Complaints procedure will also be clearly outlined in the Terms and Conditions.

Information provided will include at a minimum:

1. Links to customer service and information on how to contact the operator.
2. Detail of information required for a player to make a complaint and links to either/both either the online form or the downloadable PDF/Word document.
3. Timelines for responses and resolution.
4. Player rights to complain including explicit rights to ADR services and regulatory escalation.
5. An explanation of the potential consequences of the relevant ADR entity's decision, and the manner in which this will affect the player's right to further legal and judicial recourse.
6. Details of the ADR process and player rights.
7. Contact information for the ADR provider(s)
8. Clear information that the CGA does not mediate in individual disputes, but if the player feels 9 the operator is in breach of regulations that the player may contact the CGA.

## **8 Reasons for Complaint**

The player has the right to make a complaint regarding any part of their relationship with the operator, or any incident related to their participation in a game of chance. This includes (but is not limited to):

1. Deposit issues
2. Withdrawal issues

3. Bonus terms and conditions
4. Account closures or restrictions
5. Alleged errors or unfairness in game outcomes
6. Responsible gaming issues
7. Treatment of player balances
8. KYC and Verification
9. Data Protection
10. Technical or Software issues
11. AML concerns
12. Issues with minors
13. Fraudulent games
14. Fraudulent practices
15. License or regulation
16. Unfair terms and conditions

#### **Complaints Procedure for Player:**

Dear Customer,

We hope that you are happy with the use of our service and sites. However, if you have a complaint, you can lodge it as follows:

1. Contact from your registered account by email or chat and provide us with as many details as possible. Our customer service department will aim to respond within 24 hours. You will be contacted by email with a reply and a decision on your case.
2. If you believe that our customer service did not resolve your complaint to your satisfaction you can contact the regulator and submit your complaint to consider before filing a formal complaint with the regulator [Curacao eGaming](#)
3. Please also consider:
  - *Have you given the operator enough time to respond based on their service levels?*
  - *Have you checked your spam folder to ensure the response has gone there?*

For more information on our complaints and player dispute process, please visit our Terms & Conditions



## NOT IN USE

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### **Player Complaints Handling Procedure – CS**

The company is committed to providing high quality services to our customers. The following process has been developed to ensure customer complaints are responded to in a transparent and fair manner with clear explanation for the decision.

#### **Disputes:**

Disputes related to routine transactional issues (e.g. gameplay, account status, player account management, payment issues, and technical issues such as the site being down, games being down for maintenance etc.), are to be resolved directly by the company with the player.

Complaints may relate to any of the company's activities and or services and may include (but not be limited to):

- The quality of the company's player service;
- The behavior and/or professional competence of the company's employees;

- Delays, defects, system errors, or any other problems associated with the provision of services;

The following do not constitute Complaints:

- General questions about the company's services.
- General questions relating to offers and promotions.
- Formal requests for the disclosure of information (Payments Transaction/ Casino Audit, etc)

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If Customer Service receives the Complaints, the following steps shall be taken:

If a written complaint is received by email, customer Support shall log the complaint with team leader or manager.

If a complaint is received via live chat, a member of the Customer Support team collects the information and passes it to the team leader or manager who logs the complaint.

#### Complaint Information:

The following information should be provided in as much detail as possible when making a complaint:

- The player's name, address, telephone number and email address, indicating any preferred method of communication;
- Further details of the complaint including, as appropriate, all times, dates, events, and people involved;
- Details of any documents or other evidence on which the player wishes to rely in support of the complaint;

#### Complaint Handling:

The following staff members are qualified and eligible to handle complaints:

- Team Leader
- Head of Customer Support and Management team

Upon receipt of a complaint, the complaint shall be considered, and a decision made **within 14 Days** whether to:

- Investigate the complaint fully to determine whether the complaint is valid; or
- Dismiss the complaint if there are no grounds, in which case the player shall be informed of the decision in writing within 14 Days.

If additional information or evidence in support of the complaint is required, the player shall be contacted using the player's preferred method of communication, stating clearly what information or evidence is required. Players should be respectfully reminded that any delay in their response to such a request may delay the resolution of their complaint.

If a player is unable or unwilling to provide the information or evidence requested, reasonable endeavors shall nevertheless be used to resolve the complaint. If, however, it is not possible to uphold the complaint in the absence of the requested information or evidence, the complaint may be closed, and the player informed of the outcome. If the customer is not satisfied with company's response to the complaint, he/she will submit the complaint to the [Curacao regulator](#).