



eGaming Isle of Man

ASTON & WILLIAMS GROUP COMPANY



**WELCOME TO EGAMING ISLE OF MAN  
ASTON & WILLIAMS GROUP COMPANY**

AFTER A COMBINED 70 YEARS IN THE CORPORATE SERVICES INDUSTRY WE KNOW THAT OUR CLIENT NEEDS ARE NEVER STATIC. TO ANTICIPATE THIS, WE SUBJECT EVERYTHING WE DO TO A CONTINUAL PROCESS OF REFINEMENT. IT IS THE REASON PEOPLE LOOK AT ASTON & WILLIAMS TODAY AS THE BUSINESS STRATEGY AND ADVISORY COMPANY OF CHOICE AND THE PROVIDER THEY CAN TRUST.

OUR PIONEERING SPIRIT, PROFESSIONALISM AND KNOWLEDGE OF REGIONAL MARKETS SETS US APART FROM THE COMPETITION AND, WITH A NETWORK OF OUR OWN OFFICES, PROFESSIONAL AGENTS AND CAREFULLY CHOSEN CORPORATE SERVICE PROVIDERS STRATEGICALLY LOCATED AROUND THE WORLD, YOU CAN BE ASSURED OF OUR UNWAVERING COMMITMENT IN ASSISTING YOU WITH YOUR INTERNATIONAL BUSINESS AFFAIRS.

OUR BUSINESS IS AN INNOVATIVE AND CREATIVE ASSOCIATION OF MULTI-DISCIPLINED EXPERTS. OUR COLLECTIVE AIM IS TO PROVIDE REAL AND WORKABLE SOLUTIONS IN ORDER TO HELP OUR CLIENTS ACHIEVE MAXIMUM BENEFITS, WHILST REDUCING BUSINESS COSTS.

IN CONCLUSION, THERE ARE TWO THINGS CLIENTS CAN COUNT ON FROM ASTON & WILLIAMS, HIGH PROFESSIONAL STANDARDS AND THE ABILITY TO DELIVER SUSTAINABLE QUALITY IN EVERYTHING WE DO.

THIS CORPORATE PROFILE OFFERS AN INSIGHT INTO WHO WE ARE, WHAT WE DO, WHERE WE ARE AND HOW WE CAN ASSIST - WE LOOK FORWARD TO BEING OF SERVICE TO YOU AND WARMLY INVITE YOUR ENQUIRIES.

**WE LOOK FORWARD TO WORKING WITH YOU.**





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## **ABOUT US & CONFIDENTIALITY**

### **WHO WE ARE**

We have chosen to specialise in advising private and commercial clients in respect of international strategy, offering services that are of exceptionally high quality and equally exceptional value for money. Our objective is to provide privacy and confidentiality in all that we do. We have specific areas of interest that our knowledge base is built on.

### **HOW WE BEHAVE**

Our continued professional reputation and integrity which has been developed over many years, is maintained by mutual trust. We operate by the highest ethical standards, which include the need to be and the need to be seen to be professionally independent in all the work we do and to treat all information we receive from clients in the strictest professional confidence.

### **WHAT WE BELIEVE**

We believe that in order to achieve success and maintain relationships, we need to be at the forefront of service delivery. We never finish work at 5pm, our work continues until we have satisfied our clients requirements and needs. We receive a sense of pride and satisfaction in what we do. Because satisfying our clients is what we do best.

### **WHY WE SUCCEED**

Put quite simply, we succeed because we Know Our Client, we build relationships over trust and commitment to deliver, and we maintain a clear vision of what is to be achieved.

### **STRICT CONFIDENTIALITY**

We take client confidentiality extremely seriously. We have maintained confidence, integrity and a professional reputation by doing so. We maintain strict ethical standards, which include the requirement to maintain professional independence at all times. As a result: Our website contact forms are completely secure. Our IT infrastructure at our offices is secured. Our customer database cannot be accessed, be printed or exported by anybody in our office other than our Board of Directors.

### **CLIENT COMPLIANCE**

To protect our clients and ourselves, we take compliance and legal obligations very seriously. We never share information with any other third party without the prior consent of our clients, and perspective clients.



## **BASIC CRITERIA TO APPLY FOR A LICENCE**

In order to apply for an Isle of Man Online Gambling Regulations Act 2001 (OGRA) Licence, the following conditions must be met:

- A company must be incorporated in the Isle of Man
- There must be two local Directors
- A resident Designated Official or if the D.O. is not resident then there must be a resident Operations Manager
- These can be the same person as the resident Directors and if necessary can be sourced locally from a service provider
- All player registration must take place on servers located in the Isle of Man for B2C licensees
- An application fee of £5,000 is paid and all relevant application forms are completed
- Player funds must be protected at all times for B2C licensees
- All games, RNGs and gambling systems must be certified by an approved test house. A list of approved testing companies is available on the Gambling Supervision Commission's website: [www.gov.im/gambling](http://www.gov.im/gambling)
- Directors, D.O., Money Laundering Reporting Officers and beneficial owners owning 5% or more of the company will be subject to Due Diligence obligations

Once the GSC is satisfied that a complete application has been received, it will typically process the application within 10-12 weeks. This period officially begins when the GSC issues a letter stating that your application has been accepted and the process is underway.



## TYPES OF LICENCE AVAILABLE IN THE ISLE OF MAN

### FULL LICENCE

The Full licence could be considered the 'standard' licence. Full licence holders register their own players and keep their player data, and are responsible for anti-money laundering (AML) and know your customer (KYC) requirements relating to them. The Full licence costs £35,000 per annum, and Full licence holders can also allow other businesses to either Sub-licence or White Label under them.

### SUB LICENCE

Sub licensees must enter into an agreement with a Full licence holder in order to operate, and they can only offer games they have either produced in-house and/or games the Full licensee has the rights to offer. However, the Sub-licence fee is only £5,000 per annum, White Labels can be offered, and Sub-licensees keep their player data – although they are responsible for their AML and KYC compliance as though they were a Full licence holder.

### NETWORK LICENCE

Network licences operate the same as Full licences, however Network licence holders have more B2B options to complement their opportunities to Sub-licence and White Label. Network licence holders can enter into agreements with other operators located in other jurisdictions, who become known as Network partners once these agreements are in place. Network licence holders can then allow the Network partner's registered players to play their games without being required to reregister them, and they also do not have any AML or KYC responsibilities for these players, as this lies with the Network partner. No fees are due to the Gambling Supervision Commission (GSC) for adding Network partners; however they do need to be reassured about the Network partner's controls before being added. Network partners are not liable to pay any duty or fees to the GSC. A revenue sharing agreement between the Network licence holder and Network partner is generally in place and normal practice. The Network licence costs £50,000 per annum.

### BUSINESS TO BUSINESS SOFTWARE LICENCE

If your business model involves selling services to other e-Gaming businesses, you can elect to apply for the Software Supplier licence.

Due to industry demand the GSC released its Software Supplier licence in February 2019. This licence is elective rather than mandatory, however many software businesses choose to become licensed in order to demonstrate adherence to top-tier Isle of Man standards, thus giving reassurance to B2B partners such as operators, banks, payment processors, investors, shareholders and others. Further to this, a software supplier holding a licence can have their products listed as approved on the GSC's website, and any IOM B2C operator can then deploy these games on their site without needing to acquire RNG testing certificates, as the GSC will have already received these from the software supplier.



## TYPES OF LICENCE CONTINUED

As well as software developers, the licence can also be applicable to other service providers in the gaming industry such as affiliates and live dealer studios, who may also benefit from the reputation of the Isle of Man's regulatory standards, along with their B2B partners.

Some of the standard licence conditions do not apply to the Software Supplier licence, i.e. those which relate to player registration such as server location, KYC and AML, as no player data is held. If player data is held you will require a B2C licence. No gaming duty is due as no bets are taken, however other requirements such as having directors located on-Island still apply.

### **There are two types of Software Supplier licence:**

1. Standard fiat platforms/software - £35,000 per annum
2. Token/blockchain enabled platforms/ software - £50,000 per annum

For blockchain enabled platforms, applicants must meet further conditions not applied to fiat platform applications:

- Applicants must prove their understanding of their technology
- Tokens must be available and not in development
- A news blackout will be enforced throughout the application process in order to prevent attempts to inflate the value of tokens

## **WHITE LABEL**

As White Labels are treated as non-licensable, there are no licence fees or gaming duty due. Also, as no player data is held, there are no AML or KYC responsibilities to take care of. These duties would generally be performed by the licensee offering the White label. Under a White Label arrangement your business would market a website, from which the services provided are processed by a licence holder, and thus all regulatory responsibility would lie with this licence holder.

A revenue sharing agreement would generally be in place between this operator and your business. At times and where pre-agreed, an exit strategy may be arranged whereby the White Label can take the player data they have generated with them when their relationship comes to an end with the licensed operator. White Labels can typically go live within 4 to 8 weeks and can be a good introduction to the sector.



## **ACTIVITIES THAT DON'T REQUIRE LICENCE IN THE ISLE OF MAN**

The Online Gambling (Exclusions) Regulations, and subsequent Amendment 2014 stipulate that the following activities do not require an OGRA Licence:

- Advertising
- Marketing Analysis and Services
- Administration
- Web Design
- Software Design
- IT Services
- Protection of Player Funds
- Presentation of Results of Play
- Call Centres
- Download Servers
- Relay Servers
- Upload and Modifier Servers

The Isle of Man has no current plans to regulate Social Gaming and is therefore an ideal location to host and operate a Social Gaming Platform from.

It is prudent that companies looking to establish their Social Gaming Platform in the Isle of Man first of all gain confirmation that their business activities fall outside the OGRA Regulations.





## TAX AND GAMBLING DUTY INFORMATION IN THE ISLE OF MAN

Gambling Duty in the Isle of Man is based on profit, NOT turnover. Duty is paid on either 'stakes minus winnings' or 'retained profit' depending on the type of gambling activity. With written approval from Customs and Excise, an Operator may be authorised to exclude affiliate payments from their duty calculation. The Gambling Duty rates are:

| GROSS GAMING YIELD            | DUTY |
|-------------------------------|------|
| <20,000,000 GBP               | 1.5% |
| >20,000,000 - <40,000,000 GBP | 0.5% |
| >40,000,000 GBP               | 0.1% |

**Note –duty is based on gross gaming yield/profit, not turnover.**

### CORPORATE TAXES AT A GLANCE

|                                      |              |
|--------------------------------------|--------------|
| Resident Corporation Income Tax Rate | (%)0(a)      |
| Capital Gains Tax Rate               | (%)0         |
| Branch Tax Rate                      | (%)0(a)      |
| Withholding Tax                      | (%)          |
| Dividends                            | 0            |
| Interest                             | 0(b)         |
| Royalties                            | 0            |
| Net Operating Losses                 |              |
| Carryback                            | 1(c)         |
| Carryforward                         | Unlimited(c) |

(a)The standard 0% rate of corporate income tax applies to all profits derived by companies except for the following:

- Certain banking business in the Isle of Man and certain retail business in the Isle of Man, which are subject to tax at a rate of 10%
- Profits arising from land and property in the Isle of Man, which are subject to tax at a rate of 20%

(b)Information is exchanged automatically in all cases.

(c)Loss relief is available in certain circumstances (see Section C).

The content is based on information current as of 1 January 2020 unless otherwise indicated in the text of the chapter. Changes to the tax laws and other applicable rules in various countries covered by this publication may be proposed. Therefore, readers should seek independent tax advice from their local and international firms to obtain further information. This publication contains information in summary form and is sourced from the Ernst & Young Worldwide Corporate Tax Guide, and is therefore intended for general guidance only. It is not intended to be a substitute for detailed research or the exercise of professional judgment. Neither Aston & Williams or EYGM Limited nor any other member of an organization can accept any responsibility for loss occasioned to any person acting or refraining from action as a result of any material in this publication. On any specific matter, reference should be made to the appropriate advisor.



## OGRA LICENCE APPLICATION INFORMATION

### Guidance towards preparing a full OGRA Licence Application

When we are ready to submit your Licence Application to the Isle of Man Gambling Supervision Commission, a statutory application fee of £5,000 must be paid to the Inspectorate by an applicant or their representatives.

The application package must contain a hard copy containing all the necessary signatures together with an electronic version.

The application process typically takes 10-12 weeks once the Inspectorate is satisfied that the application has been submitted complete. The official period begins when the Inspectorate issues a letter stating that the application has been accepted and the process is underway.

In normal circumstances many questions will be expected from the Inspectorate. This is to be expected and is an ideal opportunity to explain the model and structures, etc. more fully to the mutual benefit of both the applicant and the Inspectorate.

The Inspectorate will also expect to meet with the Designated Official and Operations Manager (where appointed) to discuss the business model and gain an understanding of the competence these key officials have with regard to the business being proposed and the gambling sector as a whole.



## MANDATORY BUSINESS PLAN

**All OGRA Licence Applications require a Business Plan to be prepared and submitted, which forms a vital part of the licensing process.**

When preparing to submit a clear and detailed business plan for any Licence Application, it is important to consider guidance from multiple sources. These may include independent firms such as Aston & Williams, qualified Law Firms, Financial Accountants, Technology providers and Telecoms Infrastructure providers.

Compiling this information is a critical pathway to application, and consideration must be given to the following areas of your business:

- Executive Summary & Overview
- Business Strategy & Model
- Company Structure, Ownership & Key Officials
- Software Platform
- Nature of Games
- Website Look & Feel
- Technologies
- Market Analysis
- Profile of Players
- Competition Analysis
- Marketing Strategy
- Operations, Back-Office & Accounting
- Flow of Funds, Banking & Payments
- Gaming Infrastructure , Data Recovery & Treasury Services
- Service Providers
- Financials
- Customer Support & Customer Complaints Handling, inc FAQ's
- Data Protection & Privacy Policy
- Player Protection
- Responsible Gaming
- Anti-Money Laundering (AML)
- Terms & Conditions / Game Rules
- Register, Policies & Procedures

Our independent and professional business planning services are perfectly balanced to guide you through any application process.



## SETTING UP YOUR COMPANY IN THE ISLE OF MAN

### **Step by step guidance to establish your independent and physical presence in the Isle of Man.**

When you choose to physically establish your eGaming business in the Isle of Man, you are providing substance towards your operations, enabling you to demonstrate economic activities in the Isle of Man ensuring management and control remains within the Isle of Man. This helps demonstrate that operations exist and nominees are not being exercised.

This allows you to maintain and ensure control of your own business and its future.

While representatives, such as Advocates or Corporate Service Providers can perform a lot of the administrative procedures to establish a business, it is not a statutory requirement in the Isle of Man for an application to form a Company or Trust to be made by, or through them.

As the Isle of Man allows the physical presence procedure, we provide guidance services which provide the individual or corporation with the necessary insight of how to successfully establish a private business without the requirement or expense of a Corporate Service Provider or similar.

#### **We provide guidance and introductions where requested in respect to:**

- Guidance on completing Statutory Documents to form a Company, such as explanatory links to the relevant publications
- Identifying relevant Office Space for rent from a Commercial Landlord
- Installation of Telecoms and Infrastructure
- Introductions to Tax, Legal and Accountancy Firms
- Introductions to Isle of Man and International Banks
- Introductions to Payment Processors
- Introductions to Infrastructure Providers such as Data Centres
- Introductions to Licensed and Regulated eGaming, Software and Platform Providers
- Introductions to Licensed and Regulated Corporate Services Providers



## SATISFYING ECONOMIC SUBSTANCE

### WHY HAVING A PHYSICAL PRESENCE IS IMPORTANT

- To demonstrate economic activities in the Jurisdiction
- To ensure management and control remains within the Jurisdiction
- To evidence that operational employees exist and that nominees are not exercised
- To maintain and ensure control of your own business

Whilst some businesses would ordinarily choose to use the services of a Professional Director provided by a Corporate Service Provider, this trend is becoming less common and attractive to those wishing to satisfy economic substance rules.

With effect from 1 January 2019 the Isle of Man (IOM) introduced its Economic Substance rules. These are now embodied in Part 6A Income Tax Act 1970. This legislation was introduced in response to a comprehensive review that was carried out by the EU Code of Conduct Group on Business Taxation (COCG) in order to assess over 90 jurisdictions, including the Isle of Man against standards of:

- Tax transparency
- Fair taxation
- Compliance with anti-BEPS (base-erosion profit shifting) measures

We provide advisory services which provide businesses with the necessary guidance on how to successfully establish a physical presence in the Isle of Man. We also procure independent professional advice from top-tier firms to consider the economic substance required of intended structures and individual businesses accordingly.



## TECHNICAL INFRASTRUCTURE & DISASTER RECOVERY

### MAINTAINING AND PROTECTING YOUR E-GAMING BUSINESS

With advanced telecommunications and self-sufficient energy infrastructure, the Isle of Man is an ideal location for hosting and disaster recovery.

One of the Isle of Man's key strengths is its world-class telecommunications infrastructure. The Island has an advanced and diverse telecommunications network providing fixed-line voice and broadband services and two 4G mobile networks.

Carrier class connectivity to and from the Isle of Man is provided via five discrete fibre cables which allow the creation of high bandwidth fibre optic rings connecting the Island with the North of England and Ireland. These links can employ 'self-healing' technology which guarantees that if a fault occurs at any part of the link, voice and data traffic is seamlessly re-routed in the other direction. Similar resilient ring technology is also used for the Island's internal delivery networks.

- 99% 4G and 75% 4G+ coverage
- 5 x Subsea cables
- 6 x Tier 3, ISO accredited Data Centres

The Island has the capability to generate up to 200% of its peak electricity demand from a combination of sources including gas and renewable sources such as a hydro electric plant. On average the island exports 20-25% of the energy that it generates to the UK via a sub-sea cable.

- 4 x Power stations
- 102 kilometres of subsea cable
- 20 kilometres of high pressure gas pipeline

The Island offers complete critical and resilient infrastructure with access to Regulators, key stakeholders and Government.



## INTELLECTUAL PROPERTY PROTECTION

### IP, KNOW HOW, ROYALTY RIGHTS, COPYRIGHT

The licensing and efficient structuring of Intellectual Property (IP) and Royalty Rights is a very important consideration for all individuals or companies that are considering structuring their eGaming business in the Isle of Man.

It is essential to ring fence and protect Intellectual Property against risk exposure that exists within any high risk business environment and to ensure the correct fiscal structure is in place. Considering the potential value which can be created in the eGaming industry, a structure should be considered at the soonest point possible before considerable value is assumed.

## ISLE OF MAN

### PROPOSITION FOR PROTECTION

The Isle of Man provides a politically stable environment for IP and Patent Ownership Structures:

- The Isle of Man does not have its own register for Patents. Instead, it falls under the UK Register, as the principle terms of the UK Patents Act 1977 extend to the Isle of Man. This eases administration and removes re-registration concerns, should a Patent be established in or moved to the Isle of Man.
- As with Patents, the Isle of Man does not have its own register for Trade Marks. Instead, registration is affected via the Trade Mark Registry, which is part of the UK Intellectual Property Office. Again, the principle terms of the UK legislation, the Trade Marks Act 1994, apply to the Isle of Man, which eases administration and removes re-registration requirements concerns, should a Trade Mark be established in or moved to the Isle of Man.
- Although the Isle of Man is not part of the European Union, the Community Trade Mark is recognised and protected in the Isle of Man. The Community Trade Mark system facilitates one single registration process to achieve European Union wide rights (if granted).
- The Isle of Man is part of the Madrid Protocol, resulting in a streamlined process for registration of a brand through the European Union.
- No withholding tax is levied on royalty payments.
- If centrally managed and controlled, an Isle of Man Company is subject to resident corporate tax at a rate of zero percent.



## ANCILLARY SERVICES & BUSINESS PROCESS OUTSOURCING

By the very nature of our business we maintain relationships with domestic, European and international Banking Institutions, Foreign Exchange Houses, Legal Firms and Tax Accountancy Firms.

### COMMERCIAL & PRIVATE BANKING

A significant percentage of the clients we engage are international and as a result benefit from application guidance when applying for eGaming and related business accounts with Banking Institutions in the Isle of Man and externally.

Application timescales can vary between ten days to four weeks depending upon the nature of business, complexity of the proposition and Banking Institution.

The relationships Aston & Williams maintain with Banking Institutions allows us to confidently provide guided introductions to these institutions.

### ACCOUNTANCY, VAT, TAX AND LEGAL

Our external professional partners will assist you with every aspect of planning, where required with respect to legal and tax advisory services to arranging the outsourcing of Accountancy and VAT services which are available upon request from qualified professional firms that we maintain relationships with.





## BUSINESS PROCESS OUTSOURCING

Paramount to any business is the delivery of customer service which reinforces customer loyalty and confidence, the effective ability to maintain service levels with customers, and moreover the redundancy planning that supports round the clock availability to service those customers is a vital part in all operations planning.

We advise, organise and plan these strategies with our clients to ensure delivery of quality customer driven success.

## AREAS OF EXPERTISE

- Ticketing Support
- Inbound and Outbound Call Centre Agents
- Multi-Lingual Support Agents
- Technical Assistance
- Account Query Support
- Live Chat and Email Ticketing
- Back Office Administration
- VIP Welcome Calls
- Dormant Account Activation
- Market Research
- Lead Generation
- Account Management

No matter the size of your business, Support Agents provide assistance to make your operations run smoothly.

We utilise over 280 members of support staff 24/7/365 to provide business outsourcing and assistance to our Clients. By carefully matching Agents to your business, we will help with your business satisfy customer expectations.



## **RESPONSIBLE GAMBLING & PROTECTING PEOPLE**

Aston & Williams requires all clients who operate in or around the eGaming industry to be gamble aware, and take measures to help protect those who may become vulnerable to problem gambling.

In the Isle of Man the Gambling Supervision Commission supervises the Isle of Man's regulated gambling sector. Those who intend to license within the Isle of Man will need to adhere to and implement strict Player Protection methods and problem gambling solutions.

For those who wish to contact an off-island confidential advice and assistance service, please contact:

**The Gamcare Helpline on 0808 8020 133, or visit their website at [www.gamcare.org.uk](http://www.gamcare.org.uk)**

**The Gambling Therapy website [www.gamblingtherapy.org](http://www.gamblingtherapy.org)**

If you are an Isle of Man resident and concerned or feel gambling is taking over your life, the Isle of Man can offer the following free services:-

**GamCare Isle of Man on +44 1624 622011, or email: [gamcareisleofman@iom.com](mailto:gamcareisleofman@iom.com).**

If you are in a crisis situation (i.e. with thoughts of self harm) should contact the 24hr Crisis Response Team on +44 1624 642860.

If you have a debt problem arising from gambling, you can contact a Debt Counsellor confidentially on +44 1624 686510.



## CORPORATE SERVICES PROCUREMENT

**We deliver independent procurement and guidance when considering which CSP may be of service to you.**

Corporate Service Providers can perform a lot of the administrative procedures to establish a business, and thereafter the ongoing delivery of statutory and daily administrative services.

We maintain professional relationships with experienced Corporate Services Providers who are perfectly positioned to advise and provide services to those businesses wishing to establish their eGaming business in the Isle of Man.

Choosing the correct Corporate Service Provider is imperative to a smooth and successful business relationship, of which the success of a client company may become reliant upon.

It is important that each client understands the capabilities and experience that a Corporate Service Provider has when considering them as their potential service provider.

Aston & Williams have a thorough understanding of Corporate Service Providers in the Isle of Man and their suitability to service our clients, developing into a successful relationship.



## **BUSINESS & CONTACT INFORMATION**

**Aston & Williams Limited is an England and Wales Limited Company.**

**Company Number:** 15046457

**ICO Registration Number:** ZB577662

**Registered Office Address:** International House, 6 South Molton Street,  
Mayfair, London, W1K 5QF

**Aston & Williams Limited is not a Licensed or Regulated Company**

Where required Aston & Williams Limited, as a subsidiary business engages with Regulated and Licensed Service Providers to undertake licensed and regulated activities such as administration on behalf of Client companies in jurisdictions that it operates, in these circumstances Clients remain that of Aston & Williams Limited on an exclusive service arrangement, in accordance with local regulation, licensing and laws.

## **CONFIDENTIALITY**

Clients remain confident that all correspondence to and from aston-williams.com servers remains completely confidential. As a private business, communications are not audited or disclosed to and local or international regulatory bodies or similar, unless we are legally instructed to do so by court order.

We never share information with any other third party without the prior consent of our clients, and perspective clients.

## **CONTACT INFORMATION**

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**Group Email:** [info@aston-williams.com](mailto:info@aston-williams.com)





**AN IDEA THAT IS DEVELOPED AND PUT INTO ACTION IS MORE  
IMPORTANT THAN AN IDEA THAT EXISTS ONLY AS AN IDEA.**

**LET US HELP YOU PUT YOUR IDEAS INTO ACTION**

