



LEGAL NOTICE NO.....

THE GAMBLING CONTROL ACT, 2025
(No. 14 of 2025)

**THE GAMBLING CONTROL (FOREIGN-BASED
OPERATORS) REGULATIONS, 2026**

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Regulation.

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THE GAMBLING CONTROL ACT, 2025

(No. 14 of 2025)

IN EXERCISE of the powers conferred by section 79 (4) of the Gambling Control Act, the Cabinet Secretary for Public Service, Human Capital Development and Special Programmes makes the following Regulations—

THE GAMBLING CONTROL (FOREIGN-BASED OPERATORS) REGULATIONS, 2026

PART I - PRELIMINARY

- Citation. 1. These Regulations may be cited as the Gambling Control (Foreign-based Operators) Regulations, 2026.
- Interpretation. 2. In these Regulations, unless the context otherwise requires—
- “authority” means the Gambling Regulatory Authority of Kenya established by section 6 of the Act;
- No. 14 of 2025.* "Foreign-based Operator" means a gambling operator licensed under Section 79(4) of the Act;
- "Host Jurisdiction" means any country or territory outside Kenya where the operator’s gambling services are carried.

PART II - LICENSING AND CAPITAL REQUIREMENTS

- Application of 3. (1) An applicant for a licence under Section
Section 29
Requirements (1) shall apply by submitting an application to the Authority in Form 1 set out in the First Schedule
- (2) An applicant for a license under Section 79(4) shall, notwithstanding the non-resident status of its target market, comply with the "Fit and Proper" requirements provided under Section 29 of the Act.
4. Subject to sub-regulation (3), a Foreign-based Operator shall maintain the following minimum financial requirements:
- (a) A minimum paid-up capital of KES 100,000,000;

- (b) A security bond or bank guarantee of KES 200,000,000 to ensure performance and regulatory compliance.
- Exemptions and Variations
5. (1) The Authority may, upon written application and based on the profile of the Host Jurisdiction, exempt a Foreign-based Operator from the 30% local equity requirement, provided that the operator demonstrates that its entire revenue base is generated outside the Republic of Kenya.

PART III - OPERATIONAL STANDARDS AND COMITY

- Adherence to Host Jurisdiction Laws
6. (1) It shall be a mandatory condition of a license issued under Section 79(4) that the operator complies with all laws, regulations, and licensing requirements of the Host Jurisdiction.
- (2) A Foreign-based Operator shall submit to the Authority a "Certificate of Compliance" or a competent authority in the Host Jurisdiction, confirming that their operations are lawful within that territory.
- (3) Any breach of the laws of a Host Jurisdiction by an operator licensed in Kenya shall be deemed a material breach of these Regulations and may result in the immediate revocation of the Kenyan license.

- Prohibition of Domestic Market Access (Geo-Fencing)
7. (1) A Foreign-based Operator shall implement robust technical measures, including but not limited to Internet Protocol Geo-blocking and Identity Verification to ensure that persons resident in Kenya cannot access their gambling platforms.
- (2) The Authority shall conduct quarterly technical audits of the operator's digital perimeter to verify the effectiveness of the geo-fencing measures.

PART IV - MONITORING AND REPORTING

- Real-Time Data Access
8. A Foreign-based Operator shall provide the Authority with remote, real-time access to its central server and gaming systems for the purpose of monitoring

financial flows and ensuring that no domestic bets are being processed.

Anti-Money
Laundering
(AML)
Compliance

9. Every operator under these Regulations shall be deemed a "Reporting Institution" under the respective Anti-Money Laundering laws of Kenya and the Host Jurisdiction.

PART V - ADMINISTRATIVE PENALTIES

Penalties for Non-
Compliance

10. Where an operator fails to adhere to the laws of a Host Jurisdiction or allows unauthorized access to Kenyan residents:
 - (a) the Authority shall impose an administrative fine not exceeding **KES 50,000,000**;
 - (b) the Authority may suspend or revoke the license;
 - (c) the operator's security bond may be forfeited to the State.

FIRST SCHEDULE

FORM 1

(r.3 (1))



GAMBLING REGULATORY AUTHORITY

**FOREIGN-BASED OPERATOR GAMBLING LICENCE
APPLICATION FORM**

NAME OF COMPANY:

NATURE OF OPERATION:

SECTION A - APPLICANT INFORMATION

Applicant's Name:

National Identity Card Number/ Passport Number:

Physical Address:

Nationality:

Telephone Number:

Email Address:

SECTION B - COMPANY INFORMATION

Trading Name:

Business Registration Number:

Registered address:

Physical Address of Operation (Host Jurisdiction):

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Proof of ownership

Attach ownership deed

Email address:

Name and Designation of main contact person and authorized signatory:

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Please provide the name/s and addresses of the Applicant's auditors:

Name:

Address:

Practicing No:Telephone No:

Email Address:.....

SECTION D – FINANCIAL CAPACITY

i) Audited financial statements (last 3 years) where applicable – attached

Yes

ii) Initial Capital Investments;

iii) Source of funds:

iv) Expected revenue to be generated:

v) Bank guarantee/ Performance Bond to be attached

SECTION E – TECHNICAL, COMPLIANCE & POLICY

Attach copies of the following documents.

- Compliance Certificate from the Host Jurisdiction
- Domain registration
- Company certificate of incorporation
- Certified bank statement or audited accounts of the last three years
- Police clearance certificate/s or equivalent from the country of origin
- Software provider details & certification
- Anti-money laundering policy
- Dispute resolution policy

APPLICANT DECLARATION

Name:

Designation:

Date:

Company Seal:.....

I hereby apply for a license, as specified in this application form, and declare that the information given above and in the attached sheet(s) are true and correct.

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(Signature)