

New Gaming Act Approved by Maltese Parliament

Yesterday, Maltese Parliament approved the third and final reading of the new Gaming Act, which shall elevate the jurisdictional profile of Malta from a regulatory perspective by strengthening the MGA's supervisory role, specifically the compliance and enforcement functions to better achieve the regulatory objectives, in line with concurrent developments relating to anti-money laundering and combating the funding of terrorism.

This new framework shall also broaden the regulatory scope to increase the MGA's oversight and to allow, in a proportionate manner, intervention where necessary. As stated previously, the new Act will also segment the role of a Key Official within a licensed entity into various key functions for direct scrutiny and targeted supervision controls, and shall strengthen the player protection framework by formalising the role of the MGA's Player Support Unit as a mediator between aggrieved players and operators. The new Act also envisages new and more effective processes for criminal and administrative justice.

Other important areas of focus include consumer protection standards, responsible gaming measures, reporting of suspicious sports betting transactions in the fight against the manipulation of sports competitions and objective-orientated standards to encourage innovation and development.

The legislation is currently undergoing the Technical Regulation Information System process (TRIS) in line with European Union Directive 2015/1535, whereby the EU Commission and Member States may issue their opinions thereon. In the absence of issues emerging from this process, it shall come into force on 1 July 2018 for remote gaming operators and, following a transitory period, on 1 January 2019 for land-based operators. The same considerations apply to the subsidiary legislation and Directives which are envisaged to be issued under the remit of the new Act, which are also currently undergoing the TRIS process. In order to facilitate the transition to the new legislative framework, the MGA has embarked on a process of liaison with existing licensees, and outreach shall be increased in due course both with operators as well as with other interested stakeholders. This shall include guidelines on the application and interpretation of the new laws and policy.

The Parliamentary Secretary for Financial Services, Digital Economy & Innovation, Hon. Silvio Schembri said; "I would like to thank the MGA for moving the regulatory agenda for gaming services forward, as well as for identifying areas for further and continuous improvement. The MGA will periodically review the regulatory performance of the sector and the framework itself and will advise Government on the attainment of its objectives mainly focusing on consumer protection and integrity."

The MGA's Chief Executive Officer, Heathcliff Farrugia stated; "This is a very important milestone for the MGA. The new law establishes very robust compliance and enforcement powers and structures, and lays the necessary foundation to continue to strengthen player protection."