



Malta's new Gaming Bill presented to Parliament with a view of being enacted in July 2018.

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The Government of Malta presented a Bill in Parliament on the 13th March 2018 to repeal the Gaming Act, 1998 and the Lotteries and Other Games Act, 2000, in order to replace it with a new omnibus Gaming Act that will see all forms and models of gambling, including online gaming, regulated under one singular Act.

The Bill, which is a result of an extensive public consultation process, which saw 53 formal reactions, including one from **Afilexion Alliance**, is being projected by the drafters as a regulatory framework to 'future proof' Malta as a jurisdiction of excellence.

Malta was the first EU Member State to regulate online gaming in 2004, with the new Gaming Act introducing new regulatory concepts 18 years after the enactment of the Remote Gaming Regulations. Whilst the new Gaming Act will continue to capitalise on the effective regulatory framework that saw Malta becoming the Gaming Capital of Europe, however the new Act will introduce regulatory innovations that will see Malta continue to cement its leading position in gaming regulation, whilst allowing for further growth of the sector. The proposed new Gaming Act, which is targeted to come into force in July 2018, will see the streamlining of its current multi-licensing classes to two main licenses – an umbrella B2C license and a B2B license, whilst it sees some interesting regulatory innovations, which include:

- A 'cryptocurrency friendly' framework, insofar as one of the articles in the law could allow for such payments in the future due to the definition of "money and money's worth" which includes "currency accepted as legal tender in the jurisdiction of its issue, virtual currencies, units of value, token of value, goods, services and any form of property which may be traded, sold, converted into or otherwise exchanged for money, goods or services"
- Incentives, in the form of zero compliance contribution fees for the initial months for 'start-up' operations,
- The divesting of the existing Key Official Role, to a number of Key Positions, thus segmenting the regulatory compliance functions across a number of authorised individuals
- The introduction of an Administrative Review Tribunal, allowing licensees to appeal to an independent body on enforcement decisions taken by the Regulator
- The introduction of the notion of 'administration' for those licensees that will be going through financial difficulties and/or winding down
- The removal of gaming taxes for B2B operators, and the introduction of a revenue based (on GGR) scaled gaming taxation system for B2C operators

The new Gaming Act has many more changes and innovations to those mentioned above, including principles that further strengthen player protection. In a nutshell however, the proposed new gaming law would not only further strengthen Malta's reputation and position from a regulatory point of view, but will also provide for a more business friendly environment for B2C and B2B operators and for game developers.

The Bill will be debated in Parliament over the coming weeks, with a view that following Parliamentary scrutiny and receiving a no objection from the EU's TRIS process, will be come into force in July 2018. Transitory provisions are also included in the new Act so as to allow the existing Licensees transit smoothly towards the new regulatory framework.

Should you have any queries about the Bill, or require any assistance in applying for remote gaming licenses, please contact us on agtg@afilexion.com



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