

# Legal and Regulatory Overhaul: Salient Features

Malta Gaming Authority

# Key Points

- Still licensing B2C and B2B models, with B2C operations being subject to rigorous player protection measures.
- Still allow operators licensed anywhere in the EU/EEA to offer their services to consumers based in Malta.
- Shift towards a risk-based approach in compliance, to ensure that the Regulator's resources are targeted where it is most necessary.
- New legal framework grants more supervisory powers to the Authority.
- Operators need to identify a number of key persons with whom Regulator maintains contact.
- New legal framework is technology-neutral.



# Gaming Player Protection Regulation & Directive

- Player Funds
- Responsible Gaming Measures
- Terms and Conditions
- Information Requirements
- Complaints and Disputes



# Player Funds

- Segregated account and distinct patrimony.
- Management can be outsourced only under strict requirements and MGA retains clear oversight. Responsibility remains with licensee.
- No unreasonable withdrawal restrictions:
  - Never on deposits;
  - Not less than EUR 250 per month;
  - Money for which withdrawal has been requested cannot be wagered;
  - No supplementary requests required;
  - Licensee cannot try to convince the player to cancel the withdrawal request.



# Responsible Gaming Measures I

- Responsible gaming information must be provided, as well as a link to entity/ies helping problem gamblers;
- Players must be given means to self-assess;
- Licensees obliged to offer players to bar themselves for playing for a period of time;
  - MGA is committed to finding a solution which enables players to bar themselves across all online gaming operations. Solution already in place for land-based gaming outlets.



# Responsible Gaming Measures II

- Upon first login, licensees are obliged to ask players whether they would like to limit the amount of money they deposit/wager, and the time they spend playing;
- Reality check needs to be offered as an option for repetitive games of chance;
- Licensees must have policies and procedures aimed at preventing and reducing problem gambling issues;
- Required to have means to actively detect problem gambling issues;
- Staff training also essential, and specialised training is required for staff responsible for dealing with problem gambling issues.



# Terms and Conditions

- Always subject to consumer law
- Readily available, intelligible and accessible at all times;
- Material changes to T&Cs must be accepted by players for them to continue playing, otherwise they must be given the opportunity to withdraw balance and stop playing
- Game rules must be equally clear, intelligible and readily accessible;
- Applicable fees must be clearly laid out.



# Information Requirements

- Players must be given access to:
  - Balance (visible at all times);
  - History (including net position);
  - Player support function;
  - Gambling support helplines;
  - Privacy notice.





# Complaints and Disputes

- Licensees must have effective player support function;
- Players must be given opportunity to refer to Alternative Dispute Resolution;
- Authority's Player Support Unit must also be made accessible to the player;
- Complaints procedure must be clear, intelligible and easily accessible for players, including in the general T&Cs.



# Commercial Communications

- Includes adverts, and any promotional schemes such as bonuses;
- No unsolicited commercial communications – NO marketing to self-excluded players;
- Free-play games to have the same specifications as real-money equivalents;
- Geographic restrictions;
- All adverts must include responsible gaming messaging;
- Licensees may not profile an individual as a likely problem gambler, and induce him/her to play;
- No adverts aimed at minors/ vulnerable persons;



# Thank you

