

MALTA I-GAMING SERVICES PROVIDER AUTHORISATION

Setting up in Malta

GAMING JURISDICTION
Largest in the EU

I-GAMING LICENCES
625+ licenses

CUSTOMER ACCOUNTS
13.9 million+

REGULATOR
Malta Gaming Authority

SYSTEMS
Cloud ready and Crypto Friendly

IGAMING LAW
1st in the EU



CHETCUTI CAUCHI
ADVOCATES

ccmalta.com/gaming



I-GAMING MALTA

As the first jurisdiction in the EU that introduced regulated remote gaming, with an average of a hundred new applications a year and being the largest EU i-gaming jurisdiction, Malta's success in the i-gaming arena is undisputed.

Malta's strategy in i-gaming has been bold and unique. The legislator decided to focus on regulation and transparency, providing a strict approach to licensing and monitoring of gaming operations. This has resulted in optimum protection for players on the one hand, to providing a regulatory solution to operators on the other, thereby achieving a balance between two opposing needs: the supplier's and the customer's.

Malta's main advantage is the fact that it is an onshore jurisdiction. Maltese operators do not face the difficulties that offshore operators face with exchange controls, access to capital markets and access to e-wallets and payment gateways worldwide. In the case of Malta i-gaming licensees, players find comfort in knowing that they are dealing with an onshore jurisdiction whose legislation is in line with the applicable EU legislation and international agreements.

Malta has always remained at the forefront of advances in technologies which affect the gaming sector. In 2017, the Malta Gaming Authority (MGA) together with the stakeholders of the gaming industry embarked upon a mission to make gaming legislation future-proof and thus ensuring that the gaming laws would be kept up to speed with emerging and disruptive technologies such as virtual currencies and distributed ledger technologies.

LEGAL BASIS

All gambling activities in Malta are regulated by the Gaming Act of 2018 which grants power to the Malta Gaming Authority to issue licenses for both land-based and remote gambling activities. The Act consolidated all previous laws and regulations and provided for an overhaul in the licensing system reducing the various classification of licences to two: Business-to-Consumer (B2C) and Business-to-Business (B2B). The attainment of a licence is principally regulated by the Gaming Authorisations Regulations, 2018 (subsidiary legislation 583.05) issued under the Malta Gaming Act which also provides for the approval of material gaming suppliers, that is, third party service providers providing a material gaming supply (as defined in the regulations – see next page) to Malta licensed operators.

The Gaming Authorisations Regulations provide that any person offering a material gaming supply to Malta licenced operators may request a material gaming supply certificate from the MGA. Hence, the authorisation/recognition by the MGA of material gaming suppliers is optional and not mandatory. Having said that, the regulations impose an obligation on Maltese licenced operators to ensure that third party material suppliers they contract with:

- are in possession of the material gaming supply certificate from the MGA; or
- the material gaming supply is otherwise approved on a case-by-case basis by the MGA and subject to a risk-based approach. In such case the licensed operator has to assume full regulatory responsibility for the material supplies.

Therefore, material gaming suppliers that have obtained the certificate facilitate the process of their approval as service providers of Malta licensed operators.

BENEFITS OF SETTING UP IN MALTA TO PROVIDE ANCILLARY GAMING SERVICES



Approved Provider
for Largest iGaming
Jurisdiction



Cost Effective
Authorisation



Technology and Game Neutral
Regulations



Blockchain and
Cryptocurrencies
Friendly



MATERIAL SUPPLY CERTIFICATE

A service is considered to be material if any weakness or failure in its provision could have a significant impact on the Malta licensed operator's ability to:

- a. meet its obligations under the Malta Gaming Act and all applicable regulatory instruments; or
- b. manage the risks related to such supply; or
- c. continue in business.

Suppliers providing any of the following services can apply to the MGA to obtain a material gaming supply certificate:

- Manufacturing, assembling, placing on the market, distributing, supplying, selling, leasing or transferring a gaming device
- Providing risk management services for the operation of a licensable game
- Providing event, content and/or odds
- Providing fraud management services for the operation of a licensable game
- Holding and, or managing player funds
- Providing services relating to customer due diligence
- Providing services related to player identity verification
- Providing co-location services and other managed information technology services, including cloud computing services and, or decentralised hosting protocols where the latter do not amount to a critical gaming supply
- Providing back-up and disaster recovery services

REQUIREMENTS

For a service provider to obtain a material gaming supply certificate the following requirements must be satisfied:

- The supplier provides services to MGA licensed entities
- The shareholders, directors and persons carrying out key functions are approved by the MGA
- An application is submitted accompanied by the required documentation
- Certificate fees are paid

PROCEDURE

- Fit & Proper Test:
 - Due diligence on key persons, directors of the prospective gaming company and shareholders having 5% or more interest
- Business Adequacy:
 - Business plan
 - Financial Statements of last 3 years
- Operational & Statutory Requirements:
 - Company documentation
 - Relations with licensed operators
 - System/operations control procedures

BENEFITS OF SETTING UP IN MALTA TO PROVIDE ANCILLARY GAMING SERVICES



Provide a Material
Supply



Service MGA Licensees



Approved Key
Persons



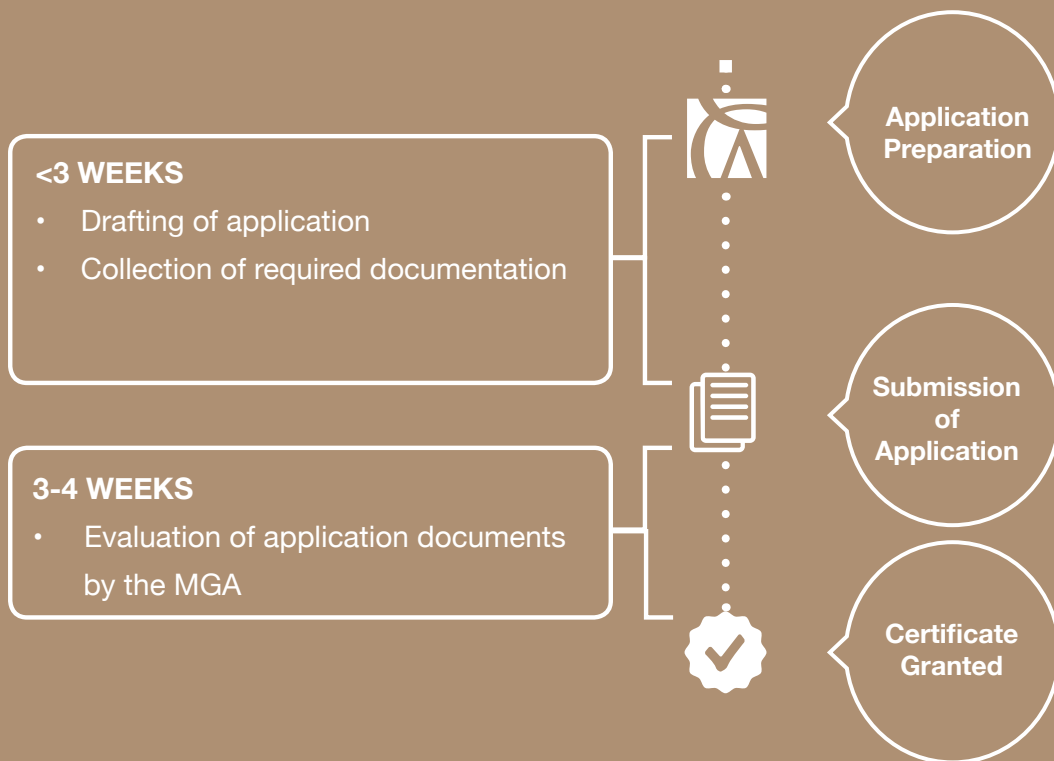
Apply for Registration
with MGA



Payment of Fees

MALTA ANCILLARY SERVICES PROVIDER CERTIFICATE

Application Process - Timeline



WHY WORK WITH US?



Success Rate:
Problem Solving,
Integrity, Honesty



12+ Years: of
Experience in the
Gaming Sector



We're lawyers:
Lawyer-Client
Privilege Guaranteed



**Dedicated Gaming
Law Practice**



Our Ethos:
Big Firm Expertise,
Small Firm Personal



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