



## GUIDELINES ON APPLICATION FOR A REMOTE GAMING LICENCE

### Application Procedure for a New Licence

The Lotteries and Gaming Authority applies a rigorous process prior to granting a remote gaming licence. The application process to obtain a licence is divided into three stages. The first stage is to conduct a fit and proper exercise on the applicant. The Authority analyses all information related to persons involved in financing and management and on the business viability of the operation. The Authority conducts probity investigations with other national and international regulatory bodies and law enforcement agencies. It also carries out a financial analysis of the business plan.

On successful conclusion of the first stage the applicant is examined on the instruments required to conduct the business. This process includes examining incorporation documents, the games, the business processes related to conducting the remote games, the rules, terms, conditions and procedures of the games, the application architecture and system architecture of the gaming and control systems. Normally the first stage is completed within 2 weeks and the second stage within 3 weeks, depending on the correctness and completeness of the information submitted to the Authority.

At the end of the second stage the applicant is given a licence to operate remote gaming with the intent of obtaining a certification of compliance within three months. The applicant may then establish the business in Malta, conclude all agreements and carry out testing of the set-up. A formal licence is issued when the Authority obtains approval from the compliance certification entity. A normal compliance certification procedure takes a week to be carried out.

### Applying for a Remote Gaming Licence

#### Stage 1: Fit and Proper

To start the process for a Remote Gaming Licence the applicant must fill an Application for Remote Gaming Licence (Form LGA/51/2004-1) and a Personal Declaration Form (Form LGA/51/2004-2) for each person with more than five per cent (5%) controlling interest and the designated key official, directors and key operating officers according to Section 5(2)(vi) of the Remote Gaming Regulations. In the case that one or more of the controlling parties is another business entity, ownership and incorporation details need to be submitted. Applications may be submitted manually or electronically.

If you are unsure whether a question applies to you, or what information you need to provide, contact the Lotteries and Gaming Authority to seek clarification.

With the application form you need to submit the following signed documents:

- Affirmation and Consent
- Authorisation to Release Information.

The following information and, or documents must be attached, if applicable:

1. For each qualifying shareholder appearing on the ownership structure form and key management personnel:
  - A true copy of the birth certificate



- A true copy of the passport
  - Passport size photo
  - A conduct certificate, or a relevant document, issued by a law enforcing authority in the country of origin of the applicant
  - Statement of Affairs
  - Credit and/or financial references
  - Bookmaker licences if issued in other countries
  - A document issued by a legal entity stating that all documentation submitted is a true copy of the original.
2. A copy of the business-plan, must be submitted. The business plan should outline in detail the following:
- The objectives of the operation;
  - The proposed company structure including business functions and human resources to be employed (e.g. Risk managers, odds compiler, financial officers, etc.);
  - The nature of games to be offered (e.g. betting, pool betting, betting exchange, casino, leagues, etc);
  - The technologies to be used to conduct remote gaming (e.g. Internet, telephone, fax, mobile, etc);
  - An overview of the application software to be used as gaming and control systems;
  - A three-year business plan including:
    - Marketing a sales plan;
    - Forecast balance sheets;
    - A financing plan showing sources of finance, distinguishing between shareholder funds and other funds. (Such as venture capital, bank guarantees, etc.);

## **Second Stage: Business and Technical Ability Assessment**

On successful completion of the first stage, the applicant shall be informed by the Authority to proceed with the next stage. The following documentation has to be submitted at this stage:

- A Maltese Company Registration Certificate (including an International Trading Company Certificate if applicable);
- Memorandum and Articles of Association;
- Rules and Procedures of the Games;
- Terms and Conditions for using the services;
- Business Entity Information Form (LGA/51/2004-3);



- A detailed operational manual outlining the application architecture, the system architecture, the software developer, security and control procedures, back-up and disaster recovery procedures;
- The payment methods, the payment system/s and its provider/s;
- Agreements with business partners, affiliates, agents;
- A Service Provider Authorisation Form (LGA/51/2204-4) if applicable, including the agreement with the equipment hosting provider in Malta outlining clearly the functions and responsibilities to be carried out by such provider. A site plan of the data floor indicating the location of the equipment, must be attached to the agreement.

## Licence and Application Fees

A non-refundable application fee is to be submitted with the application. The annual licence fee is to be paid within fifteen days from the submission of the formal grant of the licence and is to be paid annually. Payments can be done by a cheque drawn in Maltese Currency or bank transfer in favour of the Lotteries and Gaming Authority. Please contact the Authority for bank details.

## Documentation Format

Copies of original documents must be clear and legible. If submitted electronically, images must be scanned at 200dpi and in TIFF or JPG format. Scanned images with textual content only can be black and white, whilst documents with pictures must be scanned in greyscale or colour. Textual documents should be sent in Adobe PDF format.

The Authority shall use copies for processing an application but you are requested to send originals for complete records.

## Submitting the Application

The application can be submitted either:

- By hand, at the reception desk of the Lotteries and Gaming Authority, or
- By Mail, addressed to the Remote Gaming Control Officer, 'La Concorde', Abate Rigord Street, Ta' Xbiex MSD12, Malta, or
- By electronic mail, in a zipped file with all the documents to **RemoteGaming@lga.org.mt**.

