

Naghti l-kunsens tiegħi.

(L.S.)

**MARIE LOUISE  
COLEIRO PRECA  
President**

19 ta' Diċembru, 2014

**ATT Nru XLI tal-2014**

*ATT biex jemenda l-Att dwar Lotteriji u Logħob Ieħor, Kap. 438.*

IL-PRESIDENT bil-parir u l-kunsens tal-Kamra tad-Deputati, imlaqqgħa f'dan il-Parlament, u bl-awtorità tal-istess, hareġ b'ligi dan li ġej:-

**1.** It-titolu fil-qosor ta' dan l-Att huwa l-Att tal-2014 li jemenda l-Att dwar Lotteriji u Logħob Ieħor u dan l-Att għandu jinqara u jinftiehem haġa waħda mal-Att dwar Lotteriji u Logħob Ieħor, hawnhekk iżjed 'il quddiem imsejjaħ "l-Att prinċipali".

Titolu fil-qosor.

Kap. 438.

**2.** Fit-titolu twil tal-Att prinċipali, minflok il-kliem "Awtorità dwar il-Lotteriji u l-Logħob" għandhom jidhlu l-kliem "Awtorità Maltija dwar il-Logħob".

Emenda tat-titolu twil tal-Att prinċipali.

**3.** Fl-intestatura tat-Taqsima IV fit-"Tqassim tal-Att" tal-Att prinċipali, minflok il-kliem "tal-Awtorità dwar il-Lotteriji u l-Logħob" għandhom jidhlu l-kliem "tal-Awtorità Maltija dwar il-Logħob".

Emenda tat-Tqassim tal-Att prinċipali.

**4.** L-artikolu 2 tal-Att prinċipali għandu jiġi emendat kif ġej:

Emenda tal-artikolu 2 tal-Att prinċipali.

(a) fis-subartikolu (1) tiegħu, it-tifsira "Awtorità" għandha tiġi sostitwita b'dan li ġej:

" "Awtorità" tfisser l-Awtorità Maltija dwar il-Logħob imwaqqfa taht l-artikolu 9;"

(b) fis-subartikolu (1) tiegħu, it-tifsira "Ministru"

għandha tiġi sostitwita b'dan li ġej:

" "Ministru" tffisser il-Ministru responsabbli għall-Awtorità Maltija dwar il-Logħob"; u

(ċ) minnufih wara s-subartikolu (3) tiegħu għandu jiżdied il-paragrafu ġdid li ġej:

"(4) Kull riferenza f'xi liġi jew kuntratt privat jew f'kull strument legali jew dokument ieħor, domestiku, esteru jew internazzjonali, għall-Awtorità dwar il-Lotteriji u l-Logħob għandha tinftiehem bħala riferenza għall-Awtorità Maltija dwar il-Logħob."

Emenda tal-intestatura tat-Taqsima IV tal-Att prinċipali.

5. Fl-Intestatura tat-Taqsima IV tal-Att prinċipali, minnufih wara l-artikolu 8, minflok il-kliem "tal-Awtorità dwar il-Lotteriji u l-Logħob" għandhom jidhlu l-kliem "tal-Awtorità Maltija dwar il-Logħob".

Emenda tal-artikolu 9 tal-Att prinċipali.

6. L-artikolu 9 tal-Att prinċipali għandu jiġi emendat kif ġej:

(a) fin-nota marginali tiegħu, minflok il-kliem "tal-Awtorità dwar il-Lotteriji u l-Logħob" għandhom jidhlu l-kliem "tal-Awtorità Maltija dwar il-Logħob"; u

(b) fis-subartikolu (1) tiegħu, minflok il-kliem "l-Awtorità dwar il-Lotteriji u l-Logħob", għandhom jidhlu l-kliem "l-Awtorità Maltija dwar il-Logħob".

Emenda tal-artikolu 11 tal-Att prinċipali.

7. L-artikolu 11 tal-Att prinċipali għandu jiġi emendat kif ġej:

(a) il-paragrafu (n) tiegħu għandu jiġi sostitwit b'dan li ġej:

"(n) tidhol fi ftehim bilaterali jew multilaterali jew memoranda ta' qbil ma' awtoritajiet regolatorji oħra lokali jew barranin, jew ma' aġenziji governattivi oħra, jew entitajiet jew organizzazzjonijiet oħrajn, għal diversi materji inklużi iżda mhux limitati għall-iskambju ta' informazzjoni u għal forom oħra ta' kollaborazzjoni"; u

(b) minnufih wara l-paragrafu (n) tiegħu għandu jiżdied dan il-paragrafu ġdid li ġej:

"(o) li titlob kull tip ta' informazzjoni mid-detenturi ta' liċenza jew persuni jew entitajiet li jixtiequ japplikaw jew ikunu applikaw għal liċenza, jew persuni

jew entitajiet li jistgħu jkunu qegħdin jikkonduċu attività li tinneċessita liċenza, li l-Awtorità tikkunsidra fid-diskrezzjoni tagħha bħala neċessarja:

Iżda detenturi ta' liċenza għandhom ikunu marbuta sabiex jikkonformaw ma' dawn it-talbiet u nuqqas ta' konformità għandu jkun reat taħt dan l-Att:

Iżda wkoll kull persuna jew entità li tixtieq tapplika jew tkun applikat għal liċenza għandha s-setgħa li tirrifjuta tali talba, iżda tali rifjut jista' jiġi meqjus mill-Awtorità fid-deċiżjoni tagħha dwar jekk tagħtix il-liċenza jew le:

Iżda wkoll kull persuna jew entità li tista' tkun qiegħda tikkonduċi attività li tinneċessita liċenza għandha s-setgħa li tirrifjuta tali talba, iżda tali rifjut jagħti s-setgħa lill-Awtorità li tinvolvi lill-Pulizija Eżekuttiva."

**8.** Is-subartikolu (2) tal-artikolu 78 tal-Att prinċipali għandu jiġi emendat kif ġej:

Emenda tal-artikolu 78 tal-Att prinċipali.

(a) fil-paragrafu (n) tiegħu, minflok il-kliem "apparat għal-logħob speċifikati; u" għandhom jidhru l-kliem "apparat għal-logħob speċifikati;"

(b) il-paragrafu (o) tiegħu għandu jiġi enumerat mill-ġdid bħala l-paragrafu (p); u

(ċ) minnufih wara l-paragrafu (n) tiegħu għandu jizjed dan il-paragrafu ġdid li ġej:

"(o) jipprovdi għat-twaqqif ta' fond, li jkun imsejjaħ "Fond għal *GamingMalta*", li fih jiġu akkreditati dawk il-perċentwali mit-taxxi u, jew mid-drittijiet gross imħallsin minn detenturi ta' liċenzi jew kategoriji speċifikati ta' detenturi ta' liċenzi kif jista' jiġi speċifikat u, jew donazzjonijiet u, jew kontribuzzjonijiet oħrajn ta' kull tip u minn kull entità, inkluża iżda mhux biss l-Awtorità sabiex tiġi promossa u avvanzata Malta bħala ġurisdizzjoni tal-logħob u ċentru ta' eċċellenza għal-logħob; u".

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Mgħoddi mill-Kamra tad-Deputati fis-Seduta Nru. 221 tal-10 ta' Dicembru, 2014.

ANĠLU FARRUGIA  
*Speaker*

RAYMOND SCICLUNA  
*Skrivan tal-Kamra tad-Deputati*

I assent.

(L.S.)

**MARIE LOUISE  
COLEIRO PRECA  
President**

19th December, 2014

**ACT No. XLI of 2014**

*AN ACT to amend the Lotteries and Other Games Act, Cap. 438.*

BE IT ENACTED by the President, by and with the advice and consent of the House of Representatives, in this present Parliament assembled, and by the authority of the same, as follows:-

1. The short title of this Act is the Lotteries and Other Games (Amendment) Act, 2014 and this Act shall be read and construed as one with the Lotteries and Other Games Act, hereinafter referred to as "the principal Act". Short title.  
Cap. 438.
2. In the long title of the principal Act, for the words "Lotteries and Gaming Authority", there shall be substituted the words "Malta Gaming Authority". Amendment of  
the long title of  
the principal  
Act.
3. In the heading of Part IV within the "Arrangement of Act" of the principal Act, for the words "Lotteries and Gaming Authority", there shall be substituted the words "Malta Gaming Authority". Amendment of  
the  
Arrangement of  
Act of the  
principal Act.
4. Article 2 of the principal Act shall be amended as follows: Amendment of  
article 2 of the  
principal Act.
  - (a) in subarticle (1) thereof, for the definition "Authority" there shall be substituted the following:

" "Authority" means the Malta Gaming Authority established under article 9;"
  - (b) in subarticle (1) thereof, for the definition "Minister" there shall be substituted the following:

" "Minister" means the Minister responsible for

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the Malta Gaming Authority;"; and

(c) immediately after subarticle (3) thereof there shall be added the following new subarticle:

"(4) Any reference in any law or private contract or any other legal instrument or document whatsoever, be it domestic, foreign or international, to the Lotteries and Gaming Authority shall be construed as a reference to the Malta Gaming Authority."

Amendment of the heading of Part IV of the principal Act.

**5.** In the heading of Part IV of the principal Act immediately following article 8, for the words "Lotteries and Gaming Authority", there shall be substituted the words "Malta Gaming Authority".

Amendment of article 9 of the principal Act.

**6.** Article 9 of the principal Act shall be amended as follows:

(a) in the marginal note thereof, for the words "Lotteries and Gaming Authority", there shall be substituted the words "Malta Gaming Authority"; and

(b) in subarticle (1) thereof, for the words "the Lotteries and Gaming Authority", there shall be substituted the words "the Malta Gaming Authority".

Amendment of article 11 of the principal Act.

**7.** Article 11 of the principal Act shall be amended as follows:

(a) paragraph (n) thereof shall be substituted by the following:

"(n) to enter into bilateral or multilateral agreements or memoranda of understanding with other local or overseas regulatory authorities, or other government agencies, or other entities or organisations, for various matters including but not limited to exchange of information and other forms of collaboration;"; and

(b) immediately after paragraph (n) thereof there shall be added the following new paragraph:

"(o) to request any kind of information from its licensees or prospective licensees, or persons or entities that may be conducting an activity which requires a licence, as it may in its discretion consider necessary:

Provided that licensees shall be bound to comply with such requests and non-compliance shall be an offense

against this Act:

Provided further that prospective licensees shall not be bound to comply with such requests but non-compliance may be taken into account by the Authority in deciding whether or not to award a licence:

Provided further that persons or entities that may be conducting an activity which requires a licence shall not be bound to comply with such requests but non-compliance shall empower the Authority to refer the matter to the Executive Police."

**8.** Subarticle (2) of article 78 of the principal Act shall be amended as follows:

Amendment of article 78 of the principal Act.

(a) in paragraph (n) thereof for the words "or specified gaming devices; and" there shall be substituted the words "or specified gaming devices;"

(b) paragraph (o) thereof shall be renumbered as paragraph (p); and

(c) immediately after paragraph (n) thereof there shall be added the following new paragraph:

"(o) provide for the setting up of a fund, to be styled as the "GamingMalta Fund", to which there shall be credited such percentage of taxes and, or gross fees paid by licensees or specific categories of licensees as may be specified in such regulations and, or other donations and, or contributions of whichever kind and by whichever entity, including but not limited to the Authority, for the purpose of promoting and advancing Malta as a gaming jurisdiction and a centre of excellence for gaming; and".

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Passed by the House of Representatives at Sitting No. 221 of the  
10th December, 2014.

ANĠLU FARRUGIA  
*Speaker*

RAYMOND SCICLUNA  
*Clerk of the House of Representatives*

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