

MALTA RECOGNITION OF FOREIGN LICENCE

Providing iGaming Services in Malta

EU
Member of the EU since 2004

CURRENCY
Euro

GAMING JURISDICTION
Largest in the EU

REGULATOR
Malta Gaming Authority (MGA)

I-GAMING LAW
1st in the EU

SYSTEMS
Cloud Ready + Crypto Friendly





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 customers'.

Malta's main advantage is the fact that, throughout the years, it continued to evolve, ensuring that its iGaming laws are relevant and in tune with the surrounding developments. In line with this, in 2018, Malta overhauled its gaming regime and enacted a new body of iGaming laws, meant to be future-proof, catering for the complexity of the industry while nonetheless promoting its further development and introducing numerous initiatives.

One such initiative that the new regime provides for is a formal recognition procedure of foreign licenses, in particular EU and EEA licences. Before the enactment of the new law in August 2018, EU and EEA licences were in principle recognised. However, no proper procedure was provided for. The new law provides for such procedure and the conditions for the recognition of a foreign iGaming licence.

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 Malta Gaming Authority (MGA) recognises iGaming licences issued in other EU/EEA jurisdictions in line with European Treaty principles. Licensed companies are allowed to operate in Malta provided that they notify the MGA and obtain a recognition notice. The procedure is mainly regulated by the Malta Gaming Authorisations Regulations (subsidiary legislation 583.05) issued under the Malta Gaming Act 2018.

Whilst the recognised licensee itself is not regulated by the MGA and the full rights and obligations emanating from the jurisdiction of where the licence was originally issued continue to apply, a recognised licence in Malta has the same effect as an authorisation issued by the MGA for the purpose of providing a gaming service, gaming supply, key function, or any other authorisation in or from Malta. The recognition therefore, legitimises the operations of the licensee in and from Malta.

BENEFITS OF SETTING UP AN IGAMING B2B COMPANY IN MALTA



Cost Effective EU
License Recognition



Short Time Period



5% Gaming Tax
on Malta Resident
Players



Technology and Game
Neutral Regulations



Blockchain and
Cryptocurrencies Friendly



REQUIREMENTS

The following requirements need to be fulfilled for the successful recognition of a foreign licence in Malta:

- the applicant is in possession of a licence issued in an EU or EEA member state;
- the licence is operational;
- the licence is in good standing;
- the licence covers the games being offered by the applicant;
- the applicant submits with the MGA an application for recognition accompanied by the required documentation; and
- the first year recognition notice fee is paid on submission of application.

FEES

A yearly recognition notice fee of €5,000 is to be paid to the MGA, one year in advance.

PROCESS

Pre-Application Stage

The applicant will need to ensure that the licence to be recognised is operational and in good standing and any pending matters with the foreign regulator are concluded.

Application Stage

The proper application would need to be filed with the MGA. Together with the application, a number of documents would need to be submitted including a copy of the licence and a legal opinion by a lawyer in the country of where the licence was originally issued, declaring the validity and applicability of the licence.

The MGA will review the documentation submitted. On the MGA being satisfied of the validity, operability and extent of the licence as outlined in the application documentation, a recognition notice will be issued allowing the operator to operate in and from Malta in line with the requirements and limitations of its licence as issued by the foreign regulator.

REQUIREMENTS



Operational and Valid
EU/EEA Licence



Games to be Offered
Covered by Licence



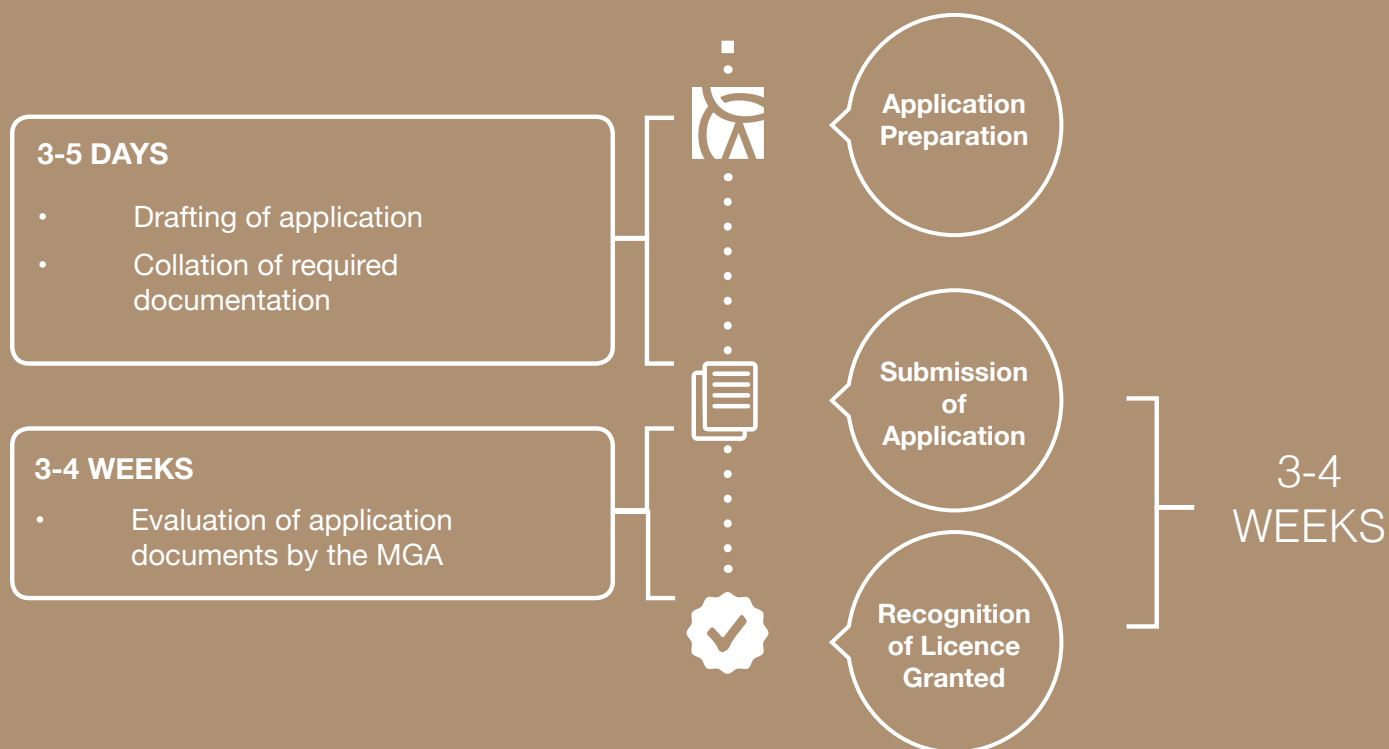
Application for
Recognition with MGA



Payment of Yearly
Recognition Notice Fee

MALTA RECOGNITION OF FOREIGN LICENCE

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



**CHETCUTI
CAUCHI**
ADVOCATES

Malta