



Directive Number: 007  
Publication Date: 01/10/2012

## Players' Liability Reporting Directive 2012

---

IN exercise of the powers conferred by article 76A of the Lotteries and Other Games Act, 2001, the Lotteries and Gaming Authority is hereby issuing the following directive in order to implement further measures for the control of players' money by licensees and the required reporting thereof under the Remote Gaming Regulations S.L 438.04 issued under the Act.

### Part I – Preliminary

1. The Short title of this Directive is the Players' Liability Reporting Directive 2012.
2. This directive shall set out the Lotteries and Gaming Authority's requirements in connection with the obligation of a Remote Gaming Licensee in relation to the following processes: Monthly Reporting on Players' Liability, Clients' Accounts and Funds in Transit of a duly licensed Remote Gaming Operation in Malta.
3. This Directive shall come into force on the 1<sup>st</sup> October, 2012.

### Part II – Definitions

4. In this Directive, unless the context otherwise requires:

**"Act"** shall mean the Lotteries and Other Games Act Cap 438 Laws of Malta;

**"Authority"** shall mean the Lotteries and Gaming Authority;

**"Clients' Account/s"** shall mean account/s held with an approved credit institution in accordance with regulation 40 of the Regulations and designated as holding players' funds on behalf of the licensee;

**"Directive"** shall mean the Player Liability Reporting Directive 2012;

**"Funds in transit"** shall mean funds in the process of being cleared through the banking system or by credit card processing companies;



**“Licence”** shall mean a Remote Gaming Licence issued under the Regulations;

**“Players’ Liability”** shall mean the amount standing to the credit of players’ accounts held by the licensee;

**“Regulations”** shall mean the Remote Gaming Regulations (S.L. 438.04).

5. Words and expressions, which are used in the Act and/or Regulations, shall have the same meanings as in the Act and or Regulations.

### **Part III – Applicability**

6. This Directive applies to the operations under every Class 1, 2 and 3 licence and every Class 1, 2, and 3 operating on a Class 4 issued by the Authority.

### **Part IV – Monthly Reporting**

7. The Key Official shall provide the Authority with the following Reports by not later than the twentieth (20<sup>th</sup>) of the following month in the format as prescribed in Annex A.

#### **A. Player Liability Reports**

1. An Original Declaration covering the:
  - a. Licence number/s covered by the declaration;
  - b. Class of each licence;
  - c. The name of the class 4 company for each licence operating on a platform (where applicable);
  - d. Currency alphabetic code as per ISO 4217;
  - e. Balance, by licence (if applicable), standing to the credit of players’ accounts held by the licensee as at the end of the previous month;
  - f. Balance translated into Euro (where applicable) using European Central Bank exchange rates as updated on the last day of the previous month; and
  - g. Euro total of all balances.
2. Copies of other Documentation, showing the Players’ Liability balance as at end of the previous month, including back office screenshots, report extracts or any others. This documentation shall be signed by the Key Official in order to prove that they are true and actual.



## **B. Clients' Account/s Reports**

### **1. An Original Declaration covering the:**

- a. Name of the credit institution holding each Clients' Account as approved under the Regulations;
- b. Account identification number / international bank account number;
- c. Currency alphabetic code as per ISO 4217;
- d. Balance as at the end of the previous month;
- e. Balance translated into Euro (where applicable) using European Central Bank exchange rates as updated on the last day of the previous month; and
- f. Euro total of all balances.

*Note that the above declaration shall only include Clients' Account/s which have been duly registered with the Authority via the Business Entity Information form (LGA/51/2010-03) to be filled in every six (6) months. Such Clients' Accounts must be covered by a bank declaration meeting the requirements of sub-regulations 40 (3) and (5) and regulation 41.*

- ### **2. Copies of Bank statement extract showing the balance as at the end of the previous month for each of the Clients' Account/s. This documentation shall be signed by the Key Official in order to prove that they are true and actual.**

## **C. Funds in Transit**

### **1. An Original Declaration covering the:**

- a. Description (funds in transit, in process of being cleared through the banking system, in process of being cleared by credit card processing companies);
- b. Currency alphabetic code as per ISO 4217;
- c. Balance as at the end of the previous month;
- d. Balance translated into Euro (where applicable) using European Central Bank exchange rates as updated on the last day of the previous month; and
- e. Euro total of all balances.

- ### **2. Copies of supporting documentation covering the balance or the workings in the derivation of the balance as at end of the previous month. This documentation shall be signed by the Key Official in order to prove that they are true and actual.**

## **D. Shortfall / Surplus Report**

### **1. An Original Declaration covering the:**



- a. Euro total of A1;
- b. Euro total of B1 and C1;
- c. Euro shortfall / surplus between D1a and D1b; and
- d. An explanation of the factors leading to the shortfall/surplus resulting in D1c.

#### **Part V – Submissions**

8. Submissions under Part IV covering points 7 A to D are to be addressed to: 'Monthly Reporting' – LGA Accounts Department, Lotteries and Gaming Authority, Suite 1, Level 3, T.G. Complex, Brewery Street, Mrieħel, BKR 3000 and such submissions must reach the Authority by the twentieth (20<sup>th</sup>) of the following month.

#### **Part VI – Remote Access**

9. In order to better perform its monitoring and regulatory functions in this area, the Authority is requiring its licensees to provide it with remote read-only access to their backend reporting systems, allowing it to monitor the remote gaming operations and generate activity reports. Accordingly, the Authority is requesting all its licensees to provide it with a login and password to their backend system.

#### **Part VII – Enforcement**

10. If any one of the Reports required in this Directive, omits any of the above listed requirements and furthermore if any of such reports are not submitted within the established timeframe in this Directive, then this shall be tantamount to an offence against the Act and the Regulations and the Authority shall take action in line with Part XVI of the Regulations.

ANNEX A

‘Monthly Reporting’  
LGA Accounts Department  
Lotteries and Gaming Authority  
Suite 1, Level 3, TG Complex,  
Brewery Street, Mriehel,  
Birkirkara BKR 3000 Malta

[Date]

RE:     **Player Liability Reporting Directive**

In line with the requirements of LGA Directive Number 007 please find hereunder the declarations as required therein for [Company name] Limited.

**A.   Players’ Liability**

The Players’ Liability balance total as at end of [month] [year] is reflected in the table below:

License Number	Class / Platform	Currency	Balance	Balance €
LGA/CLX/XXX/XXXX	Class X	XXX	x,xxx	x,xxx
LGA/CLX/XXX/XXXX	Class X on X / [Platform] Limited	XXX	x,xxx	x,xxx
LGA/CLX/XXX/XXXX LGA/CLX/XXX/XXXX	Class X on X / [Platform] Limited Class X on X / [Platform] Limited	XXX	x,xxx	x,xxx
<b>Total</b>				<b>x,xxx</b>

Where applicable, balances have been translated to Euro using European Central Bank’s exchange rate issued on the last day of [month] [year].

Documentation, certified as true copy, supporting the contents of the table above is/are attached.

**B.   Clients Account/s**

The Clients’ Account/s balances total as at end of [month] [year] is reflected in the table below:

Bank	International Bank Account Number	Currency	Balance	Balance €
Xxx	xxxxxxxxxxxxxxxxxxxxxx	XXX	x,xxx	x,xxx
Xxx	xxxxxxxxxxxxxxxxxxxxxx	XXX	x,xxx	x,xxx
Xxx	xxxxxxxxxxxxxxxxxxxxxx	XXX	x,xxx	x,xxx
Xxx	xxxxxxxxxxxxxxxxxxxxxx	XXX	x,xxx	x,xxx
<b>Total</b>				<b>x,xxx</b>

Where applicable, balances have been translated to Euro using European Central Bank’s exchange rate issued on the last day of [month] [year].

Bank Statement extract/s, certified as true copy, showing the balance for each Clients' Account as at the end of the previous month is/are attached.

### C. Funds in Transit

The Funds in Transit balances total as at end of [month] [year] is reflected in the table below:

Description	Currency	Balance	Balance €
Xxx	XXX	x,xxx	x,xxx
Xxx	XXX	x,xxx	x,xxx
Xxx	XXX	x,xxx	x,xxx
Xxx	XXX	x,xxx	x,xxx
<b>Total</b>			<b>x,xxx</b>

Where applicable, balances have been translated to Euro using European Central Bank's exchange rate issued on the last day of [month] [year].

Supporting documentation, certified as true copy, supporting the contents of the table above is/are attached.

### D. Shortfall Surplus

Description	Balance €	Balance €
Total Player Liability		x,xxx
Total Clients' Account/s	x,xxx	
Total Funds in Transit	x,xxx	
Total Clients' Account/s and Funds in Transit		x,xxx
<b>Shortfall / Surplus</b>		<b>x,xxx</b>

In my capacity as Key Official of [Licence Number LGA/CLX/XXX/XXXX], I hereby declare that to the best of my knowledge, the data supplied is accurate, complete and true.

\_\_\_\_\_  
 [Name and Surname of Key Official]  
 [Date]