



**Form LGA/GD/2011-10**

## **Application for Approval and Registration of Games**

- Please complete in Block Capitals and in black ink and return this completed form to the Lotteries and Gaming Authority (the 'Authority').
- All answers must be completed in English.
- Documents provided in other languages must have a signed English translation attached thereto and certified that it is a true copy and translation of any original.
- Use N/A in response to any question which is not applicable.
- If there is not enough space on this form for any particular answer kindly attach a sheet hereto. Write the section number at the top of the sheet and your signature.
- The Authority reserves the right to request additional information.
- The Authority considers that the Gaming Devices Regulations (S.L. 438.07) issued under the Lotteries and Other Games Act (Cap. 438 of the Laws of Malta) empowers the Authority to request any person having a Class 3 licence and carrying out the activities established in Reg. 3(1)(b) and (c) to first obtain the Authority's approval and registration of the games and hence to fill in this Application Form.
- This Application Form shall be filled in by a Class 3 Licensee who requires a game to be approved and registered by the Authority as the game in question does not have the relevant approval and registration as established in the Gaming Devices Regulations (S.L. 438.07).
- If there are any changes in the information provided in the Application Form, it is the Applicant's responsibility to advise the Authority immediately. Failure to do so could result in suspension or revocation of the relevant licence.
- This Application Form shall not be accepted if the relevant application fee is not provided to the Authority.





## 2. Declaration

I, (Name and Surname) \_\_\_\_\_ of Identity Card Number \_\_\_\_\_

and residing at \_\_\_\_\_, solemnly declare

that as the Applicant/representative of the Applicant \_\_\_\_\_ (Body Corporate Name), I have personally completed this Application for Approval and Registration of Games form (the 'Application Form') to which this Declaration is appended to.

I hereby certify that all statements contained in and attached to this Application Form are correct to the best of my knowledge and complete.

I confirm that all the information that I have submitted in support of this Application Form is complete and true and that I understand that knowingly making a false statement for this purpose is tantamount to a criminal offence.

I understand that misrepresentation or failure to submit any information requested by the Lotteries and Gaming Authority (the 'Authority') shall be deemed as good and sufficient cause for it to refuse to issue its approval and registration of games as is hereby being applied for or for an eventual revocation if such misrepresentation or failure is discovered at a later stage.

I understand that should the information provided in relation to this Application Form cease to be correct, or if there are any changes in the information provided in the Application Form, it is my responsibility to advise the Authority immediately. Failure to do so could result in any approval, registration and, or licence issued being reviewed and possibly suspended or revoked.

The Authority may request confirmation or further information from any appropriate third parties in respect of evidence or documentation I have provided in support of this Application Form. I agree to authorise the Authority to request and receive information from such third parties.

By signing this declaration I am agreeing to all of the above statements and confirm that I am compliant with the Gaming Device Regulations (S.L. 438.07) (the 'Regulations') and understand that I must always comply with the provisions of the Lotteries and Other Games Act, the Regulations, other applicable regulations, directives, terms and conditions of the licence and any code of conduct issued by the Authority.

**By signing this declaration I am agreeing to all of the above statements.**

Signature \_\_\_\_\_

Date: 

DD	MM	YY		



**3. Authorisation to Release Information**

I, \_\_\_\_\_, as the Applicant/representative of the Applicant \_\_\_\_\_  
(Body Corporate Name), identified in this Application for Approval and Registration of Games Form hereby declare that –

I understand that the Lotteries and Gaming Authority (the ‘Authority’) reserves the right to investigate all relevant data and facts to their satisfaction.

I authorise the Authority to conduct a complete and comprehensive investigation to determine the accuracy of all information gathered and I hereby release, waive, discharge and agree not to hold the Authority responsible for the receipt and use of such data, other than for unlawful processing of such information, acquired during investigations and inquiries.

I authorise any person or entity contacted by the Authority to provide any and all such data deemed necessary by the Authority. I hereby waive any rights of confidentiality in this regard.

I hereby authorise the lawful use, disclosure or publication of this data.

I understand that by signing this authorisation, I am giving my explicit consent to the Authority to collect and process personal data, including sensitive personal data which relates to the data subject/s involved in the operation of the Applicant and I declare that I have the necessary powers to grant this authorisation.

Signature \_\_\_\_\_

Identity Card Number 

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Date 

DD		MM		YY	



## Enclosures

Please mark the boxes of the enclosures which are to be attached and indicate the number of copies:

- A list of all the relevant gaming devices through which the game will be provided; 

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- Certificate proving that the game is licensed and, or approved in the EU or the EEA 

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- a certificate issued by a manufacturer and an independent testing lab accredited within a Member State of the European Union or a Member State of the European Economic Area or any other jurisdiction or territory approved by the Authority and recognised by the Authority as having the required accreditation to issue such certificate (hereinafter referred to as the "Testing Lab"), certifying compliance of the game with Community law and standards as may be applicable from time to time and in accordance with these regulations; 

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- a certificate issued by a Testing Lab certifying compliance of the statistical randomness of the random number or symbol generator related to the relevant gaming device with Community law and standards as may be applicable from time to time and in accordance with these regulations; 

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- in the case where the certificate referred to in paragraph (a) does not cover the games provided through the relevant gaming device, a certificate issued by a Testing Lab certifying compliance of the game provided through the relevant gaming device with Community law and standards as applicable from time to time and in accordance with these regulations; 

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- evidence that any game to be provided through a relevant gaming device is an authorised game and that it complies with the provisions of the Act and these regulations; 

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- manuals, including software manuals, and any other documents issued by the manufacturer of the relevant gaming device containing:
  - (i) a full description of the relevant gaming device including the brand-name;
  - (ii) the theme of the games that can be played through the relevant gaming device;
  - (iii) instructions to be followed by users of the relevant gaming device; and
  - (iv) all the rules and parameters pertaining to the game provided through the relevant gaming device;
  - (v) system infrastructure (if applicable)

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- proof that the game does not offer a prize of monetary value in excess of one thousand euro (€1,000); 

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- proof that the game offering a progressive or mystery jackpot does not offer a prize of monetary value in excess of two thousand euro (€2,000); 

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- game proposed payout percentage; 

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- a statement of compliance with the terms of these regulations signed by the key official and the Class 3 Licensee as the case may be; 

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- proof of the legal title of the applicant over the game; 

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- the non-refundable one-time approval fees for registration of the game as set out in the Third Schedule, i.e. five hundred euro (€500) per game and one hundred euro per annum per relevant gaming device through which the game will be offered (unless the game is approved by a licence or approval from an EU or EEA country); 

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- procedure in relation to the information to be provided to the players:
  - i. name of the game;
  - ii. cost of a credit;
  - iii. rules of the game;
  - iv. payout table;
  - v. duration of player's session of play;
  - vi. amount spent by player during session of play;
  - vii. players' net/losses in euro during session of play;
  - viii. warnings against excessive playing; and
  - ix. responsible gaming notices.

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## **Data Protection Clause**

The Lotteries and Gaming Authority (the 'Authority') is a data controller under the terms of the Data Protection Act (Cap. 440 of the Laws of Malta). The information provided on this legal form will be processed for the purposes necessary for the Authority to carry out its functions and meet its legal obligations.

The data may be shared with third parties who fulfil a service on behalf of and under the express instructions of the Authority and other bodies where it is necessary to do so in order to carry out the Authority's functions and where the Authority is legally required or permitted to do so.

The Authority will not discriminate unfairly against any subject of a disclosure on the basis of conviction or other information revealed. However, the existence of a conviction for an offence deemed relevant by the Authority is a ground to refuse a licence.

Any material or information which you send to us and which we record will be treated as confidential and will only be disclosed to others where it is necessary to do so in order to carry out the Authority's functions or where the Authority is required by law to disclose the information.

**Note –** Your application will not be considered unless all relevant questions have been completed and the required documents submitted in full. Failure to provide the above information or to provide further information when requested by the Lotteries and Gaming Authority (the 'Authority') may result in your application being determined based on the information available to the Authority at the time, which may affect the outcome of your application.

**Warning –** Any misrepresentation in completing this form may render the attached Declaration Form void.