



# Consultation on the Authorised Application Managers Regulations and Policy Document

Public Consultation  
Malta Gaming Authority

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## 1 Context

### 1.1 Background

The Malta Gaming Authority (the “Authority” or “MGA”) is hereby issuing a public consultation regarding the proposed Authorised Application Managers Regulations (the “Regulations”) and the Authorised Application Managers Regulations Policy Document (the “Policy Document”). Together, the latter will serve as a framework to regulate third-party service providers (“Application Manager/s”) that are currently assisting authorised persons and prospective authorised persons with the submission of applications.

The Authority has sought to improve the level of efficiency and expediency of its authorisation process. The introduction of this framework will enable the Authority to monitor and control the quality and accuracy of the documentation and information it receives, thereby ensuring a higher quality of service. Moreover, Application Managers will assist authorised persons and prospective authorised persons in their interaction with the Authority, ultimately guaranteeing a smoother authorisations process for all parties involved.

The Regulations will delineate the scope, functions, and obligations of Application Managers, and establish the powers of the Authority in this respect. The Policy Document compliments the Regulations by providing further clarity with respect to the Authority’s expectations of Application Managers, along with guidance aimed at assisting Application Managers to understand and comply with their regulatory obligations.

### 1.2 MGA's Consultation Objective

In line with the Authority’s commitment to an open and transparent decision-making process, the MGA is issuing this consultation to communicate and refine its proposal in relation to the Regulations and the Policy Document. The Authority is encouraging industry stakeholders to express their views and provide their feedback in relation to the Regulations and the Policy Document, so as to ensure that decisions are taken, and policies are adopted in a transparent and accountable manner.

### 1.3 Pre-Consultation Activities

The Regulations and the Policy Document are being proposed on the basis of the Authority’s own experience garnered through day-to-day interaction with such third-party service providers. Moreover, the Authority also consulted externally with other Maltese authorities with respect to certain aspects of the proposed framework.

## 2 Consultation process

The following section contains relevant information about the consultation process, including key dates and the process to forward queries to the MGA during the consultation period.

### 2.1 Period

This consultation shall last for a period of six (6) weeks, set as follows:

<b>Opening date of consultation</b>	01 February 2023
<b>Closing date of consultation</b>	15 March 2023

In any instance, where an extension of the consultation period is deemed necessary, either by the MGA or following a request made by the interested parties due to exceptional circumstances that warrant the MGA to issue an extension, the Authority will communicate such extension with all parties. The Authority reserves the right to grant or refuse any such requests at its own discretion.

### 2.2 Feedback

The Authority is seeking the feedback of industry stakeholders in relation to the Regulations and the Policy Document. In this respect, the Authority welcomes any feedback that such stakeholders may have on the documentation being proposed.

Any feedback that contributors may have in respect of the contents of the Regulations and the Policy Document should be sent within the consultation period indicated in Section 2.1 of this consultation paper and to the following email address: [policy.mga@mga.org.mt](mailto:policy.mga@mga.org.mt).

### 2.3 Queries

Any queries and requests for clarifications that contributors may have in respect of the contents of the consultation paper and any request for modification or deletion of a submitted contribution to this consultation process shall be sent to the following email address: [policy.mga@mga.org.mt](mailto:policy.mga@mga.org.mt). Any queries should be sent within a reasonable timeframe prior to the date of closure of the consultation.

All queries will be acknowledged in writing within two (2) working days from receipt.

### 2.4 Transparency

The responses to the consultation may be made public or published in a summary of responses to the consultation on the MGA's website (<https://www.mga.org.mt/consultations-publications/>).

A respondent may request that part of his/her submission be redacted or kept confidential, giving reasons for such a request. If the request is acceded to by the Authority, the part of the submission indicated by the respondent will be redacted before publication. The MGA will ensure that any data that is confidential to the respondent's environment or business or that allows the respondent to be

identified, is kept confidential at all times, by redacting such data from their submission and not disclosing it in the consultation reports.

## 2.5 Post Consultation

The Authority will consider all responses carefully when finalising its proposals but will only alter its position if it believes there is a sound basis to do so.

## 2.6 Data Protection Statement – Data Protection Act (Chapter 440)

As part of this consultation, industry stakeholders are invited to forward their recommendations, views and opinions on the Regulations and the Policy Document. The Authority intends to collect the following information:

- Name of the organisation or individual responding to the consultation; and
- Email address of the individual.

Any personal data collected will be processed by the Authority in accordance with the relevant provisions of the General Data Protection Regulation (EU) 2016/679. Personal data will not be made available to third parties.

The above-mentioned personal data shall be processed for the purpose of gathering feedback from the industry stakeholders regarding the proposed Regulations and Policy Document. The contact information shall be collected to allow the Authority to contact contributors to request any necessary clarifications regarding their submissions.

The personal data shall be processed on the basis of article 6(1)(e) of the General Data Protection Regulation (EU) 2016/679, in that the contact information is needed to properly fulfil the Authority's function "to consult with the general public or a specific segment thereof, as the case may be, on all matters which the Authority considers necessary and, or desirable" as applicable by virtue of article 7(1)(g) of the Gaming Act (Chapter 583 of the Laws of Malta).

Contributors may also contact the Data Protection Officer of the Authority with any concerns or queries relating to personal data on the following email address: [dpo.mga@mga.org.mt](mailto:dpo.mga@mga.org.mt). Moreover, the Authority's privacy policy can be found at [www.mga.org.mt/privacy-policy](http://www.mga.org.mt/privacy-policy).

As the MGA is a public authority, it must abide by the obligations under the Freedom of Information Act (Chapter 496 of the Laws of Malta). All documents held by the Authority, including documents related to this public consultation process, may be released following a request made in terms of the Freedom of Information Act, unless such request may be subject to an exemption arising from the same Act. In accordance with article 5(3) of the Freedom of Information Act, a document containing personal data will only be released if such personal data can be deleted, and such release will be made in accordance with articles 13(1) and (2) of the same.

### 3 Consultation

The Authority has drafted the proposed documentation as a basis for the formulation of the proposed framework. Whereas the Regulations delineate the obligations and functions of the Application Manager and establish the remit and powers of the Authority in their regard, the Policy Document shall provide further clarity with regards to the Authority's expectations of the Application Manager and seeks to provide guidance to aid an Application Manager in its role.

