

Diploma in Law (Malta): Intake October 2022

Assessment Task: Written assignment based on chosen questions	
Module: <i>Award in Gaming Law</i>	Tuition Centre: 21 Academy Licence Number: 2018-017
Level: Award MQF Level 5	Student Name:
Date:	ID Number: <same no. submitted in student profile>
Assignment Deadline: 18 July 2023	
<p>Task The purpose of this unit is to develop an understanding of a particular topic you will write about which forms part of Gaming Law.</p> <p>Note This assessment provides students with an opportunity to put into practice the relevant provisions of the law in relation to the topic they choose to write about forming part of Gaming Law.</p> <p><i>You should plan to spend approximately 20 hours researching, preparing for and writing each one of the assignments. The nominal word count for each assignment is 1,700 words.</i></p> <p><i>Please refer to 21 Academy's Assignment Guidelines for more information on how your assignment should be submitted.</i></p>	
<p>Choose and answer 2 questions from the following:</p> <p>Question 1: In accordance with the Gaming Authorisations and Compliance Directive (Directive 3 of 2018), licensees are under an obligation to notify the Malta Gaming Authority (the "MGA"), no later than three working days, following any changes in the direct or indirect qualifying shareholding within the licensee. Prior to the overhaul in the Maltese gaming legislative and regulatory framework, which took place in 2018, licensees were required to obtain the written approval of the MGA prior to effecting any changes in the direct or indirect shareholding thereof.</p> <p>Could you please explain: (i) the regulations currently in force with respect to changes in direct and indirect shareholding of licensees; and (ii) which you consider to be the most favourable approach (i.e. whether pre-transaction approval or post-transaction notification) and the reasons behind your view?</p> <p>Question 2: Two of the main objectives of the Malta Gaming Authority in its role as the regulator of the gaming industry in Malta are to promote responsible gaming and to safeguard players' rights. Explain how this is achieved under the Maltese gaming legislative and regulatory framework and explain any differences in the responsible gaming and player protection obligations of land based gaming operators in comparison to those of online gaming operators.</p> <p>Question 3: The Malta Gaming Authority (the "MGA") has a vested interest to ensure that licenses are issued and renewed only if it is reasonably satisfied that the applicant has policies, procedures and systems in place which are essential to effectively manage any risks of money laundering, and terrorist financing, which are inherent in their business, and that all persons involved in the applicant company are fit and proper persons. Explain the MGA's powers and functions in this regard, and briefly explain the obligations on operators licensed by the MGA in terms of anti-money laundering and combatting the financing of terrorism.</p> <p>Question 4: It is arguable that online gaming operators do not enjoy the freedom of establishment and the freedom to provide services in the European Union (as enshrined in Article 49 and Article 56 of the Treaty on the Functioning of the European Union, respectively) without limitation.</p>	

- i. Are EU Member States justified in restricting these freedoms in the case of online gaming operators?
- ii. According to the Malta Gaming Authority, the Maltese gaming legislative and regulatory framework is in full conformity with EU law and is based on the fundamental freedoms afforded to entities established within the EU. Do you agree with this statement in light of the recent amendments to the Gaming Act (Cap. 583 of the laws of Malta), namely the introduction of Article 56A? Please explain the reasons behind your view.

Pass Mark - 50% of total assignments weighting

Total Assignments Weighting - 100%

By submitting I confirm that this assessment is my own work

Mark:

Signature: <main assessor>

Date

Signature: <quality assurance>