

**- REVIEWED -
LEGISLATION UNIT
MINISTRY FOR
JUSTICE,
CULTURE & LOCAL
GOVERNMENT**

.....
Prim Ministru

.....
Segretarju Parlamentari għas-
Servizzi Finanzjarji, Ekonomija
Diġitali u Innovazzjoni

.....
Chairperson,
Awtorità ta' Malta dwar il-
Logħob

A.L. tal-2018

**ATT DWAR IL-LOGHOB
(ATT TAL-2018)**

Regolamenti tal-2018 dwar il-Protezzjoni ta' Ġugaturi

Taqsim tar-Regolamenti

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A.L. tal-2018

**ATT DWAR IL-LOGHOB
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Regolamenti tal-2018 dwar il-Protezzjoni ta' Ġugaturi

BIS-SAĦĦA tas-setgħat mogħtija bl-artikolu 12 tal-Att dwar il-Logħob, is-Segretarju Parlamentari għas-Servizzi Finanzjarji, Ekonomija Diġitali u Innovazzjoni, wara konsultazzjoni mal-Awtorità ta' Malta dwar il-Logħob, għamel dawn ir-regolamenti li ġejjin:-

Taqsim I

Titolu u Tifsiriet

Titolu.

1. It-titolu ta' dawn ir-regolamenti huwa r-Regolamenti tal-2018 dwar il-Protezzjoni ta' Ġugaturi.

Tifsir.
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2. (1) F'dawn ir-regolamenti, bla ħsara għal dak previst fis-subregolamenti (2) u (3), il-kliem u l-frazzjiet kollha għandhom l-istess tifsira bħal dik preskritta fir-Regolamenti tal-2018 dwar Tifsiriet fil-Logħob.

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(2) F'dawn ir-regolamenti, sakemm ir-rabta tal-kliem ma teħtieġx xort'oħra, "l-Att" tfisser l-Att tal-2018 dwar il-Logħob.

(3) It-termini l-oħra kollha użati f'dawn ir-regolamenti għandhom l-istess tifsira mogħtija lilhom fl-Att.

Taqsim II

Logħob Responsabbli

Għanijiet ta' logħob responsabbli.

3. (1) Operatur għandu jipprovdi evidenza suffiċjenti lill-Awtorità biex juri li l-għanijiet li ġejjin qed jiġu sodisfatti minnu:

(a) li jiżgura li jeżistu kontrolli, politika u proċeduri xierqa kontra l-logħob min-naħa ta' minuri;

(b) li jiżgura li jeżistu kontrolli, politika u proċeduri xierqa kontra l-logħob min-naħa ta' persuni vulnerabbli;

(ċ) li jiżgura li l-interessi tal-ġugaturi kollha huma salvagwardjati adegwament u li l-ġugaturi tingħatalhom informazzjoni dwar il-metodi kollha kif jistgħu jirrikorru jekk iħossu ruħhom aggravati b'deċiżjoni tal-persuna awtorizzata;

(d) li jiżgura li l-informazzjoni rilevanti kollha dwar is-servizz tal-logħob hi faċilment disponibbli għall-ġugaturi;

(e) li jiżgura li l-informazzjoni li għandha x'taqsam ma' logħob responsabbli hi faċilment disponibbli għall-ġugaturi;

(f) li jiżgura li għodod huma faċilment disponibbli li jagħtu s-setgħa lil ġugaturi jew persuni oħra biex jikkontrollaw l-użu min-naħa tagħhom ta' servizzi tal-logħob u biex jissalvagwardjaw lilhom infushom mill-effetti ta' problemi tal-logħob; u

(g) li jiżgura li t-tqegħid fis-suq u r-reklamar tas-servizz tal-logħob hu ġust u konformi mar-Regolamenti tal-2018 dwar Kumunikazzjonijiet Kummerċjali fil-Logħob kull strument regolatorju ieħor applikabbli jew kull liġi oħra applikabbli.

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(2) L-Awtorità tista', permezz ta' strument vinkolanti, ukoll tispeċifika kif l-għanijiet kollha fuq imsemmija jew xi uħud minnhom għandhom jintlaħqu minn kategorija waħda jew aktar ta' persuni awtorizzati.

Taqsimi III

Protezzjoni ta' Fondi ta' Ġugaturi

4. (1) Persuna awtorizzata li jkollha fil-pussess tagħha fondi ta' ġugatur għandha żżomm dawk il-fondi unikament għal u f'isem u fl-interessi ta' dak il-ġugatur.

Fondi ta' ġugatur għandhom jikkostitwixxu patrimonju distint.

(2) Minkejja dak kollu ddikjarat fl-artikolu 1894 tal-Kodiċi Ċivili jew f'xi ftehim konkluż bejn il-persuna awtorizzata u l-ġugatur, u minkejja l-fatt li l-fondi tal-ġugatur miżmuma mill-persuna awtorizzata huma registrati f'isem u taħt titolu tal-persuna awtorizzata, jew huma mod ieħor vestiti fiha, dawk il-fondi għandhom jitqiesu li jikkostitwixxu patrimonju distint, separat minn dak li jappartjeni lill-persuna awtorizzata.

Kap. 16.

(3) Mingħajr preġudizzju għad-dispożizzjonijiet rilevanti tal-Att, il-kontroll fuq fondi ta' ġugatur min-naħa ta' persuna awtorizzata ma jagħtix jew jitqies jew jinftiehem li jagħti lill-persuna awtorizzata xi dritt fuq dawk il-fondi; lanqas ma għandu johloq xi forma ta' self bejn il-persuna awtorizzata u l-ġugatur minkejja n-natura tal-fondi jew id-drittijiet jew l-obbligi tal-persuna awtorizzata fir-rigward tagħhom.

Ġugatur iżomm is-sjieda ta' fondi ta' l-ġugatur.

5. Ġugatur li jkollu l-fondi tiegħu ta' ġugatur miżmuma mill-persuna awtorizzata jgawdi minn dritt ta' sjieda fuq dawk il-fondi minkejja li jistgħu jkunu registrati f'isem u taħt titolu tal-persuna awtorizzata, jew mod ieħor vestiti fiha.

Fondi ta' ġugatur protetti minn kredituri ta' operatur.

6. (1) Minkejja kull haġa msemmija f'xi liġi oħra, u minkejja kull haġa msemmija f'xi ftehim li l-persuna awtorizzata tista' tkun ikkonkludiet, il-kredituri ta' persuna awtorizzata ma jkollhom ebda pretensjoni jew dritt ta' azzjoni fuq jew kontra l-fondi ta' ġugaturi miżmuma mill-persuna awtorizzata għal u f'isem u fl-interessi ta' xi ġugatur, u dawk il-fondi m'għandhomx jiġu affettwati b'ebda mod bid-dispożizzjonijiet ta' liġijiet u regolamenti fis-seħħ li jirregolaw l-insolvenza jew il-falliment tal-persuna awtorizzata:

Iżda, għall-finijiet ta' ċarezza, kull ftehim jew klawnsola fih li huma konfliġġenti ma' dan is-subregolament għandhom, sal-limitu ta' dak il-kunflitt, jitqiesu *ipso jure* nulli u bla effett:

Iżda wkoll fl-eventwalità li l-fondi tal-ġugatur jiġu mal-fondi tal-persuna awtorizzata bi ksur ta' dan is-subregolament, il-pretensjonijiet ta' ġugaturi għal fondi ta' ġugaturi dovuti lilhom jikkostitwixxu pretensjoni privileġġjata, u għandhom jithallsu bi preferenza fuq kull pretensjoni oħra kemm jekk privileġġjata jew ipotekarja.

(2) Fl-eventwalità li dik l-insolvenza jew falliment jew ordni jew riżoluzzjoni relatati, jew fl-eventwalità li l-Awtorità hekk teħtieġ, il-persuna awtorizzata jew kull amministratur jew riċevitur jew ufficjal ieħor maħtur biex jirrappreżentaha minn xi qorti jew mod ieħor għandhom, fuq talba ta' xi ġugatur jew tal-Awtorità, minnufih jittrasferixxu l-kontroll, pussess u titolu fuq il-fondi kollha tal-ġugatur miżmuma minn dik il-persuna awtorizzata lil dik il-persuna l-oħra kif jista' jiġi ordnat mill-Awtorità.

Kap. 12.

(3) Fl-eventwalità li xi fondi miżmuma taħt il-kontroll ta' persuna awtorizzata jsiru soġġetti, fuq talba ta' xi kreditur tal-persuna awtorizzata, għal xi att kawtelatorju jew eżekuttiv jew mandat maħruġ minn xi Qorti skont il-Kodiċi ta' Organizzazzjoni u Proċedura Ċivili, jew xi miżura oħra simili, kull ġugatur li f'ismu fondi huma miżmuma, il-persuna awtorizzata f'isem il-ġugatur jew l-Awtorità jistgħu, permezz ta' rikors lill-Qorti, jitlolu r-rilaxx ta' dawk il-fondi minn dak l-att, mandat jew miżura, u l-Qorti għandha, meta tiġi prodotta xhieda kif il-Qorti jidhrilha xierqa, tilqa' r-rikors mingħajr ebda dewmien.

7. (1) Persuna awtorizzata għandha f'kull hin iżzomm fondi tal-ġugaturi segregati mill-fondi ta' xi persuna oħra, hekk iżda li l-fondi ta' kull ġugatur jistgħu jinżammu f'kont komuni tal-fondi ta' ġugaturi. Il-fondi ta' kull ġugatur għandhom f'kull hin jibqgħu identifikabbli separatament.

Fondi ta' ġugatur għandhom jinżammu segregati.

(2) L-Awtorità tista', fid-diskrezzjoni unika tagħha, teżercita drittijiet ta' vizjoni fuq il-kont komuni ta' fondi ta' ġugaturi.

8. Meta persuna awtorizzata tiddelega lil jew tafda funzjonijiet jew dmirijiet li għandhom x'jaqsmu mal-immaniġġjar u, jew iż-żamma ta' fondi ta' ġugatur f'idejn parti terza, mingħajr preġudizzju għar-responsabbiltà ta' dik it-terza parti lejn il-persuna awtorizzata jew mod ieħor, il-persuna awtorizzata għandha tkun kompletament responsabbli għall-htigiet kollha regolatorji li huma konnessi mal-fondi ta' ġugaturi, u tkun responsabbli fil-konfront ta' ġugaturi għal kull telf jew preġudizzju mgarrab minn dawk il-ġugaturi bħala riżultat tal-atti, omissjonijiet jew insolvenza ta' tali terza parti.

Persuna awtorizzata tibqa' responsabbli meta tqabbad terza parti għal xi obbligi.

9. (1) Mingħajr preġudizzju għad-dispożizzjonijiet l-oħra f'din it-Taqsima u fl-Att, l-Awtorità tista' permezz ta' strument vinkolanti tispeçifika b'mod aktar dettaljat il-mezzi li bihom persuna awtorizzata għandha tissalvagwardja fondi ta' ġugaturi.

L-Awtorità tista' tohroġ strument vinkolanti.

(2) Mingħajr preġudizzju għad-dispożizzjonijiet l-oħra f'din it-Taqsima u fl-Att, l-Awtorità tista' tippermetti li terza parti iżzomm fondi ta' ġugaturi f'isem persuna awtorizzata fil-każ biss li tkun sodisfatta li l-fondi tal-ġugaturi huma adegwatament salvagwardjati minn dik it-terza parti:

Iżda id-dispożizzjonijiet ta' din it-Taqsima għandhom japplikaw ukoll meta l-fondi tal-ġugaturi jiġu miżmuma minn tali parti terza.

Taqsima IV

Termini Ingusti

10. (1) Operaturi għandhom jiżguraw li t-termini u kundizzjonijiet applikabbli għall-għoti tas-servizz ta' logħob tagħhom jistgħu jinftiehm u huma aċċessibbli faċilment, u li kull bidla għalihom issir b'mod ġust u trasparenti, u li l-ġugaturi esplicitament aċċettaw l-aħħar verżjoni tal-termini u kundizzjonijiet qabel ma jithallew jibdeu jew ikomplu jirċievu s-servizz tal-logħob.

Kriterji għal pattijiet u kundizzjonijiet.

(2) Meta xi dispożizzjoni f'dawk it-termini u kundizzjonijiet tkun ambivalenti, jew jinholoq dubju raġjonevoli dwar it-tifsira

tagħha, għandha tipprevali l-interpretazzjoni l-aktar favorevoli għall-
gugatur.

Termini ingusti.

11. Operaturi għandhom jiżguraw li t-termini u kundizzjonijiet applikabbli għall-għoti tas-servizz ta' logħob tagħhom ma jkunux ingusti skont l-Att dwar l-Affarijiet tal-Konsumatur.

Kap. 378.

Taqsimha V

Tilwim ma' Ġugaturi

Ġugaturi
għandhom
josservaw it-
termini u
kundizzjonijiet.

12. Ġugaturi għandhom jagħmlu użu minn servizz ta' logħob b'mod ġust u għandhom josservaw it-termini u kundizzjonijiet li japplikaw għal dak il-logħob.

Ġugaturi
għandhom jiġu
infurmati dwar
mekkaniżmi
għal ilment.

13. (1) Operaturi għandhom jagħmlu faċilment disponibbli għall-ġugaturi l-proċeduri applikabbli biex isir ilment lilhom jew biex il-ġugaturi jirreferu lment lill-Unità ta' Appoġġ għal Ġugaturi jew lil xi entità tal-ADR oħra fil-każ imsemmi fir-regolament 14.

(2) (a) Operaturi għandhom, meta jirċievu lment magħmul minn ġugatur li jagħmel jew għamel użu mis-servizz ta' logħob tagħhom, minnufih jistharrġu dwar l-ilment.

(b) Operaturi għandhom jinfurmaw lil min għamel l-ilment dwar ir-riżultati ta' dak l-istharrġi f'żmien għaxart ijiem mid-data li fiha jkun rċevew l-ilment:

Iżda meta n-natura tal-istharrġi hi tali li hu neċessarju aktar ħin biex jiġi kompletat, dak il-perjodu jista' jiġi estiż b'għaxart ijiem oħra:

Iżda wkoll meta dik l-estensjoni hi neċessarja, il-ġugatur għandu jiġi infurmat, f'żmien l-ewwel għaxart ijiem mid-data meta gie rċevut l-ilment, li l-operatur ser jagħmel użu minn dik l-estensjoni, u r-raġuni jew raġunijiet li għalihom dik l-estensjoni hi meħtieġa.

(ċ) Meta jikkomunika r-riżultati tal-istharrġi lil min jagħmel l-ilment, l-operatur għandu wkoll jipprova lil min jagħmel l-ilment il-proċedura biex jirreferi l-ilment lill-Unità ta' Appoġġ għal Ġugaturi jew lil xi entità tal-ADR oħra skont ir-regolament 14.

Ġugaturi
għandhom ikunu
jistgħu jagħmlu
lment.

14. Meta ġugatur iħoss ruħu aggravat b'deċiżjoni jew xi azzjoni oħra tal-operatur, hu għandu jkun jista' jilmenta għand l-operatur u, fl-eventwalità li ma jkunx sodisfatt bir-rispons, il-ġugatur jista' jirreferi dak l-ilment u l-fatti rilevanti kollha lill-Unità ta' Appoġġ għal Ġugaturi jew lil xi entità tal-ADR oħra.

15. (1) Għandha titwaqqaf mill-Awtorità, kemm bhala parti mill-Awtorità jew bhala entità indipendenti, Unità ta' Appoġġ għal Ġugaturi bil-funzjoni li tirċievi lmenti minn ġugaturi li jinqalghu minn jew ikunu konnessi ma' xi servizz ta' logħob.

Unità ta'
Appoġġ għal
Ġugaturi.

(2) Mingħajr preġudizzju għad-dispożizzjonijiet tas-subregolament (3), l-Unità ta' Appoġġ għal Ġugaturi għandha, fir-rigward ta' xi lment li tirċievi, teżamina l-merti ta' dak l-ilment u taġixxi bhala medjatur bein il-ġugatur u l-persuna awtorizzata rilevanti sabiex tiffacilita ftehim amikevoli dwar it-tilwima.

(3) Mingħajr preġudizzju għall-ġeneralità tas-setgħat ta' ufficjali tal-Awtorità skont l-istrumenti regolatorji applikabbli u kull liġi oħra, fl-investigazzjoni ta' lment l-Unità ta' Appoġġ għal Ġugaturi jkollha d-dritt li titlob għal kwakunkwe informazzjoni pertinenti mill-persuna awtorizzata rilevanti.

(4) Jekk waqt l-immaniġġjar ta' ilment ta' ġugatur, l-Unità ta' Appoġġ għal Ġugaturi tidentifika ksur potenzjali ta' strument regolatorju, l-Unità ta' Appoġġ għal Ġugaturi għandha teskala l-kwistjoni lid-direttorat tal-Awtorità responsabbli għall-konformità.

(5) L-Awtorità tista', permezz ta' strument vinkolanti, tistabilixxi r-regoli u l-proċeduri li magħhom għandha tkun konformi l-Unità ta' Appoġġ għal Ġugaturi, inklużi iżda mhux limitati għall-kriterji minimi biex ilment jiġi riċevut u pproċessat mill-Unità.

**- REVIEWED -
LEGISLATION UNIT
MINISTRY FOR
JUSTICE,
CULTURE & LOCAL
GOVERNMENT**

.....
Prime Minister

.....
Parliamentary Secretary for
Financial Services, Digital
Economy and Innovation

.....
Chairperson,
Malta Gaming Authority

L.N. of 2018

**GAMING ACT
(ACT OF 2018)**

Gaming Player Protection Regulations, 2018

Arrangement of the Regulations

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L.N. of 2018

**GAMING ACT
(ACT OF 2018)**

Gaming Player Protection Regulations, 2018

IN exercise of the powers conferred upon him by article 12 of the Gaming Act, the Parliamentary Secretary for Financial Services, Digital Economy and Innovation, in consultation with the Malta Gaming Authority, has made the following regulations:-

Part I

Citation and Interpretation

1. The title of these regulations is the Gaming Player Protection Regulations, 2018. Citation.

2. (1) In these regulations, save as provided in sub-regulations (2) and (3), all words and phrases shall have the same meaning as prescribed in the Gaming Definitions Regulations, 2018.

Interpretation.
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(2) In these regulations, unless the context otherwise requires, "the Act" means the Gaming Act, 2018.

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(3) All other terms used in these regulations shall have the same meaning attributed to them in the Act.

Part II

Responsible Gaming

3. (1) An operator shall produce sufficient evidence to the Authority to show that the following objectives are being satisfied thereby:

Responsible
gaming
objectives.

(a) ensuring that proper controls, policies and procedures are in place to prevent gaming by minors;

(b) ensuring that proper controls, policies and procedures are in place to protect vulnerable persons;

(c) ensuring that the interests of all players are adequately safeguarded and that players are provided with information on any and all avenues of recourse they may have if

they feel aggrieved by a decision of the authorised person;

(d) ensuring that all information relevant to the gaming service is readily available to players;

(e) ensuring that information related to responsible gaming is readily available to players;

(f) ensuring that tools are readily available empowering players or any other persons to control their use of gaming services and to safeguard themselves from the effects of problem gaming; and

(g) ensuring that the marketing and advertising of the gaming service is fair and in accordance with the Gaming Commercial Communications Regulations, 2018 and any other applicable regulatory instrument or any other applicable law.

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(2) The Authority may, by means of a binding instrument, further specify how any or all of the above objectives must be met by one or more categories of authorised persons.

Part III

Protection of Player Funds

Player funds to constitute distinct patrimony.

4. (1) An authorised person in possession of player funds shall hold such funds solely for and on behalf of and in the interest of that player.

Cap. 16.

(2) Notwithstanding anything stated in article 1894 of the Civil Code or in any agreement entered into between the authorised person and the player, and notwithstanding the fact that the player funds held by the authorised person are registered in the name and title of or are otherwise vested in the authorised person, such funds shall be deemed to constitute a distinct patrimony, separate from that belonging to the authorised person.

(3) Without prejudice to any relevant provisions of the Act, the control of player funds by an authorised person shall not give or be deemed or construed to give to the authorised person any rights over such funds; nor shall it create any form of loan between the authorised person and the player notwithstanding the nature of the funds or the rights or obligations of the authorised person in relation thereto.

Player retains ownership of player funds.

5. A player whose player funds are held by the authorised person enjoys a right of ownership over such funds notwithstanding

that they may be registered in the name and title of, or are otherwise vested in, the authorised person.

6. (1) Notwithstanding anything stated in any other law, and notwithstanding anything stated in any agreement which the authorised person may have entered into, the creditors of an authorised person shall have no claim or right of action on or against the player funds held by the authorised person for and on behalf of and in the interest of any player, and such funds shall not be affected in any manner by the provisions of laws and regulations in force regulating the insolvency or bankruptcy of the authorised person:

Player funds protected from operator's creditors.

Provided that for the sake of clarity, any agreement or clause therein which conflicts with this sub-regulation shall, to the extent of such conflict, be deemed *ipso jure* null and void:

Provided further that in the event of commingling of player funds with the funds of the authorised person in contravention of this sub-regulation, the claims of players for player funds owed to them shall constitute a privileged claim, and shall be paid in preference to all other claims whether privileged or hypothecary.

(2) In the event of any such insolvency or bankruptcy or related order or resolution, or in the event that the Authority so requires, the authorised person or any administrator or receiver or other officer appointed to represent it by any court or otherwise shall, on demand of any player or of the Authority, immediately transfer the control, possession and title to all player funds held by such authorised person to such other person as may be instructed by the Authority.

(3) In the event that any funds held under the control of the authorised person are, at the request of any creditor of the authorised person, made subject to any precautionary or executive act or warrant granted by any Court in terms of the Code of Organization and Civil Procedure, or any other similar measure, any players on whose behalf player funds are being held, the authorised person on behalf of the players or the Authority may, by application to the Court, request the release of the funds from such act, warrant or measure and the Court shall, on production of evidence as it may deem fit, accede to the application without undue delay.

Cap. 12.

7. (1) An authorised person shall segregate player funds at all times from the funds of any other person, provided that the funds of each player may be held in a common player funds account. The funds of each player shall remain separately identifiable at all times.

Player funds to be kept segregated.

(2) The Authority may, in its sole discretion, exercise viewing

rights over the common account of player funds.

Authorised person retains responsibility when outsourcing.

8. Where the authorised person delegates or entrusts functions or duties relating to the management and, or holding of player funds to a third party, without prejudice to the liability of such third party towards the authorised person or otherwise, the authorised person shall be fully responsible for all regulatory requirements connected to player funds, and shall be liable towards players for any loss or prejudice suffered by such players as a result of the acts, omissions or insolvency of such third party.

Authority may issue binding instrument.

9. (1) Without prejudice to the other provisions in this Part or in the Act, the Authority may by means of a binding instrument specify in further detail the means by which an authorised person must safeguard player funds.

(2) Without prejudice to the other provisions in this Part or in the Act, the Authority shall only allow a third party to hold player funds on behalf of the authorised person if it is satisfied that the player funds shall be adequately safeguarded thereby:

Provided that the provisions of this Part shall apply even when the funds are held by such a third party.

Part IV

Unfair Terms

Criteria for terms and conditions.

10. (1) Operators shall ensure that the terms and conditions applicable to the provision of their gaming service are intelligible and easily accessible, and that changes thereto are made in a fair and transparent manner, and that players have explicitly accepted the latest version of the terms and conditions before being allowed to start or continue being the recipient of a gaming service.

(2) Where any provision in such terms and conditions is ambivalent, or any reasonable doubt arises as to the meaning thereof, the interpretation most favourable to the player shall prevail.

Unfair terms.

Cap. 378.

11. Operators shall ensure that the terms and conditions applicable to the provision of their gaming service are not unfair in terms of Part VII of the Consumer Affairs Act.

Part V

Player Disputes

12. Players shall make use of a gaming service in a fair manner and shall comply with the terms and conditions applicable thereto.

Players must comply with terms and conditions.

13. (1) Operators shall make readily available to players the applicable procedures for making a complaint to them and for referring a complaint to the Player Support Unit or to another ADR entity in the event described in regulation 14.

Players to be informed of complaint mechanisms.

(2) (a) Operators shall, upon receipt of a complaint made by a player who makes or has made use of their gaming service, immediately inquire into the complaint.

(b) Operators shall inform the complainant of the results of such inquiry within ten days from the date on which the complaint is received:

Provided that where the nature of the inquiry is such that more time is necessary to complete it, such period may be extended by a further ten days:

Provided further that where such extension is necessary, the player shall be informed within the first ten days from the date of receipt of the complaint that the authorised person shall be making use of such extension, and the reason or reasons why such extension is warranted.

(c) In communicating the results of the inquiry to the complainant, the operator shall also provide the complainant with the procedure for referring the complaint to the Authority's Player Support Unit or to another ADR entity in terms of regulation 14.

14. Where a player feels aggrieved by a decision or other action of the operator, he shall be able to make a complaint to the operator and, in the event that he is not satisfied by the response of the operator, the player may refer such complaint and all relevant facts to the Authority's Player Support Unit or to another ADR entity.

Players to be able to make complaint.

15. (1) There shall be established by the Authority, whether as part of the Authority or as an independent entity, a Player Support Unit with the function of receiving complaints from players arising out of or in connection with any gaming service.

Player Support Unit.

(2) Without prejudice to the provisions of sub-regulation (3), the Player Support Unit shall, with respect to any complaint which shall be received thereby, examine the merits of such complaint and act as a mediator between the player and the relevant authorised person to facilitate an amicable settlement of the dispute.

(3) Without prejudice to the generality of the powers of officials of the Authority in terms of the applicable regulatory instruments and any other law, in investigating a complaint the Player Support Unit shall be entitled to demand any pertinent information from the relevant authorised person.

(4) If during the handling of a player complaint, the Player Support Unit identifies a potential breach of a regulatory instrument, the Player Support Unit shall escalate the issue to the Authority's directorate responsible for compliance.

(5) The Authority may, by means of a binding instrument, establish the rules and procedures to which the Player Support Unit shall adhere, including but not limited to the minimum criteria for a complaint to be received and processed thereby.
