

Suppliment tal-Gazzetta tal-Gvern ta' Malta, Nru. 21,047, 2 ta' May, 2023

Taqsimha C

Nru 55

02. 05. 2023

MALTA

KAMRA TAD-DEPUTATI

HOUSE OF REPRESENTATIVES

ABBOZZ ta' Liġi mressaq mill-Onorevoli Silvio Schembri, M.P., Ministru għall-Ekonomija, il-Fondi Ewropej u l-Artijiet, u moqri għall-Ewwel darba fis-Seduta tal-24 ta' April 2023.

A BILL introduced by the Honourable Silvio Schembri, M.P., Minister for the Economy, European Funds and Lands, and read the First time at the Sitting of the 24th April 2023.

ATT sabiex jemenda l-Att dwar il-Logħob, Kap. 583.

AN ACT to amend the Gaming Act, Cap. 583.

RAYMOND SCICLUNA
Skrivan tal-Kamra tad-Deputati

RAYMOND SCICLUNA
Clerk of the House of Representatives

ABBOZZ TA' LIĠI msejjah

ATT sabiex jemenda l-Att dwar il-Logħob, Kap. 583.

1. It-titolu fil-qosor ta' dan l-Att huwa l-Att tal-2023 li jemenda l-Att dwar il-Logħob, u dan l-Att għandu jinqara u jinftiehem haġa waħda mal-Att dwar il-Logħob, hawnhekk iżjed 'il quddiem imsejjaħ "l-Att prinċipali".

Titolu fil-qosor.

2. Minnufih wara l-artikolu 56 tal-Att prinċipali, għandu jiġi miżjud l-artikolu ġdid li gej:

Żieda ta' artikolu ġdid fl-Att prinċipali.

Kap. 12.

"56A. Minkejja kwalsijasi dispożizzjoni tal-Kodiċi ta' Organizzazzjoni u Proċedura Ċivili u ta' kull liġi oħra, bħala prinċipju ta' ordni pubblika:

(a) L-ebda azzjoni ma tista' tingieb fil-konfront ta' detentur ta' liċenzja u, jew uffiċjali u, jew persuni rilevanti, preżenti jew passati, ta' detentur ta' liċenzja fir-rigward ta' materji relatati mal-provvista ta' servizz tal-logħob, jew fil-konfront ta' ġugatur għax irċieva tali servizz tal-logħob, jekk dik l-azzjoni:

(i) tikkonfliggi ma', jew timmina, il-legalità tal-provvista ta' servizzi tal-logħob ġewwa jew minn Malta permezz ta' liċenzja maħruġa mill-Awtorità, jew il-legalità ta' kwalsijasi obbligu legali jew naturali li jirriżulta mill-provvista ta' tali servizzi tal-logħob; u

(ii) tirrigwarda attività awtorizzata li hija legittima fit-termini tal-Att u strumenti regolatorji oħra.

C 1032

(b) Il-Qorti għandha tirrifjuta r-rikonoxximent u, jew l-infurzar ġewwa Malta ta' kwalsijasi sentenza u, jew deċiżjoni barranija mogħtija fir-rigward ta' azzjoni tat-tip imsemmi fis-subartikolu (a)."

Għanijiet u Raġunijiet

L-għan u r-raġuni ta' dan l-abbozz huwa biex jikkodifika f'ligi l-politika pubblika ben stabbilita ta' Malta li tinkoraġġixxi operaturi fis-settur tal-logħob sabiex jistabbilixxu ruħhom f'Malta u joffru l-provvista tas-servizzi tagħhom kemm lokalment kif ukoll f'pajjizi oħra, b'mod li jaderixxu mal-obbligi legali tagħhom skont il-ligijiet ta' Malta, fil-kuntest tal-inkoraġġiment tal-intrapriża ekonomika privata a tenur tal-artikolu 18 tal-Kostituzzjoni ta' Malta.

**A BILL
entitled**

AN ACT to amend the Gaming Act, Cap. 583.

1. The short title of this Act is the Gaming (Amendment) Act, 2023 and this Act shall be read and construed as one with the Gaming Act, hereinafter referred to as the "principal Act".

Short title.

2. Immediately after article 56 of the principal Act, there shall be added the following new article:

Addition of a new article to the principal Act.

Cap. 12.

"56A. Notwithstanding any provision of the Code of Organization and Civil Procedure or of any other law, as a principle of public policy:

(a) No action shall lie against a licence holder and, or current and, or former officers and, or key persons of a licence holder for matters relating to the provision of a gaming service, or against a player for the receipt of such gaming service, if such action:

(i) conflicts with or undermines the legality of the provision of gaming services in or from Malta by virtue of a licence issued by the Authority, or the legality of any legal or natural obligation resulting from the provision of such gaming services; and

(ii) relates to an authorised activity which is lawful in terms of the Act and other applicable regulatory instruments.

(b) The Court shall refuse recognition and, or enforcement in Malta of any foreign judgment and, or decision given upon an action of the type mentioned in sub-article (a).

C 1034

Objects and Reasons

The object and reason of this Bill is to codify in law the long-standing public policy of Malta encouraging the establishment of gaming operators in Malta who offer the local and cross-border supply of their services in a manner compliant with local legislation, in an effort to encourage private enterprise in line with article 18 of the Constitution of Malta.

