

SUBSIDIARY LEGISLATION 583.05**GAMING AUTHORISATIONS REGULATIONS**

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Arrangement of the Regulations

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Part I

Citation and Interpretation

1. The title of these regulations is the Gaming Authorisations Regulations. 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. Interpretation.
S.L. 583.04.

(2) In these regulations, unless the context otherwise requires, "the Act" means the Gaming Act. Cap. 583.

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

Part II

Requirement of a Licence

Requirement of a licence.

3. (1) No person shall provide or carry out a gaming service or provide a critical gaming supply from Malta or to any person in Malta, or through a Maltese legal entity, except when in possession of a valid licence, or when such person is exempt from the requirement of a licence under the Act or any other regulatory instrument.

(2) No person shall offer a licensable game, whether as part of a gaming service, critical gaming supply or otherwise, unless such game is approved or otherwise recognised by the Authority.

Licence categories.

4. The Authority shall have the power to issue licences of the categories set forth in the First Schedule:

Provided that where Government policy requires that certain gaming services may only be provided when in possession of a Government concession, the Authority shall not issue a licence for the carrying out of such gaming service unless the applicant is in possession of a relevant and valid Government concession.

No licence for exempt games.

5. (1) No licence or other authorisation shall be required for the provision of a gaming service or a critical gaming supply where such service or supply is carried out solely in relation to exempt games, provided that the Authority may, where and to the extent it deems fit and appropriate, nevertheless establish appropriate regulatory conditions and measures for exempt games or any type thereof and require and enforce compliance therewith.

(2) Games or categories of games listed in the Second Schedule shall be deemed exempt games:

Provided that in case of doubt as to whether a game shall be classified within an exempt category of games, the Authority shall have sole discretion to conclusively determine the matter through a ruling or other binding instrument:

Provided further that the Authority may amend or substitute any such binding instrument where it deems it justified.

Licence term.

6. (1) A term of a licence, whether original or renewed, shall be of ten years, unless otherwise prescribed by means of these regulations:

Provided that in the case of a gaming service that requires a Government concession, if the Government concession is of a shorter term, it shall be granted for such shorter term.

(2) Any licence renewal shall in all cases be subject to the

continued compliance by the licensee, during the preceding original or renewed term of the licence, with the provisions of the Act, all applicable regulatory instruments and all other applicable laws.

(3) Without prejudice to the Minister's power to vary the general policy applicable to gaming, no renewal of any licence shall take place if such renewal is contrary to public interest or public policy in place at the time of renewal or is reasonably anticipated to come into place during the proposed renewal term of a licence.

(4) The Authority may, on application, issue a limited duration licence, the term of which shall be established by the Authority, provided that the Authority may establish further conditions or limitations in a binding instrument:

Provided that the Authority shall not issue more than four (4) limited duration licences in any calendar year to any one person, whether the person is the operator, organiser or the person or entity on behalf of whom such gaming activity has been organised, or is being organised.

7. The Authority is vested with the sole discretion to classify an activity as a game of chance, a game of skill or otherwise, provided that such a decision shall be made on the basis of the considerations listed in the Sixth Schedule, and after taking into consideration any submissions made by any person operating or promoting such activity, and any research or publication issued by any other authoritative source:

Skill games.

Provided that the burden of proving that an activity is a skill game shall rest at all times on the party operating or promoting such an activity.

8. The Authority may issue a ruling or other binding instrument determining that a game is a controlled skill game if the Authority deems it necessary and, or desirable in line with the governing principles and in furtherance of the regulatory objectives established by the Act, and on the basis of the considerations listed in the Sixth Schedule.

Controlled skill games.

Part III

Licence Eligibility, Licence Grant Criteria, Licensing Procedure

9. (1) A person who desires to obtain or renew a licence shall apply to the Authority by making use of the relevant prescribed forms published by the Authority and shall provide all information, documentation and assurances required and shall otherwise fulfil all the licence prerequisites prescribed by the relevant regulatory instruments in force or otherwise required by the Authority, in line with the governing principles and in furtherance of the regulatory objectives established by the Act:

Licence prerequisites.

Provided that a request for the renewal of a licence shall be made within the time-frame prescribed by the Authority in any binding instrument, or in terms of any prescribed procedures or forms published by the Authority.

(2) Without prejudice to the generality of sub-regulation (1), the Authority may require from the applicant any information, documentation and assurances as may be necessary or relevant for the Authority to examine and determine the suitability of the applicant to hold a licence, depending on the licence category, type or types of games and, or services that the applicant intends to offer.

Eligibility for a licence.

10. (1) A person is not eligible to hold a licence unless such person is established in the European Economic Area.

(2) Where the applicant for a licence is a body corporate, such applicant may apply for a licence either for itself only or for its corporate group.

(3) In the case where a licence application is for a corporate group, all references in these regulations to an applicant shall be deemed to refer to each and all members of the corporate group, and where such licence is granted each member of the corporate group and all of them jointly and severally shall be deemed to be a licensee.

Grant of licence.

11. The Authority, acting in line with the governing principles and in furtherance of the regulatory objectives established by the Act, shall refuse to grant a licence in any of the following instances:

(a) if the application is not submitted in accordance with the established form or in accordance with applicable procedure; or

(b) if the applicable fees have not been paid; or

(c) if the Authority, in its reasonable discretion, is not satisfied that the applicant and all relevant persons, including but not limited to all persons having qualified interest in the applicant, are fit and proper:

Provided that it shall be up to the Authority to establish which persons involved in the applicant have to be assessed for the purposes of this paragraph:

Provided further that for the purposes of this assessment, the qualifying interest shall be established as at least ten percent, or any lower percentage as may be determined by the Authority; or

(d) if, where applicable and in the reasonable opinion of the Authority, it appears on the basis of the assessment,

evidence or certification carried as may be prescribed by the Authority for any type of game, that the games the applicant intends to offer do not satisfy the minimum requirements of fairness for their respective game types;

(e) if it transpires that any information or submission made to the Authority is false, misleading, inaccurate or incomplete in a material respect;

(f) if the Authority, in its reasonable discretion, is not satisfied that:

(i) the applicant is capable of sustainably financing the gaming service or supply; or

(ii) the applicant has the necessary competence, technical know-how and resources to carry out the gaming offering; or

(iii) the applicant has a business model to carry the gaming offering in a viable way and in a way that is compliant with the applicable regulatory instruments in force; or

(iv) the applicant will comply with all regulatory requirements applicable to licensees of the relevant category and with any additional requirements that the Authority considers, on the basis of a risk-based approach, necessary to impose on the applicant, which requirements may include but are not limited to financial safeguards, protection of players and, or the implementation of any policies and procedures.

12. The Authority, acting in line with the governing principles and in furtherance of the regulatory objectives established by the Act, may refuse to grant an authorisation in any of the following instances:

Grant of authorisation.

(a) if the Authority believes that the gaming offering being proposed is not compliant with the regulatory instruments in force; or

(b) if the Authority believes that granting an authorisation to the applicant may pose a risk to the reputation of Malta or be otherwise not in the public interest or contrary to regulatory objectives established by the Act; or

(c) if no sufficient information as requested by the Authority has been provided.

13. (1) The Authority may, in furtherance of the regulatory objectives under the Act and in applying a risk-based

Further requirements.

approach in line with the governing principles:

(a) establish, where appropriate or necessary, by means of binding instruments, more extensive, reduced or amended requirements for an applicant to qualify for an authorisation in certain pre-defined circumstances; and, or

(b) impose on an applicant or on an authorised person, where appropriate or necessary, specific additional requirements by means of a binding instrument.

S.L.583.06.

(2) Without prejudice to the Gaming Compliance and Enforcement Regulations where the Authority has imposed specific requirements on an authorised person or several authorised persons, or where the Authority deems necessary or appropriate to impose new specific requirements on an authorised person or several authorised persons, by whichever binding instrument such imposition is made, the Authority shall have the power to make or vary such imposition during the term of the authorisation, provided that where a variation or a new imposition consists of making requirements more onerous on an authorised person, unless such variation or imposition has been requested by the authorised person itself, the Authority shall by notice in writing inform the authorised person of the Authority's intention to vary the said requirements or to impose new requirements, calling upon the said authorised person to show cause, within such period being not less than twenty (20) days after the issue of the notice as may be specified in the same notice, why such requirement should not be varied or such new condition should not be imposed, and the Authority shall consider any representations made by the authorised person within the period specified in the notice, before varying the requirement or before imposing a new requirement:

Provided that in case where, in the Authority's reasonable opinion, there is serious prejudice or an imminent threat of serious prejudice to public security, public health, players' health, players' financial security, Malta's reputation, or other overriding reason of public interest, the Authority shall be authorised to impose immediate compliance with the variation or a new requirement.

No duplication of controls and simplification of procedures.

14. (1) In assessing an application for an authorisation, the Authority must take into consideration and, where possible, avoid duplicating procedures and controls already carried out by the Authority itself or by a competent authority in another EEA jurisdiction, as long as such other procedures and controls have been conducted within a reasonable time from the assessment of the application for an authorisation, as may be established by the Authority:

Provided that the Authority may, on a case by case basis, also take into account procedures and controls already carried out by a

competent authority in any other jurisdiction which the Authority considers to provide equivalent safeguards to those provided under Maltese law, or as may be established by the Authority.

(2) When requested to rely on procedures and controls or other measures carried out by a competent authority in another jurisdiction, the Authority shall be authorised to subject such measures to verification and shall not be bound to accept them if, in the Authority's discretion, such procedures, controls or other measures do not provide equivalent safeguards to those provided under Maltese law or as may be established by the Authority.

(3) In assessing an application for an authorisation, where it considers it justified on the basis of a risk-based examination of the applicant, information available to the Authority and previous regulatory performance and circumstances of the applicant, the Authority shall apply the principle of simplification of procedures and requirements for an efficient processing of the application.

15. The burden of proving the applicant's qualification to hold an authorisation or to continue holding an authorisation shall be solely on the applicant or the authorised person, as the case may be. Burden of proof of qualification.

16. No game, system, software, device, premises, condition, procedure, policy or any other matter approved by Authority shall be amended or substituted unless the authorised person has obtained a prior written approval by the Authority of any such amendment or substitution: Compliance.

Provided that the Authority, following a risk-based evaluation, may stipulate by means of any binding instrument that in certain cases notification may be sufficient.

17. An authorisation granted by the Authority cannot be assigned or transferred: Transferability.

Provided that a licence and, or material supply certificate may be assigned or transferred to another entity within the same corporate group, subject to the prior written approval of the Authority.

Part IV

Requirement for Other Authorisations

18. No person shall use, or knowingly or negligently allow the use of, whether actively or passively, premises in Malta as gaming premises unless such person is duly authorised in accordance with the Gaming Premises Regulations or any other applicable regulatory instruments: Approval of premises.
S.L. 583.07.

Provided that the Authority may, by way of a binding

instrument, exempt certain types or categories of gaming premises from the requirement of approval.

Approval of gaming devices.

19. No person shall service, place on the market, distribute, supply, sell, lease, transfer, host, operate or in any other manner make available for use any gaming device or gaming system in the territory of Malta, unless such gaming device or system, as the case may be, has been approved or exempted from approval by the Authority.

Approval of material supplies.

20. (1) Any person offering a material gaming supply listed in the Third Schedule to an authorised person may request a material gaming supply certificate from the Authority.

(2) Any authorised person making use of or seeking to make use of a material gaming supply provided by a third party shall ensure either that such a material supplier is in possession of the certificate envisaged in sub-regulation (1) or the material gaming supply is otherwise approved on a case-by-case basis by the Authority and subject to a risk-based approach:

Provided that where any authorised person receives material gaming supplies from a third party not in possession of the certificate envisaged in sub-regulation (1), such authorised person receiving material gaming supplies shall assume full regulatory responsibility for such supplies.

(3) The Authority may prescribe any procedure, levy fees, or impose any conditions or requirements deemed relevant with respect to a certificate to offer material gaming supplies.

Junkets.

21. (1) An authorised person holding a licence in terms of these regulations and a concession in terms of article 11(3)(a) of the Act may apply to the Authority to classify the activity of one or more players within the same authorised person's gaming premises, as junkets.

(2) An authorised person holding a licence in terms of these regulations and a concession in terms of article 11(3)(a) of the Act may apply to the Authority for a junket event approval.

(3) Any person offering the services of junket leader with respect to the activity conducted by a person holding a licence in terms of these regulations and a concession in terms of article 11(3)(a) of the Act, may apply to the Authority for a junket leader approval:

Provided that an authorised person intending on making use of the services of a junket leader shall ensure that such junket leader is approved by the Authority.

(4) Such approvals or classification shall occur in terms of the procedure and parameters established by the Authority in a binding

instrument.

(5) An application for a junket, a junket event, or a junket leader may be deemed invalid if it is not made according to the procedure established by the Authority, if it does not include all the necessary requisites, if it is not submitted in a timely manner, or if the relevant administrative fees are not paid.

22. (1) Any person offering licensable games in or from Malta without an authorisation issued in terms of these regulations, but under an authorisation issued by another Member State of the EU or the EEA, or a State which is deemed by the Authority to offer safeguards largely equivalent to those offered by Maltese law, shall apply to the Authority for a recognition notice according to the procedure established by the Authority.

Recognition notice.

(2) A recognition notice issued in terms of sub-regulation (1) shall have the same effect as an authorisation issued by the Authority for the purpose of providing a gaming service, gaming supply, key function, or any other authorisation in or from Malta.

(3) The Authority may revoke any such recognition notice, and may subject an applicant of a recognition notice to administrative fees where reasonable.

Part V

Provision of Key Functions

23. No person shall provide a key function listed in the Fourth Schedule, unless such person is in possession of a key function certificate issued by the Authority to provide such function.

Certificate to provide a key function.

24. The Authority may, by means of a binding instrument, stipulate requirements and qualifications for a person to be eligible to hold a certificate to provide a key function under these regulations.

Requirements and qualifications for a key function certificate.

Part VI

Conditions to Authorisations

25. The Authority shall have the power to issue conditions to authorisations granted in terms of the Act or any regulations thereunder.

Conditions.

26. Compliance with the Act, any regulations thereunder and any other binding instruments issued by the Authority shall automatically be construed as conditions to authorisations.

Compliance with the Act.

Part VII

Voluntary Suspension and Termination

Voluntary
suspension.

27. (1) An authorised person may request the voluntary suspension of an authorisation by giving not less than twenty (20) days' notice in writing to the Authority.

(2) The Authority may refuse to grant an approval for voluntary suspension of an authorisation on the basis that it is not in the interest of players or on grounds of public policy, public security or the safeguarding of the reputation of Malta.

(3) Where the Authority approves a voluntary suspension, such suspension shall not affect any liability of the authorisation holder for anything done or omitted to be done, or for any amounts due which may have already accrued, before the date of the voluntary suspension. However, the liability of the authorised person to pay the compliance contribution, the levy on gaming devices and gaming tax, as may be applicable, shall stop accruing during any period in which the authorisation is voluntarily suspended, as approved by the Authority.

(4) The authorised person may request the reactivation of the authorisation, in such manner and using such forms as the Authority may issue, upon submitting the necessary documentation:

Provided that for the sake of clarity, the Authority shall have the discretion to conduct any checks it may deem necessary, and to refuse reactivation of the authorisation on the same grounds as it may refuse an application for an authorisation.

Surrender.

28. (1) An authorised person may request the surrender of an authorisation by providing not less than twenty (20) days' notice in writing to the Authority.

(2) The Authority may refuse to grant an approval for a voluntary surrender of an authorisation on the basis that it is not in the interest of players or on grounds of public policy, public security or the safeguarding of the reputation of Malta.

(3) Where the Authority approves a voluntary surrender of an authorisation, such surrender shall not affect any liability of the authorisation holder for anything done or omitted to be done, or for any amounts due which may have already accrued before the date of the voluntary surrender.

Part VIII

Other Games

Low risk games.

29. (1) The requirement for an operator of low risk games

to hold a licence in terms of Part II of these regulations shall be satisfied if the same operator acquires a low risk games permit from the Authority.

(2) Unless otherwise prescribed in these regulations or any other regulatory instrument, a low risk games operator holding a low risk games permit shall, for the purposes of these regulations and any other law, be deemed to be an authorised person.

(3) A low risk games permit shall:

(a) be valid only for the singular event or events for which it is granted;

(b) expire once the event is concluded;

(c) not be renewable;

(d) not be transferable without the Authority's prior approval; and

(e) be subject to the limitations laid down in the Fifth Schedule:

Provided that for the purposes of this sub-regulation, a singular event shall be deemed to be concluded once an outcome determining the winner or winners of the event in question has been conclusively generated.

30. (1) The requirement for an operator of a cruise casino to hold a licence in terms of Part II of these regulations shall be satisfied if the same operator acquires a cruise casino permit from the Authority. Cruise casino.

(2) Unless otherwise prescribed in these regulations or any other regulatory instrument, an operator of a cruise casino holding a cruise casino permit shall, for the purposes of these regulations and any other law, be deemed to be an authorised person.

(3) A cruise casino permit shall:

(a) be valid only for a term not exceeding the time during which the cruise ship is moored at or within Maltese territory;

(b) be valid only in regard to registered passengers of the cruise ship;

(c) not be transferable; and

(d) be limited to cruise ships, being passenger ships used for pleasure voyages with a minimum of three (3) ports of call in three (3) different jurisdictions which may or may not

include Malta, having its own amenities, that include lodging facilities for all passengers, and a minimum capacity of one hundred and fifty (150) passengers.

Amusement machines.

31. Notwithstanding its status as an exempt game, a person shall not place on the market, distribute, supply, sell, lease, transfer, host, operate or in any other manner make available for use any amusement machine in any gaming premises, unless such amusement machine has been registered with the Authority by means of the applicable procedure as may be established by the same Authority:

Provided that in registering any such amusement machine, the Authority may levy any applicable administrative fees:

Provided further that the person registering the amusement machines shall ensure that the Authority is notified of any changes to the information provided to the Authority.

Part IX

Miscellaneous

Administrative fees.

32. An authorised person shall pay to the Authority all applicable administrative fees as may be established by the Authority by means of any regulatory instrument.

First Schedule

Licence Categories

1. The Authority may issue licences of the following categories:
 - (a) Gaming Service licence: a business to consumer licence to offer or carry out a gaming service;
 - (b) Critical Gaming Supply licence: a business to business licence to provide or carry out a critical gaming supply:

Provided that a gaming service or a critical gaming supply shall constitute any one or more of the following game types:

- (i) Type 1 gaming services, which shall mean games of chance played against the house, the outcome of which is determined by a random generator, and shall include casino type games, including roulette, blackjack, baccarat, poker played against the house,

lotteries, secondary lotteries and virtual sports games; and, or

- (ii) Type 2 gaming services, which shall mean games of chance played against the house, the outcome of which is not generated randomly, but is determined by the result of an event or competition extraneous to a game of chance, and whereby the operator manages his or her own risk by managing the odds offered to the player; and, or
- (iii) Type 3 gaming services, which shall mean games of chance not played against the house and wherein the operator is not exposed to gaming risk, but generates revenue by taking a commission or other charge based on the stakes or the prize, and shall include player versus player games such as poker, bingo, betting exchange, and other commission based games; and, or
- (iv) Type 4 gaming services, which shall refer to controlled skill games in accordance with regulation 8 of these regulations:

Provided further that in the case of a game displaying elements which may fall under more than one of the types referred to above, the Authority shall have full discretion in categorising the game in the type it believes closest reflects the nature of the game.

- 2. For the purposes of this Schedule, the following services shall each constitute a gaming service:
 - (a) the offering, provision, or operation of a gaming service;
 - (b) the hosting by a person in his premises accessible to the public or in premises accessible to the public that are in his possession or under his control, the operation or in any other manner the making available for use of a gaming device or gaming system.
- 3. For the purposes of this Schedule, the following supplies shall each constitute a critical gaming supply:
 - (a) supply and management of material elements of a game;
 - (b) supply and management of software, whether as a

stand-alone or as part of a system, to generate, capture, control or otherwise process any essential regulatory record and, or the supply and management of the control system itself on which such software resides:

Provided that for the purposes of this Schedule, the term 'management' means the provision of ongoing active maintenance and support which is indispensable to the provision of the gaming service.

Second Schedule

Exemptions

1. The following games shall each be deemed an exempt game:
 - (a) a game of skill which does not require a stake to enable participation, and, or does not envisage the possibility of a prize;
 - (b) a game of skill which requires a stake to enable participation and offers the possibility of a prize, unless the Authority issues a ruling determining that such a game of skill is a controlled skill game;
 - (c) a game of chance which does not require a stake to enable participation, and, or does not envisage the possibility of a prize, unless otherwise determined by the Authority in a binding instrument;
 - (d) a *de minimis* game, as may be defined by the Authority in a binding instrument after consulting with the Minister;
 - (e) a licensable game organised on board any vessel flying or entitled to fly the flag of Malta, or registered in Malta, whilst said vessel is navigating outside the territorial waters of Malta.
2. The Authority may, by means of a ruling or other binding instrument, and after consulting with the Minister, exempt a gaming device or a category of gaming devices from any or all requirements in terms of these regulations and, or any other regulatory instrument:

Provided that any such exemption rulings shall only be issued in line with the regulatory objectives in terms of Part II of the Act.

Third Schedule

Material Gaming Supplies

Without prejudice to the critical gaming supplies listed in the First Schedule, the following types of gaming supplies shall constitute material gaming supplies:

1. Manufacturing, assembling, placing on the market, distributing, supplying, selling, leasing or transferring a gaming device;
2. Providing risk management services for the operation of a licensable game;
3. Providing event, content and, or odds;
4. Providing fraud management services for the operation of a licensable game;
5. Holding and, or managing player funds;
6. Providing services relating to customer due diligence;
7. Providing services related to player identity verification;
8. Providing co-location services and other managed information technology services, including cloud computing services and, or decentralised hosting protocols where the latter do not amount to a critical gaming supply; and
9. Providing back-up and disaster recovery services.

Fourth Schedule

Key Functions

The following roles and responsibilities performed in connection with the gaming activity of a licensee shall each constitute a key function:

1. Chief Executive;

2. Responsibility for gaming operations;
3. Responsibility for legal affairs and compliance with the applicable regulatory instruments;
4. Responsibility for finance;
5. Responsibility for marketing and advertising;
6. Responsibility for player support;
7. Responsibility for technology, including but not limited to information security and the operation and management of the control system;
8. Responsibility for the prevention of money laundering and the funding of terrorism;
9. Responsibility for risk management and the prevention of fraud; and
10. Responsibility for internal audit.

In the case of a licensee providing a gaming service in gaming premises, the activities constituting a key function shall comprise the activities listed in paragraphs 1 to 10 above, as well as the following:

1. Responsibility for supervising and managing the work of the employees carrying out functions in the gaming area;
2. Responsibility for managing the gaming area, including the supervision thereof to preclude fraud by customers, and the resolution of customer disputes;
3. Responsibility for managing the surveillance systems of the gaming premises.

Fifth Schedule

Low Risk Games

The following shall be deemed to be low risk games:

1. Non-profit games wherein the value of the stake does not exceed five euro (€5) per player;
2. Commercial communication games:

Provided that one person or entity organising a series of commercial communication games shall not cumulatively exceed one hundred thousand euro (€100,000) in prizes during any calendar month and not more than five hundred thousand euro (€500,000) during any calendar year:

Provided further that any single event shall not award a prize exceeding fifty thousand euro (€50,000);

3. Limited commercial communication games, wherein the value of the stake does not exceed two euro (€2) per player, and the value of the prize does not exceed two hundred and fifty euro (€250):

Provided that one person or entity organising a series of limited commercial communication games shall not cumulatively exceed five thousand euro (€5,000) in prizes during any calendar month and not more than fifty thousand euro (€50,000) during any calendar year.

Sixth Schedule

Skill Games

The considerations which the Authority shall take into consideration in determining whether a game is a skill game or a controlled skill game in terms of regulation 7 and 8 of these regulations shall include the following:

1. the presence of random draws and their effect on the outcome;
2. whether the game is played for money and, or prizes with a monetary value;
3. whether participation in a game involves any form of monetary commitment, or commitment of a monetary value;
4. the possibility of any negative social impact of the game;
5. whether the activity is closely associated with games of chance and, or gambling;

6. the duration of each event, competition or match;
 7. whether, on the face of it, a skilled player is able to win more than an unskilled player;
 8. whether a player's chance of winning is significantly increased by experience in playing the game;
 9. whether skill can be acquired through training, experience, reading literature or other educational material;
 10. whether a rule-set or format that is used further nullifies the effect of any element of chance;
 11. whether the game is played against other human players, or otherwise;
 12. the level of interaction between the players, the level of interaction between the operator and the players, and the level of intervention by the operator during the event, competition or match; and
 13. the complexity of the game, including the amount of player choices and their potential effect on the outcome, and the strategies involved.
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