

CODE OF ETHICS AND PROFESSIONAL CONDUCT



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1. PURPOSE AND VISION

Regulation, by definition, involves the use of governmental authority. This Code recognises that inherent to the use of authority is the potential for abuse of authority. Public trust, consumer confidence and respect require that we as regulators use our authority with integrity.

This Code describes the expectations that we have of ourselves. It articulates the ideals to which we aspire as well as the behaviours that are mandatory in our professional roles.

The purpose of this code is to instill confidence in our work and the Authority as a whole and be recognised by the general public as being a reputable and professional regulatory Authority.

We believe that we can advance our profession, both individually and collectively, by embracing this Code of Ethics and Professional Conduct. We also believe that this Code will assist us in making wise decisions, particularly when faced with difficult situations where we may be asked to compromise our integrity or our values.

*As employees of the **Malta Gaming Authority**, we are committed to doing what is right and honorable. We set high standards for ourselves and we aspire to meet these standards in all aspects of our lives — at work, at home, and in service to our profession.*

2. PERSONS TO WHOM THIS CODE APPLIES

This Code of Ethics and Professional Conduct applies to every employee of the Authority.

3. STRUCTURE OF THE CODE

The Code of Ethics and Professional Conduct is divided into sections that contain standards of conduct which are aligned with the values that were identified as most important to the Authority.

4. ETHICAL CONFLICT RESOLUTION

4.1 In applying standards of ethical conduct, we may encounter problems in resolving an ethical conflict. When faced with significant ethical issues, we should seek guidance and assistance from our superiors.

Sanctions

4.2 Sanctions may be applied in case of breaches of this Code. The sanctions applied shall depend on the seriousness and nature of the breaches and may entail formal disciplinary and/or criminal action as applicable.

5. RESPONSIBILITY

- 5.1 We make decisions and take actions based on the best interests of different stakeholders as provided by the law and internal policies.
- 5.2 We accept only those assignments that are consistent with our background, experience, skills, and qualifications.
- 5.3 We fulfill the commitments that we undertake – we do what we say we will do.
- 5.4 When we make errors or omissions, we take ownership and make corrections promptly. When we discover errors or omissions caused by others, we communicate them to the appropriate body as soon they are discovered. We accept accountability for any issues resulting from our errors or omissions and any resulting consequences.
- 5.5 We protect proprietary or confidential information that has been entrusted to us.
- 5.6 We uphold this Code and hold each other accountable to it.
- 5.7 We inform ourselves and uphold the policies, rules, regulations and laws that govern our work.
- 5.8 We report unethical or illegal conduct to appropriate management and, if necessary, to those affected by the conduct.
- 5.9 We bring violations of this Code to the attention of the appropriate body for resolution.
- 5.10 We only file ethics complaints when they are substantiated by facts.

Respect is our duty to show a high regard for ourselves, others, and the resources entrusted to us. An environment of respect engenders trust, confidence, and performance excellence by fostering mutual cooperation — an environment where diverse perspectives and views are encouraged and valued.

6. RESPECT

As respectful professionals we shall:

- 6.1 inform ourselves about the norms and customs of others and avoid engaging in behaviours they might consider disrespectful.
- 6.2 actively listen to others' points of view, seeking to understand them.
- 6.3 approach directly those persons with whom we have a conflict or disagreement.
- 6.4 conduct ourselves in a professional manner, even when it is not reciprocated.
- 6.5 avoid engaging in gossip and avoid making negative remarks to undermine another person's reputation. We also have a duty under this Code to confront others who engage in these types of behaviours.
- 6.6 not exercise the power of our expertise or position to influence the decisions or actions of others in order to benefit personally at their expense.
- 6.7 not act in an abusive manner toward others.
- 6.8 respect the property rights of others.
- 6.9 refrain from any form of harassment, bullying, aggression, violence and discrimination.
- 6.10 have the responsibility to maintain a safe and healthy workplace by following safety and health rules and practices and reporting accidents, injuries and unsafe conditions, procedures, or behaviours.

7. FAIRNESS

Fairness is our duty to make decisions and act impartially and objectively.
Our conduct must be free from competing self-interest, prejudice, and favouritism.

As fair professionals we shall:

- 7.1 demonstrate transparency in our decision-making process.
- 7.2 constantly re-examine our impartiality and objectivity, taking corrective action as appropriate.
- 7.3 provide equal access to information to those who are authorised to have that information.
- 7.4 make opportunities equally available to qualified candidates.

Conflict of Interest

- 7.5 Use judgement to act, at all times and in all ways, in the best interests of the Authority. A conflict of interest exists when a personal interest interferes with the best interests of the Authority. A conflict of interest may arise from our business or personal relationship with a customer, supplier, competitor, business partner, or other employee, if that relationship impairs our objective business judgement.

Because an employee's receipt of gifts or services could create a conflict of interest, we shall, in a very courteous manner, refrain from accepting gifts or personal benefits of significant value. A significant value gift or personal benefit is defined as something which is valuable to the individual which may give the impression that it is enough to influence a business decision. Hence, only seasonal gifts of insignificant value and clearly not intended to influence objective judgement may be accepted.

In case that the decision of whether to accept or refuse a gift or personal benefit is not clear cut, we shall consult this matter with our superiors.

We shall also attempt to avoid conflicts of interest and if we believe a conflict of interest may exist we should promptly notify our superiors. Moreover, when we realize that we have a real or potential conflict of interest, we refrain from engaging in decision-making process or otherwise in attempting to influence outcomes, unless or until: we have made full disclosure to our superiors; we have an approved mitigation plan and we have obtained the consent of our superiors to proceed.

Favouritism and Discrimination

- 7.6 We do not hire or fire, reward or punish, or award or deny contracts based on personal considerations, including but not limited to, favouritism, nepotism, or bribery.
- 7.7 We do not discriminate against others based on, but not limited to, gender, race, age, religion, disability, nationality, or sexual orientation.
- 7.8 We apply internal policies without favouritism or prejudice.

Outside Employment and Termination

- 7.9 The prior approval of the Executive Chairman is required before we may engage in any form of business or employment outside our official duties.
- 7.10 In all cases when outside employment is considered, we shall give our employment with the Authority first consideration and avoid situations which could give rise to, or the appearance of, a conflict of interest.

Political Participation and Comment

- 7.11 It is of the greatest importance that public confidence in the impartiality of the public administration shall not be impaired in any way. We need to ensure that participation in political activities does not bring us into conflict with our primary duty to serve the Authority.
- 7.12 Likewise we need to ensure that the spirit of paragraph 7.11 hereof is respected whenever we are asked to make a public comment. Public comment includes public speaking engagements, comments on radio and television and expressing views in letters to the newspapers or in books, journals or notices or where it might be expected that the publication or circulation of the comment will spread to the community at large.
- 7.13 Determining what is appropriate in any particular case will depend on the extent of the participation of the individual, the nature of the issue, the position held by the individual and existing regulations within the organisation concerned.
- 7.14 If we become aware that a potential conflict, whether real or apparent, has arisen or is likely to arise, we shall immediately inform our superiors.
- 7.15 If a conflict of interest does arise, we may have to stop participating in political activity or withdraw from areas of our duties giving rise to the conflict of interest.

8. HONESTY

Honesty is our duty to understand the truth and act in a truthful manner both in our communications and in our conduct.

As honest professionals we shall:

- 8.1 earnestly seek to understand the truth.
- 8.2 provide accurate information in a timely manner.
- 8.3 make commitments and promises, implied or explicit, in good faith.
- 8.4 strive to create an environment in which others feel safe to tell the truth.
- 8.5 not engage in or condone behavior that is designed to deceive others, including but not limited to, making misleading or false statements, stating half-truths, providing information out of context or withholding information that, if known, would render our statements as misleading or incomplete.
- 8.6 not engage in dishonest behavior with the intention of personal gain or at the expense of another employee.

9. PROFESSIONAL COMPETENCE AND DUE CARE

The principle of professional competence and due care imposes the following obligations:

- (a) To maintain professional knowledge and skill at the level required to ensure that stakeholders or employers receive competent professional service; and
- (b) To act diligently in accordance with applicable technical and professional standards in all professional and business relationships.

Competent professional service requires the exercise of sound judgement in applying professional knowledge and skill in the performance of such service.

Professional competence may be divided into two separate phases:

- (a) Attainment of professional competence; and
- (b) Maintenance of professional competence.

As competent professionals of the Authority we shall:

- 9.1 possess the required level of education and work experience to perform our duties in the most effective and efficient manner.
- 9.2 exhibit a willingness to seek out and participate in professional growth and training.
- 9.3 timely report competency gaps to our superiors.
- 9.4 maintain a working knowledge of current theories and techniques of effective communication and in the dynamics of the balanced use of authority.
- 9.5 follow applicable laws, rules and regulations at all times. Doubts about the applicability or interpretation of any law, rule or regulation, should be enquired with the Legal Department.
- 9.6 carry out duties in a professional, competent, even-handed and courteous way.

Regulation Competencies

- 9.7 vigorously uphold applicable provisions of the law related to public disclosures, avoidance of conflict of interest, observe internal policies and procedures, management of public records and information, and management of confidential information.
- 9.8 regulate as per provisions of applicable law and internal policies.
- 9.9 explain the reason for every regulation provision applied.
- 9.10 encourage regulated operators to achieve the highest possible performance within the regulatory boundaries.
- 9.11 actively participate in the development and enhancement of regulation policies and procedures.
- 9.12 actively assist the public to understand the purpose and function of the gaming regulatory process.

10. COMMUNICATION

We will communicate openly and transparently with all our stakeholders within the bounds of confidentiality. We will protect confidential information from improper disclosure and any authorised communication of confidential information should be limited to individuals who need it to carry out their work.

We must communicate relevant information to our teams quickly and clearly. Internal communication should always be professional, even when it is informal.

We must always be aware that we are all representatives of the Authority and that whatever we do and say in public represents the Authority. We shall not make comments on behalf of the Authority unless we have the necessary approvals.

We will ensure that all internal and external communications are professional, timely and, when necessary, approved.

We will act professionally when representing the Authority and make no statements that could have a negative impact on the Authority's reputation.

We shall refrain from making personal comments that could be interpreted, even mistakenly, as a comment or endorsement made by the Authority.

Confidentiality

- 10.1 We will respect the confidentiality of information acquired during the course of our employment and shall not disclose any such information to third parties, even after the end of our employment with the Authority, without proper and specific authority unless there is a legal or professional right or duty to disclose.

11. PROFESSIONAL APPEAREANCE

As reputable professionals we shall:

- 11.1 avoid the appearance as well as the fact of improper, unfair, unethical, or self-serving conduct.
- 11.2 behave in a manner that earns respect, trust and confidence, and in a manner that reflects positively on the Authority.
- 11.3 promptly disclose any personal or financial interest related to the performance on duties.
- 11.4 not engage in personal or/and social activities which may discredit our work.
- 11.5 dress and groom professionally in line with professional image transmitted by the Authority.

This part of the Code represents our current collective efforts to provide clear guidance in an evolving media channel. Hence it aims to provide specific guidance on best practice behaviour when using social media during work or personal time.

12. USE OF SOCIAL MEDIA

Public vs Private

12.1 Despite the existence of privacy options, many items published in social media are publicly accessible and it can be difficult to guarantee that sites are fully private. As such we always start with the assumption that anything we say can be read by anyone, anywhere, at any time and remember that the Internet has a long memory. Hence we will always exercise good judgement when posting and be aware that inappropriate conduct can negatively affect the Authority and its stakeholders including ourselves. Behave in a manner that earns respect, trust and confidence, and in a manner that reflects positively on the Authority.

Professionalism

12.2 We always act in a professional and constructive manner and use sound judgement before posting. We shall always be polite and respectful of individuals' opinions, especially when professional or personal discussions become heated. We shall never post malicious, misleading or unfair content about the Authority, colleagues or other stakeholders. We shall neither post content that is obscene, defamatory, threatening or discriminatory to an individual or entity.

Intellectual Rights

12.3 We shall respect other people's intellectual property including trade marked names and slogans and copyrighted material. It's best practice to assume that all content online is protected by copyright.

12.4 We will make sure we have permission to post copyright items, properly attribute the work to the copyright owner where required, and never use someone else's work as if it were your own.