

REPUBLIC



OF CYPRUS

124(I) of 2015  
107(I) of 2020  
192(I) of 2022.

**The Casino Operations and Control Laws of 2015 to 2022**  
*(English translation)*

**Office of the Law Commissioner  
Nicosia,  
August 2025**

**ΓΕΝ (Α) – Λ. 201**

**ISBN 978-9925-623-05-1**

NICOSIA

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PRINTED AT THE PRINTING OFFICE OF THE REPUBLIC OF CYPRUS



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## **NOTE FOR THE READER**

The publication at hand by the Office of the Law Commissioner is an English translation of the The Casino Operations and Control Laws of 2015 to 2022 [124(I) of 2015, 107(I) of 2020 and 192(I) of 2022]

However useful the English translation of the consolidated Law is in practice, it does not replace the original texts of the Law since only the texts published in the Official Gazette of the Republic are authentic.

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**A LAW TO PROVIDE FOR THE ESTABLISHMENT, OPERATION,  
ACTIVITIES, SUPERVISION AND CONTROL OF CASINOS AND RELATED  
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# **A LAW TO PROVIDE FOR THE ESTABLISHMENT, OPERATION, ACTIVITIES, SUPERVISION AND CONTROL OF CASINOS AND RELATED MATTERS OF 2015**

Preamble.

72(I) of 2003  
174(I) of 2004.

WHEREAS this Law constitutes a technical regulation, according to the provisions of the Process of Information Regarding Certain Technical Rules Law, which transposes into Cyprus Law the act of the European Union entitled “Directive 98/34/EC of the European Parliament and of the Council of 22 June 1998 laying down a procedure for the provision of information in the field of technical standards and regulations and of rules on Information Society services” as amended or replaced from time to time,

Official Journal of  
the EU: L 037  
12.2.2000, p. 48  
L 236  
23.9.2003, p. 33.  
L 363  
20.12.2006, p. 81.

AND WHEREAS this Law refers to the aforementioned Law, according to the provisions of section 9 thereof and the aforementioned Directive according to the provisions of Article 12 thereof,

The House of Representatives enacts as follows:

## **PART I - PRELIMINARY**

Short title.

124(I)/2015  
107(I) of 2020  
192(I) of 2022.

1. This Law may be cited as the Casino Operations and Control Laws of 2015 to 2022.

Interpretation.

2. In this Law, unless the context otherwise requires—

‘annual licence fee’ means the annual fee imposed on the operator by the Commission relating to the casino resort operation licence;

‘application fee’ means the fee required pursuant to the provisions of this Law and/or the Regulations made hereunder;

‘associate’ means a person who, in relation to the casino resort operator or applicant for a casino resort licence, in the opinion of the Commission, is in a position to exercise effective control over or relating to the management or operation of the business of the operator or applicant for a casino resort licence;

'casino customer' means a person making use of or wishing to make use of the casino;

'casino employee' means any natural person who is not a casino key employee and who is employed in the operation of the casino, including but not limited to dealers or croupiers, machine mechanics, security employees, accounting office personnel, collections personnel, surveillance personnel and any other natural persons whose employment duties require or grant access to restricted casino areas;

'casino employee licence" means the licence required for a casino employee that is issued by the Commission;

3(a) of 192(I) of 2022.

'casino gaming' or 'casino game' means a game of chance or a game that is partly a game of chance and partly a game of skill, which is played in a casino with playing cards, dice, equipment or any mechanical, electromechanical or electronic device or machine for money, cheques, credit cards or any other means representative of value;

'casino gaming floor' means the part of the casino premises where authorised casino games shall be conducted and gaming machines shall be made available for use.

'casino key employee' or 'key employee' means any natural person employed at the casino by the operator in a supervisory capacity or authorised to make decisions, exercising his discretion, which regulate the casino operation and it includes pit bosses, shift bosses, cashier supervisors, casino managers, assistant managers, managers and supervisors of casino security employees or any other natural person authorised to make decisions exercising its discretion , which regulate the management of the casino, or any other employee designated by the Commission as a key employee;

'casino key employee licence" means the licence required for a casino key employee which is issued by the Commission;

'casino operations' or 'operations' in relation to a casino, means-

(a)the conduct of gaming at the casino,

(b) the administration, management, and supervision of the conduct of gaming at the casino,

(c) money counting in the casino and in relation to the casino,

(d) accounting procedures within and in relation to the casino,

(e) the use of storage areas within the casino premises, and/or

(f) other matters affecting or arising out of activities in the casino;

‘casino’ or ‘casino premises’ means the areas approved by the Commission where casino gaming shall be allowed and gaming machines shall be made available for use, including the main area of the casino gaming floor, any corridors in this area leading to other areas of the casino resort and any areas or other facilities accommodated therein;

‘casino resort operator’ or ‘operator’ means a person holding the licence to operate the casino resort;

‘casino tax’ means the tax on the gross gaming revenue from casino gaming, payable by the operator to the Commission according to the provisions of section 80 and of the Regulations made under this Law;

‘Chairman’ means a member of the Commission appointed by the Council of Ministers as Chairman of the Commission;

‘chips’ means any special tokens used instead of money for the purpose of gaming, which have a fixed wagering value in Euros;

‘complimentary service or item’ means a service or item provided free of charge or at a lower charge to a casino customer;

‘complimentary services account’ means an account kept by the casino resort operator, listing in detail the complimentary services and/or items offered and it includes, but is not limited to, a list of the cost of Junket services and any other service or item provided free of charge or at a reduced price to casino customers or Junket customers;

‘conflicting interest in businesses relating to the activities of the casino resort’ means the carrying out by any person of business activities with a person holding a licence or applying for a licence from the Commission, in accordance with the provisions of this Law or with a person having a

direct or indirect relationship with a business or organisation holding a licence or applying for a licence from the Commission in accordance with the provisions of this Law and who-

- (a) has any right to receive income derived from the business, or
- (b) has any participation in the capital of the business either following a loan or otherwise;

3(b) of 192(I) of 2022. 'Deputy Minister' means the Deputy Minister of Tourism

'electronic monitoring system' means any electronic or communications system or computer system or device that is designed so as to be used or adapted to send and/or receive data from gaming equipment in relation to the security, calculations or the operation of the gaming equipment;

'electronic table game' means casino gaming, which is traditionally played at a table and includes an electronic device through which wagers may be placed on gaming played at a table and which has been approved as such by the Commission;

'executive director' means the chief executive officer of the Commission;

'excluded person' means any person prohibited from entering into or remaining at the casino pursuant to a relevant exclusion order;

'exclusion order' means an order excluding a person from entering into or remaining at the casino, according to the provisions of this Law or the Regulations issued hereunder or on the basis of self-exclusion or exclusion of such person by the operator, or following an order of the Commission or the Police, or following a court order;

'five star hotel' means the classification of a hotel as a five star hotel, according the provisions of the Hotels and Tourist Establishments Laws and the Regulations made thereunder;

40 of 1969 52  
of 1970 17 of  
1973 34 of  
1974 28 of  
1985 42(I) of  
1993 80(I) of  
1995 16(I) of  
1999 68(I) of  
1999 91(I) of  
2000 170(I) of  
2000



152(l) of 2005  
9(l) of 2014  
34(l) of 2019.

‘gaming’ means playing a game of chance or a game that is partly a game of chance and involves elements of chance and elements of skill for monetary return or other value;

‘gaming equipment’ means any device or objects used, or capable of being used, for or in connection with gaming and betting and it includes -

- (a) gaming machines,
  - (b) electronic monitoring systems,
  - (c) chips, dice, playing-cards and gaming tables; and
  - (d) parts or accessories of any such machine, equipment or system;
- ‘gaming machine’ means an apparatus or object which functions wholly or partly mechanically or electronically and which-
- (a) is designed in such a way that it may be used for the purpose of playing a game of chance or a game combining chance and skill,
  - (b) is designed in such a way that upon placing a wager on the device, winnings may be received, and
  - (c) has been approved by the Commission as a gaming machine;

‘gaming supplier’ means a person manufacturing or supplying gaming machines or providing gaming test services;

‘gaming supplier licence’ means a licence issued by the Commission and allowing its holder to manufacture or supply gaming machines or software or provide gaming test services for the casino;

‘gaming tables’ means equipment on or at which casino games are conducted;

‘gaming test services’ mean services to test, certify or maintain gaming equipment;

‘gross gaming revenue’ shall have the meaning attributed to the term by subsection (4) of section 80;

‘illegal casino gaming’ means providing casino gaming or gaming machines in premises that are not licensed according to the provisions of

this Law or providing gaming services in a casino in contravention of the provisions of this Law and the Regulations made hereunder;

‘initial licence fee’ means the initial fee contemplated by section 26;

‘inspector’ means an employee of the Commission who shall have the responsibility and the authority to verify whether the operator is complying with this Law and the Regulations made hereunder by inspecting the casino premises, monitoring the operations and records of the casino resort and shall address disputes between the casino customers and the operator;

‘integrated casino resort’ or ‘casino resort’ means the integrated casino resort contemplated in section 4;

‘Integrated casino resort licence’ or “casino resort licence” means the licence for the development and operation of a casino resort granted by the Commission according to the provisions of section 23;

‘interim operator’ means the temporary operator appointed by the Commission to manage the casino resort in the event of cancellation, surrender or suspension of the casino resort licence;

‘invitation for the expression of interest’ means the document issued by the Steering Committee inviting persons to express their interest in the acquisition of a licence for a casino resort whereby they are called to provide information demonstrating their qualifications, suitability and plans so as to be evaluated as pre-selected candidates for the award of such licence;

‘jackpot’ means the combination of letters, numbers, symbols or representations required to be displayed on the reels or the video screen of a gaming machine so that the winnings, according to the prize payout scale displayed on the machine, are payable from money which accumulates as contributions made in a prize pool;

‘Junket’ means an arrangement the purpose of which is to attract any person, selected on the basis of that person’s financial means and propensity for playing games of chance, to visit the casino resort for the

purpose of playing such games, and pursuant to such arrangement and in consideration for it, any or all of the costs of transportation, food, accommodation and entertainment of the said person shall be paid directly or indirectly by the casino resort operator;

‘Junket customer’ means a casino customer participating in a Junket;

‘Junket operator licence’ means the licence issued by the Commission to a Junket operator;

‘Junket representative’ means any natural person, who provides services for the referral, attracting or selection of persons who may participate in any Junket to the casino, regardless of whether such activities take place in the Republic or not;

‘Junket representative licence’ means the licence issued by the Commission to a Junket representative;

‘licence’ means any licence the Commission has power to issue, according to the provisions of this Law and the Regulations issued hereunder;

‘licensee’ means any person holding a licence or approval issued by the Commission and it includes but is not limited to the operator, casino employees, casino key employees, gaming suppliers, Junket operators and Junket representatives;

‘main shareholder’ means the shareholder holding the largest share of voting rights in the company of the operator;

‘minor’ means an individual who is less than twenty-one years old (21);

‘order’ or ‘operating instruction’ means an order or an operating instruction issued by the Commission pursuant to the powers conferred upon it by the provisions of this Law;

‘owner’ means the owner or owners of the land and/or the buildings where the casino resort is situated;

‘pay-out ratio’ means the amount of money a gaming machine pays out in winnings in relation to the amount it takes in as a wager;

‘publicly listed company’ means a company registered and traded in approved stock exchanges;

‘record’ means any collection of exhibits and data irrespective of form and material in which it is kept or generated by any method;

‘Commission’ means the National Gaming and Casino Supervision Commission established according to the provisions of section 5;

‘Republic’ means the Republic of Cyprus;

‘satellite casino premises’ means an area for gaming with a limited number of gaming machines and/or gaming tables which are outside the area of the casino resort, according to the provisions of section 16 of this Law;

‘self-exclusion list’ means the drawing up of a list of names of persons who have voluntarily agreed to be excluded from all gaming activities and to be prohibited from collecting any winnings or recovering any losses at the casino;

‘standards notices’ means the provision of information in respect of orders and operating instructions issued by the Commission from time to time whereby technical standards and requirements for gaming equipment are set;

‘Steering Committee’ means the committee established in accordance with the provisions of section 19;

‘tokens’ means special coins used for gaming and which represent value;

Deputy Minister  
Authorisation.

**3.-(1)** The Deputy Minister may transfer in writing to the Deputy Ministry of Tourism Director General, hereinafter called the ‘Director-General’ the exercise of any power excluding the power to make orders and the performance of any duty which under the provisions of this Law or the Regulations made hereunder is granted or assigned, correspondingly, to the Deputy Minister;

Provided that, in the event of such transfer and up until its expiration, the Deputy Minister shall retain the authority to exercise such powers and to perform the duties transferred in such way.

(2) The Director General to whom the exercise of power or performance of duty is assigned pursuant to the provisions of subsection (1), shall be under an obligation to exercise the said powers and perform the said duties according to any instructions of the Deputy Minister.

(3) The Deputy Minister may amend or revoke the transfer made according to the provisions of subsection (1) by written notice to the Director General.

(4) Where the Deputy Minister and the Director General simultaneously exercise the same powers or perform the same duties, under the provisions of this section, the Director General may not exercise the same power or perform the same duty as the Deputy Minister with respect to specific true facts, unless the Deputy Minister so allows and according to the latter's directions.

(5) Where, pursuant to the provisions of this section, a person exercises authority or performs a duty, which this Law or the Regulations made hereunder, grant or confer, respectively, to another person, this Law and the Regulations made hereunder shall apply as if they had expressly granted the said authority to the person exercising the same and as if they had expressly imposed the said duty to the person performing the same.

Integrated casino resort.

**4.-(1)** Without prejudice to the provisions of section 16, the integrated casino resort shall consist of a combination of facilities, activities and premises which are interrelated and are within the general plan as selected by the operator and proposed during the licencing procedure and which have been approved and licensed by the Commission.

(2) The premises contemplated in subsection (1) shall include a casino of international standards, a luxury hotel or hotels of international standard and other services, activities and facilities that enhance the quality of the tourism industry.

(3) The luxury hotel or hotels of international standards mentioned subsection (2) shall exceed the requirements for a five star hotel, as determined by the Hotel and Tourist Establishments Law and the

Regulations made thereunder and shall offer in total at least five hundred 500 luxury rooms, while the world class casino shall include at least one hundred (100) gaming tables and one thousand (1000) gaming machines.

(4) The operator shall not be allowed to install more than two hundred (200) gaming tables or more than two thousand (2000) gaming machines unless the operator submits a prior special application to the Commission for consideration which the Commission may accept in writing and subsequently the operator shall pay the relevant fee as agreed.

(5) For the purposes of limitations on gaming machines and gaming tables, the Commission shall classify electronic table games as gaming tables.

(6) The integrated casino resort shall be erected on private land, in an area selected exclusively by the operator.

## **PART II**

### **NATIONAL GAMING AND CASINO SUPERVISION COMMISSION**

Establishment of National Gaming and Casino Supervision Commission.

**5.** There shall be a National Gaming and Casino Supervision Commission by way of a public law entity, to be known as the 'Cyprus Gaming and Casino Supervision Commission'.

Members of the Commission.

**6.** The Commission shall consist of seven (7) members appointed by the Council of Ministers, one of which shall be appointed as Chairman.

Eligibility, term, qualifications, removal, conditions and remuneration of the Chairman and the members of the Commission.

**7.-(1)(a)** The term of office of the first members of the Commission shall be as follows-

(i) the Chairman shall serve for a term of four (4) years,

(ii) the three members appointed by the Council of Ministers shall serve for a term of four (4) years,

(iii) the three members appointed by the Council of Ministers shall serve for a term of two (2) years.

- (b) Subject to the provisions of paragraph (a), the term of office of the Chairman and of the remaining members shall be four years.
- (c) No person shall be appointed to the Commission for more than two (2) consecutive terms of office.
- (2) No person shall be appointed as Chairman or other member of the Commission except persons of renowned status and honesty with specialised knowledge and with the ability to contribute to the achievement of the objectives of the Commission.
- (3) The Commission shall consist of a Chairman and members, who shall all together have the following qualifications:
- (a) One (1) member shall be an advocate with experience in the law of contracts;
  - (b) one (1) member shall have the necessary qualifications to be registered in the Institute of Certified Public Accountants of Cyprus with experience in auditing;
  - (c) one (1) member shall be a person with specialised knowledge and experience in the field of information technology;
  - (d) one (1) member shall be a person with specialised knowledge and experience in the implementation of legislation; and
  - (e) three (3) members shall be persons preferably derived from a profession or specialisation other than the profession or specialisation of any already appointed person or any person also appointed as member on the date of their appointment.
- (4) Subject to the provisions of subsection (2), no person shall be selected for appointment as Chairman or other member of the Commission, if such person -
- (a) either him/herself or his or her spouse or relative up to the fourth degree is professionally involved in business or holds shares

exceeding one percent (1%) of the share capital or has any other direct, indirect or conflicting interest in businesses relating to the activities of the casino resort;

(b) holds a state office or the office of mayor or member to the municipal council or Chairman or member to a community council or school board unless he resigns from such office;

(c) has been convicted for an offence involving dishonesty or moral turpitude;

(d) has been declared bankrupt and has not been discharged or is in compulsory arrangement or composition with his creditors; or

(e) has been declared to be mentally incapable/ of unsound mind according to the Laws of the Republic.

(5) For the appointment and/or replacement of the Chairman and of the members of the board of directors of the Commission, the prior written consent of the Parliamentary Committee of Energy, Trade, Industry and Tourism shall be necessary and for this purpose the names, qualifications as well as the justification as far as compliance with the provisions of subsections (2), (3) and (4) is concerned, shall be notified by the Deputy Minister to the Parliamentary Committee of Energy, Trade, Industry and Tourism.

(6) The Chairman and members of the Commission shall, upon assumption of their duties and in respect of every year from the date of their appointment and until the expiration of their term of office, declare to the Council of Ministers any interest they might have in businesses relating to the activities of the casino resort.

(7) Any person, making a false statement in contravention of the provisions of section (6), is guilty of an offence punishable in accordance with the provisions of section 96.



(8) The Council of Ministers shall remove the Chairman or other member of the Commission if the Chairman or member-

(a) is declared bankrupt and has not been discharged or is in compulsory arrangement or composition with his creditors; or

(b) is declared mentally incapable according to the Laws of the Republic;

(c) is convicted of an offence punishable with imprisonment or an offence involving dishonesty or moral turpitude;

(d) is unable to perform his duties due to physical disability or illness for a period exceeding six (6) months;

(e) has acquired a financial or other interest which may influence his impartial judgement and refuses to submit his resignation;

(f) has abused his position;

(g) is negligent in carrying out and/or fails to carry out his duties or commits a serious offence while carrying out his duties;

(h) as it transpires from the findings of a recommendation by the Commission, has abstained from performing his duties without justification or has been absent without reason for at least three (3) consecutive meetings of the Commission.

(9) The terms of appointment and remuneration of the Chairman and remaining members of the Commission, including any period during which the Chairman is engaged on a full-time basis, shall be determined by a Decision of the Council of Ministers and must be consistent with the terms of appointment and remuneration of similar regulatory bodies in the Republic.

(10)(a) In the event of the Chairman's or any other Commission member's resignation, death or revocation of appointment or in the event of such person's office becoming vacant before the expiry of the term for

which he was appointed, the Council of Ministers may appoint another person for the remaining term of office of the said member.

(b) Any vacancy in the position of Chairman or other member of the Commission shall not affect the validity of its decisions.

Objectives of the Commission's establishment.

**8.** The Commission shall be established with the aim of maintaining and administering mechanisms of licensing, supervision and control of the casino in order to ensure that -

(a) casino resort management and operation are carried out by suitable persons and that the casino is free of criminal influence or exploitation;

(b) gaming in the casino is conducted in a fair way;

(c) the possibility of weakening the social fabric, addiction to gambling as well as any negative effects on society and especially on minors and vulnerable groups as a result of the casino operation is restricted and controlled, and

(d) the operator complies with its obligations, ensuing from the conditions of the casino resort licence the operator holds.

Functions and duties of the Commission.

**9.-(1)** The Commission may, in exercising its functions and duties -

(a) draw up, issue and amend orders, operating instructions and directions for the implementation of the provisions of this Law and of the Regulations made hereunder as well as for the regulation of the operator and the operation of the casino;

(b) draw up, issue, review and amend orders, operating instructions and directions, as deemed necessary in order to maintain a firm regulatory environment;

(c) issue a casino resort licence to the candidate selected and found to be the most suitable following a due diligence search conducted by the Steering Committee and ratified by the Council of Ministers;

(d) develop methods and procedures for application and investigation, assess applicants, collect application fees and grant licences to the suitable operator, the casino employees, casino key employees, Junket operators, Junket representatives and gaming suppliers;

(e) exercise disciplinary powers according to the provisions of this Law and the Regulations made hereunder and conduct hearings without any limitation relating to contraventions of the provisions of this Law and of the Regulations made hereunder;

(f) impose sanctions, implement decisions and collect fines and penalties arising from contraventions of the provisions of this Law and of the Regulations made hereunder;

(g) collaborate and consult with the International Association of Gaming Regulators and competent gambling organisations on matters relating to the protection of young persons and vulnerable groups from casino gaming and put in place specific precautionary and preventive measures;

(h) conduct studies at regular intervals in consultation with the public and organised groups on the impact of casino gaming on young persons, vulnerable groups and the general public and provide suggestions for protection measures;

(i) collaborate with and consult organisations and government departments in order to ensure the proper and effective

implementation of the provisions of this Law, including the possibility of establishing advisory committees;

(j) monitor activities relating to illegal casino gaming and prepare studies and recommendations for combating them;

(k) advise and submit reports to the Deputy Minister in relation to the policy to be pursued concerning the supervision and inspection of the casino;

(l) take all necessary actions required by this Law, including the following:

(i) Supervision of the casino operation, the persons in charge of it and the conduct of gaming therein;

(ii) ensuring that the handling, collection, distribution and counting of money in the casino is supervised;

(iii) identifying contraventions occurring within the casino premises or in relation to the casino;

(iv) receiving and investigating complaints from casino customers concerning the conduct of gaming in the casino;

(v) deciding on disputes arising between the casino resort operator and casino customers;

(vi) checking the casino records whenever it considers appropriate;

(vii) inspecting, testing, and approving gaming equipment and chips for use in the casino;

(viii) preparing and delivering to the Deputy Minister reports relating to the casino operation and the conduct of gaming in it, whenever it deems appropriate or whenever the Deputy Minister so requests;

(ix) collecting the licence and application fees and the taxes imposed by the provisions of this Law and the Regulations made hereunder;

(x) checking the financial records of the casino;

(xi) enforcing, within the scope of the powers granted to it by this Law and in collaboration with the Police when necessary, the licence conditions and the provisions of this Law and the Regulations made hereunder;

(xii) investigating the applicants' suitability and issuing the relevant licences;

(xiii) accessing and inspecting the statements and records of the operator and monitoring the casino operation at any time;

(xiv) collecting and depositing at the Treasury of the Republic the taxes, licensee fees, application fees and fines due by the operator or other applicant for a licence or licensee according to the provisions of this Law;

(m) performing any other functions assigned or imposed on the Commission by the provisions of this Law or any other law.

(2) The Commission shall, in exercising its functions and duties, establish and operate, by way of a percentage on its revenue from the annual licence fee, a rehabilitation fund for individuals addicted to gaming with the aim of promoting activities alleviating the adverse effects of gaming

on society and the amount of funds deposited therein as well as an analysis of the purposes for which funds were allocated shall be included in the annual budget of the Commission, which shall be prepared according to the provisions of section 12.

Powers of the Commission.

**10.-(1)** The Commission may carry on any activities it considers to be beneficial, necessary or expedient for or in connection with the performance of its functions and the discharge of its duties according to the provisions of this Law or any other law in force and may not unreasonably delay the issuance of any decisions which, according to the provisions of this Law or the Regulations made hereunder, the Commission has the discretion to issue.

(2) Without prejudice to the generality of subsection (1), the Commission may-

(a) conduct investigations and hold hearings as it considers necessary for the implementation of the provisions of this Law or the Regulations made hereunder;

(b) require any person to furnish such data and information considered necessary for implementing the provisions of this Law;

(c) develop and prescribe the method and form of applications, as well as the necessary fees for the operator, casino employees, casino key employees, gaming suppliers, Junket operators and Junket representatives;

(d) publish educational material, carry out research or other educational activities relating to casino gaming, support financially or otherwise the carrying out by other persons of such activities or the provision by such persons of relevant information or advice;

(e) enter into contracts and lease offices when and as considered necessary or expedient for the purposes of performing its functions or discharging its duties;

(f) become a member to or cooperate with any international body or organisation, the functions, objects or duties of which are similar to those of the Commission; and

(g) make provision for specialised training of any employee of the Commission and cover the expenses of such training as well as all other expenses related to it.

Appointment of executive officer and organisation of the Commission.

4(a) of 192(I) of 2022.

115 of 1990

58(I) of 1992

29(I) of 2006

171(I) of 2007

118(I) of 2022.

**11.-(1)** The Commission shall appoint an executive director through transparent and non-discriminatory procedures, following a public invitation, according to the provisions of the Law on Public Entities (Appointment of General Directors) upon such terms and conditions of appointment as the Commission may determine and as the Council of Ministers may approve.

(2) Subject to the provisions of subsection (1), the executive director shall report to the Chairman and the members of the Commission and shall be responsible for the proper administration and management of the operations and affairs of the Commission, in accordance with the policies of the Council of Ministers and the Commission.

(3) The Commission may terminate the employment of the executive director, subject to compliance with applicable legislation and the procedures relating to public law legal entities.

4(b) of 192(I) of 2022.

(4) The Commission shall appoint employees, either on a permanent basis or upon contracts for a fixed duration at posts and the number, title and salary scales of which shall be determined in the Commission's budget at the time, according to the provisions of subsection (7).

4(c) of 192(I) of 2022. (5) Subject to the provisions of the relevant scheme of service, a person who is not an employee of the Commission and is appointed to a post with a salary scale, shall be placed in the initial ranking of the scale of the post where he is appointed or the reduced starting scale of the post if such provision is made in the Commission's budget:

Provided that, the Commission may on the basis of the qualifications and the experience of the person appointed and by analogy to the criteria applicable to the public service, approve the posting of such person at a higher ranking than the initial ranking of the scale.

4(c) of 192(I) of 2022. (6) Employees of the Commission shall be subject to the administrative and disciplinary control of the Commission.

4(c) of 192(I) of 2022. (7) Subject to the provisions of subsection (6)-

- (a) the internal organisation of the Commission;
- (b) the Commission's administrative structure;
- (c) the schemes of service of the Commission's employees;
- (d) the procedure for filling the posts;
- (e) issues relating to the employees' appraisals;
- (f) the rights and obligations of the Commission's employees;
- (g) the benefits of the Commission's employees;
- (h) operational issues and organisational matters;
- (i) the disciplinary code; and
- (j) the exercise of disciplinary powers by the Commission;

shall be determined by Regulations made pursuant to the provisions of section 13 and the procedure concerning the structure of the Commission's services shall be determined in its budget.

4(c) of 192(I) of 2022. (8) Subject to the provisions of subsections (4) and (7), the Commission shall draw up, within four (4) months of the coming into operation of the Casino Operation and Control (Amendment) Law of 2022, a plan for the services structure along with the relevant schemes of service relating to the posts.



Assignment of control or investigation to a third person.

5 of 192(I) of 2022.

**11A.**-(1) The Commission may commission any person to conduct control or investigation in relation to persons subject to its regulatory and supervisory authority, according to the provisions of this Law and of applicable legislation.

(2) Any person commissioned under the provisions of subsection (1) may, while conducting the control or investigation, exercise the powers and functions of the Commission by virtue of the provisions of this Law.

(3) Any person subject to a control or investigation shall make available to the Commission and a person commissioned pursuant to the provisions of subsection (1) all the necessary data and information for conducting such control or investigation.

(4) The person commissioned for the control or investigation, shall upon the completion of his work, draw up a report in the event of a control or a statement containing the findings in case of an investigation, and shall submit the same to the Commission for final decision.

Assignment of work to experts.

5 of 192(I) of 2022.

**11B.** The Commission may, where applicable, assign the performance of specific work to persons renowned for their specialised expertise and training who are capable of contributing towards the performance of the functions of the Commission, provided the assignment is made according to the provisions of the Regulation of Procedures for the Conclusion of Public Procurement Contracts and Related Matters Law.

73(I) of 2016  
205(I) of 2020  
74(I) of 2022.

Employment of consultants, inspectors and representatives on a contract basis.

5 of 192(I) of 2022.

**11C.** The Commission may appoint or employ, subject to terms and conditions, any consultants, inspectors and representatives who are deemed necessary towards effective execution of the Commission's functions and the discharge of its duties, provided such appointments are made on a contract of employment basis.

Structure, operation, and budget of the Commission.

**12.**-(1) The Commission shall be responsible for carrying out its duties and functions and its operation shall be set out in Regulations made under section 13 of this Law.

6 of 192(l) of  
2022.

(1A) The Chairman and members of the Commission may transfer in writing their functions to the Executive Director or to Committees, which shall be comprised of members of the Commission and in which the Executive Director and/or other Commission employees may also participate.

Provided that, the transfer of functions contemplated by this subsection may be revoked by the Chairman and the members of the Commission whenever they deem appropriate.

(2) The Commission shall establish an office, employ staff and prepare the annual budget for every financial year by analogy to the conditions, time frames and procedures which apply for the annual budgets for public law legal entities, on the basis of the provisions of section 3 of the Law on Public Law Legal Entities (Budget Vote).

194 of 1987  
318 of 1987  
52 of 1988  
69 of 1989  
186 of 1991  
19(l) of 2001  
35(l) of 2012.

(3) Funding for the Commission's budget, according to subsection (2), shall be by way of a government grant, the level of which shall correspond to its annual budget and funds received by the Commission shall be used exclusively to cover its expenses and meet its obligations and to effect any payment the Commission is required to make:

Provided that, any funding received by the Commission in excess of its actual needs for the financial year, shall be deemed as part of the government grant of the following financial year.

(4) The Commission shall keep proper accounts and records of its transactions and shall take all the necessary measures to ensure that payments are made in the appropriate manner and are duly authorised and that adequate control is exercised over its assets and expenses incurred by the Commission.

(5) The Commission shall be audited by the Auditor General of the Republic and where the latter decides otherwise, the Commission shall

be audited either by the Auditor General in cooperation with independent external auditors or by independent external auditors.

(6) Any further accounting requirements and procedures relating to the keeping of records, annual financial statements and requirements for annual statutory audit in respect of the Commission shall be determined in the Regulations made under this Law.

(7) The Commission shall employ an internal auditor who shall report to the Chairman and its members.

Power of the  
Council of  
Ministers to make  
Regulations.

**13.**-(1) The Council of Ministers shall make Regulations for the better carrying out of the provisions of this Law and for prescribing any matter which is required to be or may be prescribed and such Regulations shall be laid before the House of Representatives for approval.

(2) Without prejudice to the generality of subsection (1), the Regulations shall regulate any or all of the following matters:

(a) setting out the procedure for the Commission's meetings, the audit of the accounts and the presentation of its financial statements.

(b) determining the methods and application forms, as well as any form and/or fees payable by the applicant for any licence issued by the Commission, including but not limited to, licences for a casino resort, casino employees, casino key employees, Junket operators and Junket representatives that any applicant is obliged to follow, complete and comply with prior to the consideration of his application by the Commission;

7 of 192(I) of  
2022.

(c) (i) determining the way of operation of the Commission;

(ii) appointment procedures for the Commission's employees;

(iii) the internal organisation of the Commission;

(iv) the Commission's administrative structure;

(v) the schemes of service of the Commission's employees;

(vi) the procedure for filling posts at the Commission;

(vii) issues relating to the employees' appraisals;

(viii) the rights and obligations of the Commission's employees;

(ix) the benefits of the Commission's employees;

(x) operational issues and organisational matters;

(xi) the disciplinary code; and

(xii) the exercise of disciplinary power;

(d) setting out the required procedures for the approval and licensing of gaming machines manufacturers and suppliers, as well as gaming test services providers;

(e) setting out the methods, procedures and due diligence controls concerning the suitability of the operator and other applicants, as well as the provision of information concerning any person's history, character, associates, criminal record and business activities and financial affairs;

(f) setting out procedures concerning badges for verification of identity which must be worn by casino employees, key casino employees and casino customers, gaming suppliers, Junket representatives and Junket customers and which are necessary in order to put in place restrictions on access to the casino premises and other restricted areas of the casino resort;

(g) setting out the manner and procedure to be followed in disciplinary hearings conducted by the Commission, including special rules of evidence applicable thereto, notices related thereto as well as the sanctions and penalties that may be imposed by the Commission;

(h) setting out the manner and collection of payments of casino taxes, fees and penalties;

(i) determining the casino layout and the applicable restrictions in the areas of operation, the necessary procedures for approval of the Regulations concerning authorised casino gaming, the odds of the pay-out percentage, the gaming machines devices and the permitted gaming equipment, as well as the methods of operation of casino gaming, gaming machines and gaming equipment;

(j) setting out the grounds and procedures for revocation, suspension or cancellation of licences and the appointment of an interim casino resort operator;

(k) setting out the necessary anti-money laundering procedures;

(l) the regulation of the manufacturing, distribution, sale and maintenance services of gaming equipment;

(m) setting out the procedures, forms and methods of management control, including the employee organisation charts, the supervision, organisation, responsibility and minimum-security standards, including the security personnel structure, the alarm system and other electrical or visual security measures;

(n) setting out the minimum procedures which are necessary for the exercise of effective monitoring of the internal financial affairs of the operator, including provisions for the protection of assets and receipts, the recording of cash, proof of indebtedness, the keeping of reliable records, accounts and transaction reports, operations and incidents, including reports to the Commission;

(o) setting out minimum standards concerning methods, procedures and accounting standards and forms, a uniform code for accounts and categorisation of accounts and any other standard operating procedures that are deemed necessary for the purpose of consistency, comparability and effective disclosure of all financial information, including percentages of profits from casino gaming, gaming tables, gaming devices and slot machines;

42(I) of 2009  
163(I) of 2013  
96(I) of 2016  
53(I) of 2017.

(p) the fulfilment of the requirement for submission of periodic financial reports as well their form, including the annual audit conducted by a statutory auditor who is licensed under the provisions of the Auditors and Statutory Audits of Annual Consolidated Accounts Law<sup>1</sup>, verifying the financial situation of the casino resort operator, as well as whether the accounts, records and control procedures which should be kept are in place by the licensee as required by the provisions of this Law and the Regulations made hereunder;

(q) the regulation of the way the casino resort operator conducts advertising relating to gaming, the operator's employees and representatives and the way of ensuring that advertisements are true, of good taste, are not offensive and do not promote gaming as a way of financial transaction and that they promote the casino resort as a whole and not just the casino on its own;

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<sup>1</sup> Note: The Auditors and Statutory Audits of Annual Consolidated Accounts Law (N.42(I)/2009), was repealed and replaced by The Auditors Law of 2017 (53(I)/2017).

- (r) the regulation of the entertainment provided by the operator;
- (s) the provisions which must be made concerning the distribution and consumption of alcoholic beverages within the premises of the casino, which must permit alcoholic beverages to be served and consumed on the casino gaming floor;
- (t) the regulation of mandatory and voluntary exclusion of certain individuals;
- (u) setting out minimum requirements and procedures for granting of complimentaries and Junkets;
- (v) setting out the procedures for the resolution of disputes arising between the operator and casino customers;
- (w) setting out the notification and approval requirements for changes in the operator's situation;
- (x) setting out the notification requirements in respect of certain types of supply contracts to the casino;
- (y) setting out the requirements relating to the operator's plan for responsible gaming;
- (z) setting out the necessary procedures and fees for the approval and operation of satellite casino premises;
- (aa) specifying the official duties of the Commission's inspectors;
- (ab) introducing criteria for entry of citizens of the Republic of Cyprus in the casino premises, which include tax file

examination, the issuance of special identification card for entry as well as any other criteria that may be deemed necessary for the protection of Cypriot citizens from the negative effects of gambling addiction.

### **PART III**

#### **CONTRACTS AND CASINO LICENSING**

Validity of contracts relating to gaming.

**14.** The following contracts shall be valid and enforceable according to the provisions of this Law:

(a) Any contract entered into between the casino resort operator and the casino customers for gaming in the casino, which is conducted in accordance with the provisions of this Law and the Regulations made hereunder;

(c) any contract entered into between the casino resort operator and the casino customers for the use of a gaming machine in the casino, where such gaming machine has been licensed and is operating in accordance with the provisions of this Law and the Regulations made hereunder.

Exclusivity period for a single casino resort.

**15.-(1)** The Commission shall be prohibited, for a period not exceeding fifteen (15) years from the date of issuance of the first casino resort licence to a casino resort operator, from granting any other casino resort licence or any other licence for a casino in the Republic:

Provided that, where a time period of ninety (90) days has elapsed from the day the operator submitted to the competent authorities of the Republic all the necessary information required for the issuing of the required permits for the construction of the casino resort and where the operator received within such period no final answer, the exclusivity



period shall be extended for a corresponding period equal to the number of days by which such ninety (90) day period was exceeded.

(2) The operator may, prior to the opening of the integrated casino resort and for such period as may be agreed between the Commission and the operator, operate a temporary casino either within the area where the integrated casino resort will be erected or in any other area as may be approved by the Commission, as part of its phased development:

Provided that, the operation of a temporary casino shall be subject to the condition of strict compliance by the operator with the approved plans and the set time frames for the casino resort development as well as any additional conditions included in the said licence:

Provided further that, any approval for the operation of a temporary casino according to the provisions of this subsection shall automatically be revoked in the event of non-compliance with the set time frames for the development of the casino resort, without the need of a prior approval of the Commission and shall be cancelled automatically upon the commencement of casino operations in the casino resort.

(3) The operator shall be prohibited from developing or operating any other casinos in the Republic except the integrated casino resort or the temporary casino which may be developed according to the provisions of subsection (2) or the satellite casino premises according to the provisions of section 16.

(4) Failure of the operator to comply with the provisions of subsections (2) and (3) is an offence and the operator shall be liable on conviction to the penalties set out in subsection (2) of section 18.

Satellite casino premises.

**16.-(1)** The casino resort licence issued to the casino resort operator shall be for a single casino resort on the site selected by the operator and approved by the Commission, but in addition to what is contemplated by section 4, the casino resort operator shall be permitted to develop and

operate up to four (4) satellite casino premises apart from the casino resort, with a maximum of fifty (50) gaming machines and five (5) gaming tables:

Provided that, in three (3) of the four (4) satellite casino premises, only the placement of gaming machines shall be allowed and the placement of gaming tables shall be prohibited.

(2) The exercise of the right referred to in subsection (1) of this section for the operation of up to four (4) satellite casino premises apart from the casino resort, shall only occur if the operator chooses to exercise this right and upon submission by the operator of a relevant request to the Commission by which the operator demonstrates that the operation of such premises contributes to the combating of criminal activity associated with gaming and prevents individuals wishing to participate in casino gaming from participating in gaming conducted in illegal and unregulated premises and provided that a relevant approval of the Commission is obtained:

Provided that, the satellite casino premises shall be located in different districts of the Republic which are chosen by the operator and shall not be located in the district where the casino resort operates:

Provided further that, the satellite casino premises must operate in support of the operation of the integrated casino resort.

(3) The satellite casino premises shall be part of the casino resort licence and shall be governed by the conditions of such licence, the provisions of this Law, as well as the conditions of any other licence required for the approved site by the Regulations made under this Law and/or by the Commission.

(4) Where the operator of the casino resort obtains the relevant approval by the Commission to exercise the right to operate satellite casino premises, the operator shall be called to pay the relevant fees specified in the Regulations made under the provision of this Law.

- (5) The right of the operator to develop and operate satellite casino premises on the one hand and the premises of a satellite casino on the other, shall belong to and shall be operated by the operator and shall not be sold, transferred, or assigned in any way to any other person.

Transfer of ownership by shareholders of the operator of the casino resort or the owner of the land or buildings where the casino resort is located.

**17.-(1) During the validity period of the casino resort licence-**

(a) no shareholder of the integrated casino resort operator company or of the owner of the land or the buildings where the casino resort is located may, without the prior written approval of the Commission, transfer or dispose of or convert any part of his interest in the operator or the owner of the land of the casino resort, to the extent that the interest he intends to transfer or dispose of or convert is –

(i) equal to or greater than ten per cent (10%) of the shares and/or the total of the votes of all voting shares in the operator or the owner of the land or of the buildings where the casino resort is situated, where the shareholder is a publicly listed company or five per cent of (5%) of the shares and/or the total of votes of all the voting shares in the operator of the casino resort or the owner of the land or of the buildings where the casino resort is situated for all other shareholders; or

(ii) (ii) equal to or greater than the percentage of the total of all shares and/or the total of the votes attached to the interest of the main shareholder of the casino resort operator or the owner of the land or of the buildings where the casino resort is located; and

(b) no person other than the main shareholder of the operator of the casino resort or the owner of the land or of the buildings where the casino resort is located may, without the prior written approval of the Commission, acquire any interest in the operator of the casino resort or the owner of the land or of the buildings where the casino

resort is located, to the extent that after such acquisition the total percentage of the votes attached to the interest of such person in the operator of the casino resort or the owner of the land or of the buildings where the casino resort is located shall be-

- (i) equal to or greater than ten per cent (10%) of the shares and/or of the total of votes of all the voting shares in the operator of the casino resort or the owner of the land or of the buildings where the casino resort is located if the person is a publicly listed company or five per cent (5%) of the shares and/or of the total of votes of all the voting shares in the operator of the casino resort or the owner of the land or of the buildings where the casino resort is located, for all other persons; and
- (ii) equal to or greater than the percentage of the total of votes attached to the interest of the main shareholder of the casino resort operator or of the owner of the land or of the buildings where the casino resort is located.

(2) For the purposes of this section, a person has a direct or indirect interest in the casino resort operator or the owner of the land or of the buildings where the casino resort is located, if-

- (a) such person holds any voting shares in the casino resort operator or owner of the land or the buildings where the casino is located; or
- (b) such person is deemed to control any percentage of the total of votes in the casino resort operator or the owner of the land or the buildings where the casino is located ; and

the percentage of the total of votes attached to such person's interest in the casino resort operator or owner of the land or the buildings where the casino is located at a particular point in time is the aggregate of -

(aa) the percentage representing the ratio of the votes attached to the voting shares which he holds, directly or indirectly, in the casino resort operator or owner of the land or buildings where the casino resort is located, in relation to the total of votes attached to all voting shares in the casino resort operator or owner of the land or the buildings where the casino is located at that time; and

(bb) every percentage of the total of votes attached to all voting shares in the casino resort operator or owner of the land or buildings where the casino is located which is considered to be controlled by him at that time.

Prohibition  
against  
conducting or  
providing facilities  
for casino gaming  
and gaming  
machines without  
casino licence.

**18.-(1)** No person shall conduct or provide any facilities for casino gaming or gaming machines in the Republic without having previously obtained a valid casino licence granted by the Commission.

(2) Any person operating a casino without a casino licence by the Commission is guilty of an offence and is liable if convicted, to imprisonment or a fine or both as stipulated in section 89:

Provided that, where a person is convicted pursuant to the provisions of this subsection, the court may, in addition to the penalties set out in section 89, order such person to pay an amount equal to its gross revenue from the illegal casino gaming during the period of commission of the offence.

Steering  
Committee.

**19.-(1)** The Council of Ministers shall appoint a Steering Committee to administer the licensing procedure and the selection of a suitable person to develop and operate the casino resort.

2 of 107(I) of  
2020.

(2) The Steering Committee shall consist of six (6) members and one secretary, chosen from various services of the Republic, as follows:

- (a) the Director General of the Deputy Ministry of Tourism or a representative thereof, as Chairman;
  - (b) the Permanent Secretary of the Ministry of the Interior or a representative thereof;
  - (c) the Permanent Secretary of the Ministry of Finance or a representative thereof;
  - (d) the Permanent Secretary of the Ministry of Transport, Communications and Works or a representative thereof;
  - (e) the Accountant General or a representative thereof;
  - (f) a representative of the Deputy Ministry of Tourism; and
  - (g) a representative of the Deputy Ministry of Tourism, as secretary.
- (3) The Attorney General of the Republic or his representative and the Auditor General of the Republic or his representative shall be invited and shall be entitled to attend the meetings of the Steering Committee as observers.
- (4) Every member of the Steering Committee shall be appointed in accordance with the terms set by the Council of Ministers:

Provided that the Council of Ministers may set new terms of appointment for each licensing procedure.

Licensing  
Procedure.

**20.-(1)** The Steering Committee shall administer the competitive licensing procedure according to the provisions of this Law and the best practices for attracting and evaluating suitable candidates for the development and operation of a casino resort.

(2) The competitive procedure shall consist of a pre-qualification stage and the invitations of pre-selected candidates' stage, as follows:

(a) At the pre-selection stage, the Steering Committee shall invite expression of interest from interested persons, setting the criteria for the pre-selection in the invitation for expression of interest and limiting the number of the pre-selected candidates to three (3) persons and after selecting the final pre-selected candidates, the Steering Committee shall set the final list of candidates to the Council of Ministers for ratification, which may reject any candidate it considers to be unsuitable on the grounds of public interest and/or national security, providing the reasons for its rejection:

Provided that in such case the next highest scoring candidate, if any, shall be submitted to the Council of Ministers for ratification:

Provided further that the above-mentioned criteria shall be communicated to the Parliamentary Committee on Energy, Trade, Industry and Tourism;

(b) during the second stage of the procedure, the Steering Committee shall invite the final pre-selected candidates selected at the first stage of the procedure to submit comprehensive proposals.

(3) The Steering Committee shall proceed to select the most appropriate candidate on the basis of the overall score obtained by the candidates in their evaluation during the second stage of the procedure, and shall choose the overall highest scoring candidate.

(4) The Steering Committee shall invite the selected candidate to submit any information it deems necessary for the purposes of ascertaining his suitability to hold a licence for a casino resort, according to the provisions of sections 21 and 22, and provided he is deemed suitable, the Steering Committee shall submit the candidate's name to the Council of Ministers for ratification.

(5) The selection of the candidate by the Steering Committee shall be submitted again for ratification by the Council of Ministers, only with

respect to any new information or new persons included in the composition/recommendation of the selected candidate, which had not been brought to the attention of the Council of Ministers during the ratification of the candidate in the pre-selection procedure;

Provided that in such case the Council of Ministers may reject the candidate selected by the Steering Committee for reasons of public interest and/or national security, providing the reasons for such decision:

Provided further that, where there is no new information or no new persons, the Council of Ministers shall ratify the selection of the Steering Committee.

(6) Where the Council of Ministers does not ratify the selection of the candidate according to the provisions of subsections (3) and (4), then the candidate with the next highest score according to the evaluation of the Steering Committee shall be deemed to be the selected candidate and the Steering Committee shall consider whether such candidate is suitable according to the provisions of subsection (4), and if found suitable the Steering Committee shall submit the name of the candidate to the Council of Ministers for ratification:

Provided that this procedure shall continue until the selection of a candidate is ratified or until the licensing procedure is cancelled due to the of lack of a suitable candidate.

(7) Following the final ratification by the Council of Ministers, the Steering Committee shall inform the selected candidate and the Commission about the selection and the Commission shall call upon the candidate to pay the initial licence fee and upon payment of such fee the Commission shall issue the licence for the casino resort.

Examination of suitability of selected candidate.

**21.-(1)** Prior to submitting to the Council of Ministers the selection of the candidate for ratification according to the provisions of subsection (5) of section 20, the Steering Committee shall conduct a due diligence search



and shall examine the suitability of the candidate to hold a casino resort licence.

(2) The Steering Committee shall conduct an investigation and shall request any information contemplated by the provisions of this Law and the Regulations made hereunder and shall investigate and evaluate the suitability of the selected candidate is suitable to assume the duties of the operator and to hold the casino resort licence.

(3) Upon completion of the examination of the selected candidate, the Steering Committee shall notify the candidate in writing of its approval or rejection:

Provided that where the Steering Committee decides that the selected candidate is not suitable to hold a casino resort licence, it shall give the reasons for the candidate's rejection.

(4) Where the selected candidate is rejected, the Steering Committee shall invite the candidate with the next highest score to provide information according to the provisions of subsection (4) of section 20 and this procedure shall continue until a candidate is approved or until the licensing procedure is cancelled due to the lack of a suitable candidate.

Suitability of  
selected  
candidate.

**22.** The Steering Committee shall not approve a person to hold a casino resort licence, unless it is satisfied that-

(a) the selected candidate; and

(b) every shareholder holding a percentage of ten per cent (10%) and/or more of the shares and/or the voting rights of the selected candidate for public listed companies; and

(c) every shareholder holding a percentage of five per cent (5%) and/or more of the shares and/or the voting rights of the selected candidate for companies that are not publicly listed companies; and

(d) the management and every associate of the selected candidate,

are persons that are suitable to express interest in the management or the operation of the casino resort or to be associated with the management or the operation of the casino resort.

Casino resort  
licence and  
conditions.

**23.-(1)** The integrated casino resort licence granted shall be for the development, operation and maintenance of an integrated casino resort as a whole and shall in no way apply to a casino on its own, under such conditions as the Commission deems necessary to impose.

(2) Without prejudice to the generality of the matters in respect of which conditions may be included in the integrated casino resort licence, conditions may be imposed for any matter for which provision is made in this Law and/or the Regulations made hereunder.

(3) The licence for an integrated casino resort shall be issued subject to compliance with the conditions attached to it and shall be for the duration of the period and the location specified in it.

Duration of casino  
resort licence.

**24.** An integrated casino resort licence shall be granted for a period of thirty (30) years beginning with the day on which it is granted, subject to a condition of it not being cancelled earlier or surrendered, according to the provisions of this Law.

Renewal of  
casino resort  
licence.

**25.-(1)** Subject to the provisions of section 24 an application by the operator to the Commission for the renewal of the casino resort licence he holds after its expiry, may not be made prior to the expiration of at least twelve (12) years from the date of granting of the first casino resort licence.

(2) An application for renewal of the casino resort licence by the operator to the Commission shall be submitted in the form specified by the Commission and shall be accompanied by the documents and the information the Commission may request from the operator.

(3) The renewal term and any fees for the renewal of the casino resort licence shall be determined by the Commission and approved by the Council of Ministers at the time the application for renewal is submitted by the casino resort operator.

**26.-(1)** In order for the casino resort licence to be issued, the operator shall pay in advance to the Commission the initial licence fee and thereafter the annual licence fee, payable at such time and in such manner as set out in the Regulations made under this Law.

(2) The initial licence fee of the casino resort licence shall be the amount which the operator pays according to the proposal the operator submitted as an applicant in response to the invitation to submit a comprehensive proposal for the issuing of a casino resort licence.

(3) The amount of the annual licence fee for the first four (4) years following the issuing of the casino resort licence shall be two million five hundred thousand euros (€2.500.000) per year and for the next four (4) years after the fourth year, following the issuing of the casino resort licence the amount shall be five million euros (€5.000.000) per year.

(4) Upon the completion of eight (8) years from the issuing of the casino resort licence and thereafter once every four (4) years during the period of validity of the casino resort licence, the Commission may review the annual licence fee, if considered necessary by the Commission to cover its operating expenses, based on the amounts budgeted for the Commission and approved by the House of Representatives.

(5) The amount of the annual fee following the review mentioned in subsection (4) may not be less than five million euros (€5.000.000) and any increase may not exceed twenty percent (20%) of the annual fee for the previous four (4) year period.

(6) Following the review mentioned in subsection (4), the Commission may require the payment of an increased annual casino resort licence fee upon the expiration of the next twelve-month period.

8 of 192(I) of  
2022.

(7) Where the operation of the casino premises by the operator is interrupted and/or suspended by virtue of a law and/or order/decreed issued pursuant to any law or is delayed for reasons that are not due to the operator, then Council of Ministers shall have power to

(a) suspend the payment of or the increase in any fees for annual licences which may be due, or which may become due and payable

to the Commission according to the provisions of this section, including the annual licence fee mentioned in subsection (3) and/or the provisions of paragraph (4) of Regulation 39 of the Casino Operations and Control (General) Regulations;

(b) relieve the operator from the obligation to pay the said fees for the duration of such interruption or suspension or delay; or

(c) decrease pro rata the corresponding amount according to the time period for which the operation of any of the operator's casino premises was interrupted and/or the suspended or delayed:

Provided that the provisions of this section shall also apply in relation to any interruptions of or delays in or suspension of operations which occurred as a result of any law and/or order issued by virtue of any law during the period beginning after the 1st of January 2020 and before the coming into operation of the Casino Operation and Control (Amendment)

192(I) of 2022. Law of 2022.

**27. -(1)** An amendment of the conditions of the casino resort licence may be proposed by either the casino resort operator following a request thereof to the Commission or the Commission by giving notification in writing of the proposed amendment to the casino resort operator.

(2) The Commission shall allow the casino resort operator such period as it may specify during which the operator may make representations to the Commission concerning the amendment the Commission proposed.

(3) Following consideration of any representations submitted by the operator, the Commission shall decide whether to proceed with the proposed amendment, with or without changes to the original proposal, and shall notify the casino resort operator of its decision:

Provided that where the amendment relates to a fundamental condition of the casino resort licence, the Commission must come to an agreement with the operator for such amendment, prior to its adoption.

(4) An amendment approved by the Commission according to the provisions of subsection (3) shall have effect from the date notice of the decision is sent to the casino resort operator or any later date specified in the notification of the decision addressed to the casino resort operator.

Casino  
boundaries.

**28.**-(1) The boundaries of the permitted area for the casino premises shall be defined based on the casino resort licence, within the designated site for which the licence was granted.

(2) The Commission may, if it considers appropriate, either upon its own initiative or following an application of the casino resort operator, propose a redefinition of the boundaries of the premises of the casino within the designated site for which the relevant licence was granted:

Provided that, a redefinition of the casino boundaries may only be proposed by the Commission for reasons that are significant and necessary in order to safeguard the Government's strategic objectives for preventing crime, restricting and controlling gaming and protecting minors and vulnerable persons.

(3)(a) An application by the casino resort operator to redefine the boundaries of the casino shall require the payment of an application fee, which shall be determined according to the Regulations made under this Law.

(b) The definition or redefinition of the boundaries of the casino premises shall take place provided the Commission agrees with the operator the new boundaries of the casino resort, following a written notification of the new boundaries or at a later date as set out in the notification.

Transfer,  
mortgage and  
charge of the  
casino resort  
licence.

**29.**-(1) The casino resort licence issued by the Commission shall not be transferred save with the prior written consent of the Commission and the Council of Ministers:

Provided that any proposal for the transfer of the casino resort licence to another person shall require the examination of the suitability of the proposed recipient thereof, as specified in sections 21 and 22 and the Regulations made under this Law:

Provided further that the Council of Ministers shall have the same powers of ratification/approval of any proposed new casino resort operator, according to the provisions of section 20 and shall examine whether such person is suitable to operate the casino resort based on such person's experience, qualifications, financial capabilities and ability and commitment towards attaining the strategic objectives of the Republic.

(2) The casino resort operator shall not in any way charge the casino resort licence, unless such charge relates to the further development of the casino resort and save with the prior approval of the Commission and the Council of Ministers.

Disciplinary  
proceedings  
against the  
operator of the  
casino resort and  
sanctions.

**30.**-(1) The casino resort operator shall be subject to a disciplinary procedure by the Commission for any of the following reasons, if in the opinion of the Commission-

(a) for reasons attributable to the operator, the integrated casino resort licence was improperly obtained and at the time it was granted or renewed there were grounds for refusing the grant thereof;

(b) for reasons attributable to the operator, the premises of the integrated casino resort cease to be appropriate for serving the initial plan or for the conduct of casino operations and the operator fails to maintain them;

(c) the operator is no longer considered to be a suitable person to hold the casino resort licence, in particular with respect to the criteria set out in sections 21 and 22;

(d) the operator fails to provide the information required under the provisions of this Law or has provided information knowing it is false or misleading or being consciously negligent whether such information is true or false; or

(e) a serious violation has been committed of the conditions of the casino resort licence granted to him pursuant to the provisions of this Law or the Regulations made hereunder either by the operator or by another person responsible for the casino or an agent thereof or by a casino employee or casino key employee, which-

(i) Seriously affects the integrity of the operations of the casino or the integrity of gaming in the casino or seriously undermines any measure intended to protect individuals or the society from negative effects of casino gaming,

(ii) has caused or may cause illegally the gaining of important financial benefit or significant financial loss to any person,

(iii) has resulted from the wilful intent or conscious negligence regarding compliance with applicable regulations,

(iv) has resulted from or is related to a systemic failure or multiple failures in the management or operation of the casino, or

(v) is damaging to the public interest or public order.

(2) The Commission may impose sanctions against the operator of the casino resort in respect of the acts or omissions mentioned in subsection (1), as follows:

(a) cancel or suspend the casino resort licence;

(b) issue a letter of reprimand or order to cease or to abstain;

(c) vary the conditions of the casino resort licence; and

- (c) impose a fine in respect of every ground for which the operator may be subject to a disciplinary procedure, the maximum amounts of which shall be prescribed in the Regulations made under this Law.

Interim operator when casino resort licence is cancelled, surrendered or suspended.

**31.-(1)** Where the casino resort licence is cancelled or suspended or where an order to cease or to abstain has been issued in accordance with paragraphs (a) and (b) of subsection (2) of section 30 or where the licence is surrendered in accordance with the provisions of section 32, the Commission may, with approval of the Deputy Minister, appoint an interim operator to continue to operate the casino resort until a new permanent operator is selected.

(2) In appointing the interim operator, the Commission shall have regard to the suitability of the person, in accordance with the provisions of sections 21 and 22 and the Regulations made under this Law and shall obtain the approval/ratification of the Council of Ministers, in accordance with the provisions of section 20.

(3) The interim operator shall be appointed upon such terms and conditions as the Commission deems appropriate.

(4) The interim operator licence shall be terminated with the appointment of a new permanent operator.

(5) For the duration of its appointment, the interim operator shall be deemed to hold the casino resort licence, to have the rights and duties of the casino resort operator, shall comply with the provisions of this Law and the Regulations made hereunder and shall be subject to the same conditions of the casino resort licence as the person holding the said licence prior to its cancellation, termination, surrender or suspension.

(6) The Commission shall issue operating instructions in order to-

(a) specify the rights and duties of the interim operator;

(b) limit the use of the net income received by the interim operator during the period of operation of the casino resort by the interim operator;



(c) define the obligation of the owner of the land or the buildings where the casino resort is situated, to grant to the interim operator free access to and use of the buildings and the land of the casino resort, for the duration of the temporary operation of the casino resort;

(d) determine a fair compensation for the owner of the buildings and the land of the casino resort for use of the buildings and the land during the period of operation of the casino resort by the interim operator and prohibition of transfer of the buildings and the land of the casino resort for the duration of such period.

(7) During the term of the appointment of the interim operator, the Council of Ministers may in its discretion appoint a new Steering Committee to provide advisory services and to assist in the selection of the new permanent casino resort operator, in accordance with the procedure set out in sections 20 to 22 and the Regulations made hereunder.

Surrender of  
casino resort  
licence.

**32.**-(1) The casino resort operator may surrender the licence of the casino resort by giving a six (6) months' notice in writing to the Commission or such other time period as may be approved by the Commission.

(2) Surrender of the licence shall only have effect if the consent of the Commission is obtained, at such time as determined by the Commission and provided the operator complies with any surrender conditions the Commission may impose.

## **PART VI**

### **CASINO OPERATIONS, ENTRY INTO CASINO PREMISES AND EXCLUSION ORDERS**

Operating hours  
and days of  
casino  
resort.

**33.**-(1) The casino resort shall be allowed to operate twenty-four (24) hours a day, (7) seven days a week.

(2) The operator shall submit to the Commission a schedule of proposed hours of operation, which must be notified to the Commission prior to the application thereof.

(3) Any intended change by the operator in the hours of operation must be notified in advance by the operator to the Commission, in writing.

Smoking.

**34.** Smoking shall only be allowed within the casino gaming floors and these areas must be distinct from the remaining areas of the casino resort:

75(l) of 2002  
40(l) of 2003  
37(l) of 2004  
14(l) of 2008  
89(l) of 2009  
24(l) of 2017.

Provided that the casino gaming floor shall not constitute a place wherein smoking is prohibited within the meaning of the Health Protection (Control of Smoking) Law.<sup>2</sup>

Entrance fee and membership.

**35.** No entrance fee or membership requirement may be imposed by the casino resort operator on casino customers, without the prior written approval of the Commission:

Provided that this section shall not affect the control by the operator of the entry conditions according to the provisions of this Law.

Entry ban in the casino for casino customers.

**36.** Entry into the casino may be prohibited for any casino customer or such customer may be requested to leave the casino or such customer may be excluded temporarily or permanently from the casino premises at any time, following a request of the casino resort operator for the purposes of compliance with the provisions of this Law and the Regulations made hereunder, following an order of the Commission, the Police or an order of the Court or for any other reasons related to the safeguarding of public order or justified reasons of public interest.

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<sup>2</sup> The Health Protection (Control of Smoking) Law (N.75(l)/2002), was repealed and replaced by The Health Protection (Control of Smoking) Law of 2017 (24(l)/2017).

Entry of  
inspectors  
into the casino.

**37.-(1)** An inspector of the Commission may, at any time upon showing his identification card to the casino operator, enter and remain on the casino premises for the purposes of exercising his responsibilities in accordance with the provisions of this Law, including but not limited to-

(a) overseeing the casino operations.

(b) determining whether the casino operations are conducted, supervised and managed in an appropriate manner;

(c) ensuring compliance with the provisions of this Law and the Regulations made hereunder; and

(d) exercising in any way his responsibilities arising out of his engagement terms with the Commission.

(2) Further duties of the inspectors shall be specified in the Regulations made under this Law and/or the Commission.

Entry by the  
Police and other  
law enforcement  
services.

**38.** Members of the Police and officers of any other service of the Republic who are responsible for law enforcement may enter the casino premises, including any non-public areas, and may remain thereon until the matter in respect of which the operator or the Commission requested their intervention is considered settled.

Minors.

**39.-(1)** A minor shall not be permitted to play any casino games or use gaming machines or attend or approach any gaming equipment or gaming tables on the main area of the casino.

(2) A minor shall have limited permission to pass through, but not remain on the casino premises using designated corridors towards other non-casino gaming facilities, accompanied by his parents or other adult persons.

(3) Where the casino resort operator exercises the right to operate satellite casino premises, minors shall be prohibited from entering into such premises.

(4) Where the operator reasonably suspects that a minor is playing casino games or is using casino gaming machines or attends or approaches any gaming table or gaming equipment, the operator shall seek to determine the said individual's identification, including the name, age and residence address.

(5) Where a person is unable to provide a valid identification according to the provisions of subsection (4), verifying the person's name, age and residence address then the operator shall ensure that such person immediately leaves the casino gaming floor.

(6) The operator and any casino employee who knowingly permits a minor to violate the provisions of subsections (1) to (3) shall be subject to disciplinary proceedings by the Commission.

(7) An operator who fails to comply with the provisions of subsections (4) and (5) shall be subject to disciplinary proceedings by the Commission.

Exclusion orders. **40.** Exclusion orders may be issued by the operator, the Commission, the Police or the court or following a voluntary application by an individual.

## **PART V**

### **COMPLIMENTARIES AND JUNKETS**

Automated teller machines prohibited within the casino premises. **41.-(1)** The operator shall not place or allow another person to place an automated teller machine within the casino gaming floor.

Provided that the operator or any other person shall not be prohibited from placing automated teller machines in other locations within the casino resort.

(2) Violation of the provisions of subsection (1) by the operator shall be grounds for disciplinary action by the Commission.

Complimentaries. **42.-(1)** The provision of a complimentary service or any item by the operator shall be deemed to constitute an indirect payment for the service or item by the operator and shall be valued in monetary terms based upon the retail price usually charged by the operator for the service or item.

(2) The value of a service or item which is not normally offered for sale by the operator, such as transportation expenses, shall be included in the expenses of the operator for providing the service or item, as set out in the operating instructions of the Commission.

(3) The operator shall not be allowed to offer or provide any complimentaries, gifts, cash or other items of value to any person, unless-

(a) complimentaries concern a room, food, catering or beverages provided to the casino customer or to the Junket customer and his guests, directly by the operator or indirectly on behalf of the operator by a third person; or

(b) complimentaries consist of documented transportation expenses provided to the casino customer or to the Junket customer and his guests, directly by the operator or indirectly on behalf of the operator by a third person; or

(c) complimentaries comprise of coins, tokens, chips, cash or other complimentary items or services provided through a complimentaries distribution scheme approved by the Commission or maintained in accordance with the Regulations made under this Law.

9 of 192(I) of  
2022.  
125(I) of 2018  
26(I) of 2022.

(4) Subject to the provisions of the Protection of Natural Persons With Regard to the Processing of Personal Data and for the Free Movement of Such Data Law, the operator shall maintain in its accounting records, a complimentaries account for complimentary items or provisions which are permitted in accordance with the provisions of this section, and if requested shall submit a report to the Commission based on the said account, covering all complimentaries made by the operator during the period specified by the Commission and shall include a description of the complimentaries and their respective value, the number of persons per category of service who received the same as well as any other information the Commission may require.

(5) The operator of the casino resort shall not be permitted to provide directly or indirectly to any government official of the Republic any complimentaries or discount, which will be different to any service or discount offered to members of the general public under similar circumstances:

Provided that any direct or indirect complimentaries or discount to the Chairman, the members and employees of the Commission shall be prohibited.

Junket.

**43.**-(1) No Junket may be organised or permitted, and no person may act as a Junket representative or Junket operator, save in accordance with the provisions of this section and the Regulations made hereunder.

(2) Any person who receives a commission or other payment from the operator, which is wholly based on the turnover of, or which is based on the play in the casino of any other person, shall be presumed to be organising or conducting a Junket, unless proven otherwise.

(3) No person shall perform any of the activities of a Junket operator unless such person holds a Junket operator licence issued by the Commission and no Junket representative shall perform any of the activities of a Junket representative unless such person holds a Junket representative licence issued by the Commission.

(4) Any person violating the provisions of this section is guilty of an offence according to the provisions of section 96.

(5)(a) The operator shall not enter into any contract or arrangement with a Junket operator and/or Junket representative, unless the Junket operator holds a Junket operator licence and the Junket representative holds a Junket representative licence issued by the Commission.

(b) Contravention of the provisions paragraph (a) by the operator shall constitute sufficient grounds for conducting disciplinary action against the operator by the Commission.

**PART VI**  
**DISPUTES BETWEEN THE OPERATOR AND CUSTOMERS**

Dispute resolution relating to winnings, losses or the manner gaming is conducted.

**44.** Where the operator and a casino customer fail to resolve in a satisfactory manner any dispute arising between them relating to the alleged winnings or the alleged losses or the manner particular gaming is conducted, the operator shall-

(a) immediately notify an inspector or in the absence of an inspector, any other person designated by the Commission in relation to such dispute; and

(b) inform the casino customer of his right to request an examination of the dispute by the inspector.

**PART VII**  
**CASINO LAYOUT, CASINO GAMING, GAMING EQUIPMENT,  
GAMING MACHINES**

Casino layout.

**45.**-(1) The Commission shall approve the layout of the casino and the gaming tables as well as the gaming equipment and other casino facilities proposed by the operator and in compliance with the provisions of the Regulations made under this Law.

(2) Any changes to the layout of the casino which was initially approved by the Commission shall not be implemented until approved by the Commission.

(3) Contravention of the provisions of this section by the operator shall constitute sufficient grounds for disciplinary action against the operator by the Commission.

Casino gaming and gaming rules.

**46.**-(1) The operator shall submit to the Commission for approval, the selection of casino games, the way they will be conducted and the rules

thereof, the permitted wagers and the pay-out ratios for casino gaming and the gaming machines the operator proposes to offer to casino customers.

(2) The Commission shall communicate to the operator its approval or rejection of casino games, the way gaming will be conducted and the rules for casino gaming, the permitted wagers and pay-out ratios for casino gaming and gaming machines and may issue operating instruction governing permitted odds, wagers and the pay-out ratios, without restricting the permitted amount of wagers and of the prizes for the gaming machines.

(3) The operator shall not allow the conduct of casino gaming in the casino, until such gaming, the way of conducting such gaming, the operating instruction, the permitted wagers and the pay-out ratios are approved by the Commission:

Provided that, the Commission may prohibit the conduct of specific casino gaming in the casino and in such case shall communicate such prohibition to the operator.

(4) No casino key employee or casino employee shall conduct a type of casino gaming in the casino, until such gaming, the way t will be conducted, the rules, the permitted wagers and the payment of winning wagers are approved by the Commission.

(5) Contravention of any of the provisions of subsection (1) and/or (3) shall constitute sufficient grounds for disciplinary proceedings against the operator by the Commission.

(6) Contravention of any of the provisions of subsection (4), shall constitute sufficient grounds for disciplinary proceedings against the casino employee or the casino key employee by the Commission.

Gaming  
equipment.

**47.-(1)** The operator shall be under an obligation to submit all the gaming equipment to the Commission for approval prior to the use thereof in the casino, unless such gaming equipment is exempt by the Commission in accordance with the Regulations made under this Law.



(2) Procedures concerning applications by the operator for approval of gaming equipment by the Commission according to the provisions of subsection (1), shall be specified in the Regulations made under this Law.

(3) The Commission shall, through the issuing of orders or operating instructions, establish technical standards, and shall issue standards notices for the technical standards required for gaming equipment, including mechanical and electrical reliability, security against tampering, ease of understanding its use by the players and noise and light levels, as may be deemed necessary to protect the players from fraud or from being misled, as well as to safeguard the integrity of gaming.

(4) The Commission may approve equipment for use in the casino and may further approve specific gaming equipment or approve gaming equipment of a specific class or description, reserving the right to issue such approval subject to conditions.

(5) The operator shall not use or allow the use of any gaming equipment in the casino, unless-

(a) the gaming equipment is a gaming machine, which has been obtained from the holder of a gaming supplier licence in accordance with the provisions of section 48;

(b) the gaming equipment has been approved in accordance with the provisions of this section, or is part of a category of gaming equipment which has been approved by the Commission and complies with the technical standards which may be required by the technical standards notices under the regulations, orders and operating rules; and

(c) where the gaming equipment is required to be tested and certified, the test has been carried out by a test services provider approved by the Commission, who holds a gaming supplier licence in accordance with the provisions of section 48.

6) Failure to comply with the provisions of subsection (1) and/or (5) shall constitute sufficient grounds for disciplinary proceedings against the operator by the Commission.

Gaming  
Machine suppliers  
and  
gaming test  
services.

**48.**-(1) No person shall be allowed to supply gaming machines or gaming test services to the casino and the operator shall not be permitted to acquire such gaming machines or gaming test services, unless such supplier of gaming machines or gaming test services provider holds a valid supplier licence from the Commission or is exempted from this obligation by the Commission, as set out in the Regulations made under this Law.

(2) Manufacturers and suppliers of gaming machines and providers of gaming test services may apply to the Commission to obtain a licence of an approved manufacturer of gaming machines and software, supplier of gaming machines and software or provider of gaming test services, and such application must be made in such form and manner as set out in the Regulations made under this Law and upon payment of the relevant fee.

(3) While considering the application and investigating the suitability of the manufacturer or supplier, the Commission may approve the applicant and issue a gaming supplier licence for the manufacture and supply of such gaming machines or for the provision of such gaming test services as specified in the gaming supplier licence.

(4) The approved manufacturer, supplier or provider of gaming services must comply with the terms of the gaming supplier licence, including the payment of any fees required by the Commission.

Signs displaying  
gaming rules and  
permissible  
wagers.

**49.**-(1) The operator must display in a prominent place at the casino a sign indicating the area and/or the way in which customers may be informed of the rules of the games played at the casino, the way the operator shall pay casino customers for winning wagers and the pay-out percentages of each gaming machine.

(2) The operator shall prominently display at every gaming table a sign specifying the minimum and maximum amount of wagers at the specific table.

(3) Failure to comply with any of the provisions of subsections (1) and/or (2) shall constitute sufficient grounds for disciplinary proceedings against the operator by the Commission.

Secure areas,  
premises,  
equipment and  
safety  
procedures.

**50.**-(1) The operator shall maintain all the necessary secure areas, equipment and premises and shall implement all the security procedures required by the Regulations made under this Law, as well as the directions of the Commission.

(2) Failure of the operator to comply with the provisions of subsection (1) shall constitute sufficient grounds for disciplinary proceedings against the operator by the Commission.

## **PART VIII**

### **LICENSING OF CASINO EMPLOYEES AND CASINO KEY EMPLOYEES**

Licensing of  
casino  
employees.

**51.**-(1) No person may be employed as a casino employee, unless such person is the holder of a valid casino employee licence issued by the Commission.

(2) The required standards and criteria for obtaining a casino employee licence, the terms and conditions for granting such licence, the application procedure, as well as the form of the application and application fee shall be set out in the Regulations made under this Law.

Licensing of  
casino key  
employees.

**52.**-(1) No person may be employed as a casino key employee, unless such person is the holder of a valid casino key employee licence issued by the Commission.

(2) The required standards and criteria for obtaining a casino key employee licence, the terms and conditions for granting such licence, the application procedure, as well as the form of the application and application fee shall be set out in the Regulations made under this Law.

Duration and conditions of casino employee licences and casino key employee licences.

**53.**-(1) Casino employee licences and casino key employee licences shall continue to have effect unless and until cancelled or revoked by the Commission or until the holder of the casino employee licence or casino key employee licence surrenders it to the Commission.

(2) Casino employee licences and casino key employee licences shall be subject to any conditions imposed by the Commission at the time of their issuance or during their validity and shall be revoked upon termination of the employment or resignation of the casino employee or casino key employee.

(3) Casino employee licence holders and casino key employee licence holders shall at all times whilst on duty in the casino, wear identification in such form as required by the Commission and in a manner that is visible to other persons within the casino premises.

## **PART IX**

### **CASINO INTERNAL CONTROLS**

Approval of internal controls by the Commission.

**54.**-(1) The operator shall have a system of internal controls in place within the casino premises in order to minimise the risk of loss of assets through theft, fraud, errors and omissions, to minimise danger to the physical integrity of casino customers and casino employees and to ensure the credibility of revenues, which shall be approved by the Commission at least ninety (90) days before commencement of the casino operations, unless the Commission decides otherwise.

(2) The Commission may at any time, following a ninety (90) days' written notice, require the operator to make changes to the internal control procedures and the operator may within fifteen (15) days of such notice file an objection to the Commission against the proposed changes.

(3) The Commission shall within fifteen (15) days of the objection being submitted under the provisions of subsection (2), notify the operator whether it affirms, varies or withdraws its requirement for the proposed changes in the procedures of internal controls and any such change as the Commission may determine shall come into operation before the expiry of the period of ninety (90) days from the notice.

(4) The operator may at any time, following a ninety (90) days' notice to the Commission, request a change in the internal control procedures and the Commission shall, following a consideration of the request, notify the operator of its decision to approve or reject the proposed change and where the proposed change is approved, the change shall have effect at the end of the ninety (90) days' period from the notice or at such time as the Commission may otherwise agree.

(5) The approved internal controls shall remain fully in force until amended, replaced or varied with the approval of the Commission.

(6) The operator shall be under an obligation to comply with the approved system of internal controls.

(7) Failure on behalf of the operator to comply with any of the provisions of subsections (1), (2), (3), (4) and (6) shall constitute sufficient grounds for disciplinary proceedings against the operator by the Commission.

Bank accounts.

**55.**-(1) The operator shall maintain a bank account or bank accounts, separate from any other activities or interests the operator may have for other purposes, for all revenues and banking transactions arising out of or relating to the casino resort, according to the internal controls approved by the Commission and the Regulations made under this Law, while the selection of the bank where the bank account shall be maintained shall be approved in advance by the Commission.

(2) The operator shall grant the Commission a written authorisation addressed to the approved bank, in a form acceptable to the bank and the Commission, for the purpose of authorising the Commission to

receive copies of the bank statements of the account, as may be requested by the Commission or its inspectors.

(3) An inspector may, with the prior authorisation of the Commission and by notice in writing to the approved bank, require the bank, in accordance with subsection (1), to provide the inspector with bank statements or other information relating to the account of the operator.

(4) Failure of the operator to comply with any provision of subsections (1) and/or (2) shall constitute sufficient grounds for disciplinary proceedings against the operator by the Commission.

Accounting  
records.

**56.**-(1) The operator shall maintain accurate, true and complete accounting records on the basis of International Financial Reporting Standards so as to record and reflect correctly the transactions and the financial situation of the casino resort operations, in accordance with the approved internal controls and the Regulations made under this Law.

(2) Accounting records must be kept in such manner as to enable accurate and correct preparation of financial statements, as well as the audit of the records and the financial statements.

(3) Failure of the operator to comply with any provision of subsections (1) and/or (2) shall constitute sufficient grounds for disciplinary proceedings against the operator by the Commission.

Financial  
Statements.

**57.**-(1) The operator shall within ninety (90) days after the end of every financial year, prepare financial statements according to the International Financial Reporting Standards as adopted by the European Union and pursuant to the provisions of The Companies Law and the Regulations made hereunder.

Cap. 113.  
21 of 1967  
9 of 1968  
76 of 1977  
17 of 1979  
105 of 1985  
198 of 1986  
19 of 1990  
46(I) of 1992  
96(I) of 1992  
41(I) of 1994  
15(I) of 1995  
21(I) of 1997  
82(I) of 1999

149(l) of 1999  
2(l) of 2000  
135(l) of 2000  
151(l) of 2000  
76(l) of 2001  
70(l) of 2003  
167(l) of 2003  
92(l) of 2004  
24(l) of 2005  
129(l) of 2005  
130(l) of 2005  
98(l) of 2006  
124(l) of 2006  
70(l) of 2007  
71(l) of 2007  
131(l) of 2007  
186(l) of 2007  
87(l) of 2008  
41(l) of 2009  
49(l) of 2009  
99(l) of 2009  
42(l) of 2010  
60(l) of 2010  
88(l) of 2010  
53(l) of 2011  
53A(l) of 2011  
117(l) of 2011  
145(l) of 2011  
157(l) of 2011  
198(l) of 2011  
64(l) of 2012  
98(l) of 2012  
190(l) of 2012  
203(l) of 2012  
6(l) of 2013  
90(l) of 2013  
74(l) of 2014  
75(l) of 2014  
18(l) of 2015  
62(l) of 2015  
63(l) of 2015  
89(l) of 2015  
120(l) of 2015  
40(l) of 2016  
90(l) of 2016  
97(l) of 2016  
17(l) of 2017  
33(l) of 2017  
51(l) of 2017  
37(l) of 2018  
83(l) of 2018  
149(l) of 2018  
163(l) of 2019  
38(l) of 2020  
43(l) of 2020  
191(l) of 2020

192(l) of 2020  
32 of 2021  
43(l) of 2021  
117(l) of 2021  
150(l) of 2021  
151(l) of 2021  
87(l) of 2022  
88(l) of 2022  
96(l) of 2022  
213(l) of 2022  
80(l) of 2023  
151(l) of 2023.

(2) Failure of the operator to comply with the provisions of subsection (1) shall constitute sufficient grounds for disciplinary proceedings against the operator by the Commission.

Retention of records.

**58.**-(1) The operator shall ensure that all records of the casino resort are stored at such place and in such manner as approved by the Commission and are retained for at least six (6) years after the transactions to which they relate.

(2) The operator shall make available to the Commission or an inspector all the records of the casino resort of the six years' retention period, according to the provisions of subsection (1), following an application by the Commission or an inspector.

(3) Failure of the operator to comply with the provisions of subsections (1) and/or (2) shall constitute sufficient grounds for disciplinary action against the operator by the Commission.

Audit and special audit.

**59.**-(1) Following the end of the financial year, the operator shall promptly appoint a qualified auditor or audit firm licensed pursuant to the provisions of the Law providing for the statutory Audits of Annual and Consolidated Financial Statements by Statutory Auditors and Statutory Audit Firms and Related Matters and approved by the Commission for performing the statutory audit of the accounting records and financial statements of the operator.

(2) In exercising its responsibilities under subsection (1), the Commission may request the contribution of the Auditor General of the Republic, if the Commission considers it necessary.



(3) The operator shall submit to the Commission within a period of three months beginning with the end of each financial year, a copy of the approved/audited financial statements, the audit report and any additional information or references requested by the Commission.

(4) The Commission may by written notification require the operator to appoint, at the operator's expenses, a special auditor or other experts who must be approved in advance by the Commission and upon receipt of the relevant approval the operator shall proceed to their appointment.

(5) The expert appointed pursuant to the provisions of subsection (4), shall review and investigate the matters set out in the written notification of the Commission, submit a relevant report and provide the Commission with all the information it requires within the time specified in the notification of the Commission.

(6) Failure by the operator to comply with the provisions of subsections (1), (3) and (4) shall constitute sufficient grounds for disciplinary proceedings against the operator by the Commission.

## **PART X**

### **SUPERVISION AND CONTROL OF THE OPERATOR**

Reports on the operation of the casino resort requested by the Commission.

**60.**-(1) The Commission may request information or reports from the operator relating to matters concerning the operation of the casino resort and the operator shall be under an obligation to comply with such requests within the time specified by the Commission.

(2) Failure of the operator to comply with the provisions of subsection (1) shall constitute sufficient grounds for disciplinary proceedings against the operator by the Commission.

Directions to the operator.

**61.**-(1) The Commission may give a written direction to the operator in compliance with the provisions of this Law and the Regulations made hereunder, which may concern the management, supervision and control of the casino resort, within or outside the casino resort and the operator

shall be obliged to comply with such direction within the time specified by the Commission.

(2) The powers granted according to the provisions of this section shall include requests by the Commission calling upon the operator to adopt, vary, terminate or refrain from any act, activity or practice in place at the casino resort or elsewhere.

(3) Failure of the operator to comply with a direction issued pursuant to the provisions of subsection (1) shall constitute sufficient grounds for disciplinary proceedings against the operator by the Commission.

Conducting investigation at the casino resort and of the operator.

**62.**-(1) The Commission may conduct an investigation at the casino resort and of the operator at any time provided the Commission has reasonable cause to consider it should act in such manner or where it is instructed to do so by the Council of Ministers.

(2) The inquiry may include the operations of the casino resort, the operator, the operator's associates or any person which, in the opinion of the Commission, may influence the carrying out of the business or the operation of the casino or the operator.

(3) The operator must cooperate fully with the Commission, during the course of the inquiry pursuant to subsection (2) and provide all the information, files and documents required, reply to any questions raised by the Commission and attend any meetings or hearings requested by the Commission.

(4) Failure of the operator to comply with the provisions of subsection (3) shall constitute sufficient grounds for disciplinary proceedings against the operator by the Commission.

Change of status of the operator.

**63.**-(1) The operator shall notify the Commission of any proposed change in the ownership or management of the operator or in relation to its associates which could affect the activity or operation of the casino resort or the exercise of control over the operator and such change shall not be allowed to take place save with the prior written approval of the Commission.

(2) Where a change in accordance with subsection (1) is beyond the control of the operator, the operator shall immediately notify the Commission of any such change, as soon as the operator has knowledge of it.

(3) Following a review of any changes proposed under the provisions of subsection (1) or the changes which took place under the provisions of subsection (2), the Commission shall investigate the impact of the changes on the operator and the casino resort, as well as on the suitability of the proposed change in the management, ownership or associates in accordance with the provisions of this Law and the Regulations made hereunder and may subsequently approve or reject the change or impose additional conditions to the casino resort licence or otherwise give directions to the operator in accordance with the provisions of subsection (1) of section 61, in order to ensure compliance with the provisions of this Law and the Regulations made hereunder.

(4) Failure of the operator to comply with any of the provisions of subsections (1) and (2) shall constitute sufficient grounds for disciplinary proceedings against the operator by the Commission.

Contracts with unsuitable persons and approval of certain contracts.

**64.**-(1) The operator shall not be allowed to enter into any contracts for the provision of goods or services for the casino resort, directly or indirectly, with any person who has submitted an application for a gaming supplier licence and has been rejected or was considered unsuitable by the Commission or whose gaming supplier licence was revoked by the Commission or by any other equivalent authority.

(2) The Commission may issue rules /operating instructions or guidelines in relation to contracts communicated to it for the supply of goods and services of a certain type or above a certain value for the casino resort, as specified in the Regulations made under this Law and the operator shall be under a duty to comply with such operating instructions or guidelines.

(3) Failure of the operator to comply with the provisions of subsections (1) and (2) shall constitute sufficient grounds for disciplinary proceedings against the operator by the Commission.

Advertising and promotion of the casino resort.

**65.**-(1) Subject to the provisions of subsection (2), no person shall carry out any activities for advertising or promoting the casino resort, either within or outside the Republic, where the provisions of this subsection, of the Regulations made hereunder and the standards and requirements imposed by the Commission are not met.

(2) Subject to the provisions of subsection (3), the Regulations made hereunder may impose requirements about the form, content, timing, and location of the advertisements relating to the casino resort.

(3) Casino resort advertising must-

(a) be truthful, of good taste, informative and not offensive in any way;

(b) not promote gaming in the casino as an economic alternative;

(c) promote the casino resort as an integrated resort and not only the gaming activity;

(d) have regard to the need to protect minors and other vulnerable persons from any negative effects that may be caused by casino gaming; and

(e) guide persons who wish to gamble in a casino towards a strictly controlled and safe casino resort, so as to be deter them from visiting illegal casinos or casinos operating in environment that is inadequately controlled.

(4) Without prejudice to the provisions of subsection (5), failure to comply with the provisions of subsection (1) by the operator, a casino key employee, casino employee, a Junket officer or a Junket representative shall be sufficient grounds for disciplinary action by the Commission against the person responsible.

10 of 192(I) of 2022.

(5) Failure to comply with the provisions of this section by any person shall constitute an offence according to the provisions of section 93.

**66.**-(1) The operator shall establish and maintain for the entire duration of the casino resort licence, a responsible gaming program which shall be approved by the Commission and in accordance with the Regulations made hereunder.

(2) The responsible gaming program shall be submitted for approval to the Commission prior to the issuing of the casino resort licence.

(3) The responsible gaming program of the operator must include-

(a) the objectives, targets, performance indicators of the responsible gaming program and the time limits to meet all conditions for responsible gaming required by the Commission either on the basis of the Regulations made hereunder on the basis of any other framework;

(b) the person or the committee appointed by the operator to supervise the establishment, operation and implementation of the said program and the details and responsibilities of such person or committee;

(c) procedures and guidelines to identify and detect any casino customer, who has or may have problems resulting from gambling addiction;

(d) the procedures and guidelines with respect to the availability of information, treatments, counselling and support services or intervention services to any casino customer regarding problems of addiction, responsible gaming and financial, social and other problems that may be caused by gaming;

(e) details relating to the creation, operation and implementation by the casino operator of a system enabling the casino customers to set limits to the amount of money they spend on gaming or the duration of gaming sessions;

(f) details relating to the creation, operation and implementation by the casino operator of a system to exclude casino customers with gaming problems;

- (g) details relating to the creation, operation and implementation by the operator of a system for setting a maximum number of visits of a casino customer to the casino premises per month;
  - (h) details relating to the training program for the employees and the casino key employees relating to the promotion or adoption of measures during the conduct of casino gaming, including recognition of any problematic gambling behaviour, addiction or dependence;
  - (i) procedures and guidelines for the keeping of records relating to responsible gaming activities, undertaken pursuant to the responsible gaming program;
  - (j) the operation of a program to support individuals addicted to the casino; and
  - (k) any other provisions the Commission may deem appropriate.
- (4) Failure of the operator to comply with the provisions of subsection (1) shall constitute sufficient grounds for disciplinary proceedings against the operator by the Commission.

## PART XI

### OFFENCES RELATING TO FRAUDULENT ACTS, UNFAIR ADVANTAGE AND CHEATING

Fraudulent acts.

**67.**-(1) A person shall be prohibited from-

. (a) either in person or through another person, alter or falsify or influence in any way the outcome of casino gaming or other event on which wagers have been made, after the outcome has been determined but before it is revealed to other players.

(b) either in person or through another person, place, increase or lower a wager or determine the course of gaming, after having acquired knowledge that is not available to all the players, concerning the outcome of casino gaming or any event influencing the outcome

of casino gaming or knowledge which is the object of the wager, including the placement or increase of wagers on a gaming table after the lapse of the time during which it is permissible according to the applicable rules to the casino game or the withdrawal of amounts placed as a wager on a gaming table after the lapse of the time during which it is permissible according to the applicable rules of the casino game;

(c) assist another person to acquire knowledge that is not available to all players concerning the outcome of casino gaming or of any event which may affect the outcome of casino gaming for the purpose of placing, increasing or lowering a wager or determining the course of gaming which may result from that event or outcome;

(d) demand, collect or receive or attempt to demand, collect or receive money or any item of value in or from a casino game, with the intent to defraud, without having placed a wager thereon, or to demand, collect or receive any amount greater than the amount won;

(e) consciously lure or cause another person to be present at the casino for the purpose of playing or participating in casino gaming in violation of his duties and responsibilities under this section;

(f) either in person or through another person, manipulate with intent to cheat any part of a gaming machine in a way that is contrary to the purpose for which it was designed and the ordinary use of such part, knowing that such manipulation affects the outcome of gaming or with knowledge of any event which affects the outcome of gaming;  
or

(g) either in person or through another person, change or alter the outcome of any electronic table game or change or alter the way the

outcome is communicated to any participant in the electronic table game.

(2) Any contravention of the provision of subsection (1) by the operator, a casino employee or key casino employee is an offence and shall constitute sufficient grounds for conducting disciplinary proceedings against the person at fault by the Commission.

(3) Any contravention of the provisions of subsection (1) by any person is an offence according to the provisions of section 96.

Use or possession of device, software, or machine to obtain advantage during the conduct of casino gaming.

**68.**-(1) A person shall be prohibited from using, possessing or assisting any other person in using or possessing any electronic, electrical or mechanical device, or any software, machine or any combination thereof, which is designed, manufactured, altered or programmed to obtain an advantage during the conduct of casino gaming at the casino premises including, but not limited to, a device which-

(a) predicts the outcome of casino gaming.

(b) keeps track of the playing-cards being played or of the playing-cards about to be used in the casino gaming;

(c) analyses the probabilities of the occurrence of an event related to the casino gaming; or

(d) analyses the strategy for a game or placement of a wager, for use in casino gaming,

excluding those available as part of casino gaming and approved as such by the Commission or otherwise permitted by the Commission.

(2) Contravention of any provision of subsection (1) is an offence according to the provisions of section 96.

Possession, use and manufacture of unauthorised equipment and gaming devices.

**69.**-(1) A person shall be prohibited from possessing, using, manufacturing, selling or distributing any playing cards, dice, chips, gaming or devices which will be used or are being used by such person in the casino premises, in contravention of the provisions of sections 67 to 71.



(2) A person shall be prohibited from marking, altering or otherwise modifying any playing-cards, chips, dice, gaming or devices in such manner as to-

(a) affect the outcome of a wager by determining winnings or losses; or

(b) alters the normal criteria of random selection affecting the operation of casino gaming or the outcome of casino gaming or a gaming machine.

(3) A person shall be prohibited from having in his possession or using a device or equipment for the purpose of making counterfeit chips, debit instruments, wagering instruments or tokens for use in the casino or for casino gaming or in gaming machines.

(4) Contravention of any of the provisions of subsections (1) to (3) is an offence according to the provisions of section 96.

Unlawful  
interference with  
gaming  
equipment.

**70.**-(1) A person shall not, whether inside or outside the casino premises, be allowed to-

(a) possess any device manufactured, adapted or about to be used for improperly interfering with casino gaming equipment at the casino including tools, drills, wires, coins or tokens attached to strings, wires, electronic or magnetic devices to facilitate the alignment of any winning combinations or for removing money or other content from a gaming machine;

(b) perform any act for the purpose of improperly interfering with gaming equipment at the casino, including to facilitate the alignment of any winning combination or attempting without authorisation to remove money or tokens or other content from a gaming machine;

(c) insert or cause the insertion in a gaming machine of any currency other than the official currency of the Republic or token provided by the operator having the value or of the type displayed on the gaming

machine with the intent to operate the gaming machine and to gain winnings therefrom; and

(d) possess or use while in the casino premises any key or device designed or suitable for opening any gaming machine or drop box, with the exception of authorised casino employees or casino key employees who may act in such a manner while performing their duties.

(2) Contravention of any of the provision of subsection (1) is an offence according to the provisions of section 96.

Methods of cheating.

**71.**-(1) Any person who is the operator, a casino employee, casino key employee or casino customer shall be prohibited from cheating at casino gaming or while using a gaming machine or gaming equipment.

(2) For the purposes of this section, 'cheating' means employing methods in order to alter the element of chance, the selection method or the criteria which determine-

- (a) the outcome of the casino gaming or gaming machine;
- (b) the payment frequency in casino gaming or of a gaming machine;
- (d) the value of a wager, or
- (d) the value of a wagering credit EN.

(3) A person who contravenes the provisions of subsection (1) as well as any other person who provides assistance or induces such person to act in such a way, is guilty of an offence.

(4) Contravention of the provisions of subsection (1) by the operator, a casino employee or a key casino employee shall in addition constitute grounds for conducting disciplinary proceedings against them by the Commission.

Entry into the casino by false representations.

**72.**-(1) A person who uses fraudulent representations to represent himself to be some other person or uses a document of identification of another person shall be prohibited from entering the casino premises and playing a casino game or from using a gaming machine.

(2) Contravention of the provisions of subsections (1) is an offence, punishable according to the provisions of section 96.

(3) The operator may-

(a) deny entry to the casino premises of any person acting in such way as contemplated in subsection (1) and require such person to leave such premises immediately, and/or

(b) notify the Police of any person who acts in such way as contemplated in subsection (1) and who refuses to leave the casino premises

Treatment of suspected persons.

**73.**-(1) The operator, casino employee, casino key employee or agent of the operator who reasonably suspects that a casino customer is committing, attempts to commit or has committed any of the offences set out in sections 67 to 72 may -

(a) refuse to allow such person to continue gaming in the casino or continue using the gaming machines and require this person to leave the casino premises;

(b) question the person for whom there is a suspicion that he is acting or has acted in the manner contemplated in subsection (1), provided such person consents to being questioned or question any person in relation to the casino gaming and gaming machines, provided that such person consents to being questioned in relation to the activities for which there is a suspicion that they may constitute an offence;

(c) notify the Commission and the Police of the possibility of any contravention being committed, according to the provisions of subsection (1).

(2) The operator, any casino employee, casino key employee or agent of the operator acting in accordance with the provisions of subsection (1), shall bear no criminal or civil liability.

**PART XII**  
**POWERS OF CONTROL AND INSPECTION**

Powers of  
inspectors.

**74.-(1)** An inspector shall have authority to perform the following acts-

(a) require any licensee who is in possession of or has control over gaming equipment, records or other thing relating to the operation of the casino, to produce the gaming equipment, record or other thing for inspection and to require such person to answer questions or provide information relating to the above;

(b) inspect any gaming equipment, record or other thing in accordance with paragraph (a) and take copies of, extracts from, or notes relating to them;

(c) if the inspector considers it necessary and for the purpose of securing evidence relating to a contravention of any provision of this Law, seize any gaming equipment, record or other thing;

(d) terminate any casino gaming or the use of any gaming machine on the casino premises;

(e) require by notice in writing that-

- (i) a licensee,
- (ii) an employee of a licensee; or
- (iii) any other agent or licensee associated with the operation or management of the casino,

appears before an inspector at a specified time and place and answers questions or provides information within a reasonable time period specified in the notice, concerning any activity regulated by the provisions of this Law;

(f) examine and test any gaming equipment or other thing in accordance with paragraph (a) and order the licensed person in charge of the equipment to withdraw it, if it is considered to be unsuitable;

(g) investigate any complaint of a casino customer relating to the conduct of any activity regulated by the provisions of this Law; and

(h) carry out any other act he is authorised to perform under the provisions of this Law.

(2) Where any inspector proceeds to seize any item pursuant to the provisions of this section, the item may be retained by the inspector until the completion of any proceedings, including appeal proceedings in relation to which it may constitute evidence, but in the case of records, the licensee from whom they were seized shall be allowed to inspect and take copies of such records.

(3) Where there is reasonable suspicion that any licensed person has committed a contravention of a disciplinary nature or an offence in the casino premises, the inspector may require such person to state its full name and address and in case this person fails to comply, such failure shall constitute sufficient grounds for disciplinary proceedings against him by the Commission.

(4) For the purposes of investigation, an inspector may seize any gaming equipment or other devices at the casino that the inspector reasonably suspects have not been authorised by the Commission or that their use or possession constitutes a contravention of the provisions of this Law and/or the Regulations made hereunder.

(5) Where upon conclusion of the investigation, the inspector ascertains that gaming equipment or the use of a device is not duly authorised or that they are illegal, the inspector may apply to the court to issue an order for forfeiture of the gaming equipment or other thing seized according to the provisions of subsection (4) in favour of the Commission.

(6) Where the inspector ascertains that the gaming equipment or the use of the device is duly authorised and that they are legal, he shall be under an obligation to return immediately to the person from whom they were taken, the gaming equipment or the device seized pursuant to the provisions of subsection (4).

Powers of the Commission to investigate contraventions and to implement the provisions of this Law.

**75.**-(1) In addition to the powers granted to the Commission under the provisions of this Law, for the purposes of investigating a possible contravention by a licensee of any of the provisions of this Law or the Regulations made hereunder, which may result in such person being subjected to disciplinary proceedings, the Commission may proceed to any of the following actions-

- (a) require any licensee for whom it has reasonable cause to believe has committed a contravention, to produce evidence of his identity;
- (b) require any licensee to produce any information or any record, document or copy thereof in his possession, in order to inspect, copy or take extracts of it;
- (c) require by notice in writing any licensee, who may in its opinion have knowledge of any facts or matter being investigated, to appear before the Commission; and
- (d) examine orally as a witness any licensed person who may be acquainted with the facts or circumstances of the matter being investigated, either prior to or during the hearing of a disciplinary procedure.

(2) Any licensed person being examined pursuant to the provisions of this section, shall be under a duty to testify the truth in relation to the facts being investigated and the circumstances under which they arose.

(3) Any statement made by a licensed person pursuant to the provisions of this section, shall be reduced into writing, read over to such person and

after having been appropriately corrected, if necessary, shall be signed by the said person.

(4) Failure to comply with a request by the Commission pursuant to the provisions of this section, shall constitute sufficient grounds for disciplinary proceedings against him by the Commission.

Power of the Commission to search the casino premises.

**76.-(1)** -The Commission shall have the power to enter the casino premises at any time without warning, for the purpose of investigating any contravention of the provisions of this Law which may result in the conduct of disciplinary proceedings and may take all or any of the following actions-

(a) search the casino premises and seize anything found therein for which it has reasonable cause to believe may be related to the contravention,

(b) require the production of records and documents for which it has reasonable cause to believe may be related to the contravention and to take and retain copies of them;

(c) compel any licensee who is capable to use any gaming equipment in the casino premises to do so in order for the Commission to judge and determine whether the gaming equipment, disk, tape or other storage device which may be used or associated with the gaming equipment, contains information relating to the investigation,

(d) where information emerges, relating to the investigation conducted for implementing the provisions of paragraph (c), produce or require the production of the information in written form or transfer or require the transfer of the said information to a disk, tape or other storage device, and remove the same from the casino premises.

(2) Failure of the operator to comply with the provisions of subsection (1) shall constitute sufficient grounds for disciplinary proceedings against the operator by the Commission.

(3) Where the operator fails to cooperate or comply with the provisions of subsection (1), the Commission may apply to the court for the issuing of a search warrant and for the seizure of records, documents, disks, tapes, devices, gaming equipment or any other object relating to the investigation.

Challenging  
decisions  
of the  
Commission.

**77.** Any person who considers being aggrieved by any decision of the Commission may challenge it by a recourse under the provisions of Article 146 of the Constitution.

Right to  
damages.

**78.-(1)** Any licence or approval granted pursuant to the provisions of this Law, shall be freely revocable by the Commission.

(2) No person shall have any right to compensation from the Commission in respect of the refusal to grant a licence or the cancellation, suspension, or variation of the terms of a licence granted or approval or amendment of the conditions of any licence or other approval, in accordance with the provisions of this Law or the Regulations made hereunder.

## **PART XIII**

### **TAX PROVISIONS**

Tax provisions  
and exceptions.

95(l) of 2000  
93(l) of 2002  
27(l) of 2003  
172(l) of 2003  
95(l) of 2004  
88(l) of 2005  
100(l) of 2005  
131(l) of 2005  
148(l) of 2005  
64(l) of 2006  
86(l) of 2006  
87(l) of 2006  
48(l) of 2007  
129(l) of 2007

**79.** Notwithstanding the provisions of the Value Added Tax Law, the supply of casino gaming services shall be exempt from the obligation of paying Value Added Tax, hereinafter called  
“VAT”:



141(l) of 2007  
142(l) of 2007  
143(l) of 2007  
25(l) of 2008  
37(l) of 2008  
38(l) of 2008  
63(l) of 2008  
88(l) of 2008  
35(l) of 2009  
135(l) of 2009  
13(l) of 2010  
29(l) of 2010  
68(l) of 2010  
97(l) of 2010  
131(l) of 2010  
4(l) of 2011  
37(l) of 2011  
129(l) of 2011  
186(l) of 2011  
187(l) of 2011  
16(l) of 2012  
73(l) of 2012  
133(l) of 2012  
135(l) of 2012  
167(l) of 2012  
172(l) of 2012  
83(l) of 2013  
118(l) of 2013  
129(l) of 2013  
164(l) of 2013  
81(l) of 2014  
153(l) of 2014  
154(l) of 2014  
160(l) of 2014  
215(l) of 2015  
119(l) of 2016  
86(l) of 2017  
135(l) of 2017  
157(l) of 2017  
39(l) of 2018  
60(l) of 2018  
121(l) of 2018  
31(l) of 2019  
70(l) of 2019  
158(l) of 2019  
24(l) of 2020  
79(l) of 2020  
121(l) of 2020  
122(l) of 2020  
147(l) of 2020  
178(l) of 2020  
5(l) of 2021  
72(l) of 2021  
80(l) of 2021  
181(l) of 2021  
182(l) of 2021

32(l) of 2022  
151(l) of 2022  
152(l) of 2022  
199(l) of 2022  
42(l) of 2023  
63(l) of 2023  
75(l) of 2023  
137(l) of 2023.

Provided that, the provision of accommodation, food, beverages and entertainment, which is not related to casino gaming or to other goods and services provided at the casino resort, excluding the provision of casino gaming services, shall be subject to VAT pursuant to the provisions of the Value Added Tax Law and the Regulations made thereunder.

Casino tax.

**80.-(1)** The Commission shall be the agent of the Tax Department for the purposes of regulation, imposition, and collection of casino tax, which is payable to the Commission by the operator.

(2) The operator shall pay casino tax to the Commission for every month in respect of which he holds the casino resort licence.

(3) The rate of casino tax payable according to the provisions of subsection (2), is set at fifteen per cent (15%) on the gross gaming revenue for the preceding calendar month and shall be payable by the end of the calendar month that follows the calendar month for which the tax is payable and the above percentage may not be increased during the period of exclusivity set according to the provisions of section 15.

(4) For the purposes of this section-

‘gross gaming revenue’ means all amounts of cash and receipts of cash paid into gaming machines and from the purchase of chips, chips vouchers and tokens for gaming in the casino and gaming machines but does not include free play, less the payments of winnings;

‘free play’ means the value of chips, chips vouchers and tokens provided free of charge by the operator to casino customers, with a maximum

permitted percentage of twenty five per cent (25%) of the gross gaming revenue, which is taxable for any financial year;

‘Payments of winnings’ means all the amounts paid to casino customers or any amounts held by the casino on behalf of a casino customer as winnings that the casino customer may withdraw on first demand.

(5) Failure of the operator to comply with the provisions of this section shall constitute grounds for disciplinary proceedings against the operator by the Commission.

Collection of  
casino tax by the  
Commission.

**81.**-(1) The Commission shall assess and collect the casino tax, the interest and tax penalties from the operator and shall make arrangements for the payment of all the amounts received from the operator in respect of casino tax, late fees, interest and tax penalties and shall pay such amounts to the Tax Department.

(2) The Commission may designate in writing, following the approval of the Commissioner of Taxation, an officer of the Tax Department to perform or assist in the performance of any duty or the exercise of any power granted to the Commission, pursuant to the provisions of this section and the Regulations made hereunder.

Hierarchical  
recourse.

4 of 1978  
23 of 1978  
41 of 1979  
164 of 1987  
159 of 1988  
196 of 1989  
10 of 1991  
57 of 1991  
86(l) of 1994  
104(l) of 1995  
80(l) of 1999  
153(l) of 1999  
122(l) of 2002  
146(l) of 2004  
214(l) of 2004  
106(l) of 2005  
135(l) of 2005  
72(l) of 2008  
46(l) of 2009

**82.**- Where the operator considers that he has been aggrieved by the assessment of casino tax or by the refusal of the Commission to revise such assessment, according to the provisions of this Law and the Regulations made hereunder, the operator may proceed with a recourse against such decision or assessment before the Tax Tribunal, according to the provisions of the Assessment and Collection of Taxes Law.

136(l) of 2010  
 163(l) of 2012  
 197(l) of 2012  
 198(l) of 2012  
 91(l) of 2013  
 78(l) of 2014  
 79(l) of 2014  
 108(l) of 2015  
 188(l) of 2015  
 37(l) of 2016  
 97(l) of 2017  
 44(l) of 2018  
 50(l) of 2018  
 26(l) of 2020  
 77(l) of 2020  
 126(l) of 2020  
 62(l) of 2021  
 63(l) of 2021  
 64(l) of 2021  
 15(l) of 2022  
 41(l) of 2022  
 42(l) of 2022  
 90(l) of 2022  
 100(l) of 2022.

Time within which  
 payments must be  
 made.

**83.**-(1) When the amount of casino tax is assessed, in accordance with the provisions of this Law and the Regulations made hereunder, notwithstanding any objection submitted or recourse filed against such assessment of the casino tax, such amount shall be payable by the end of the month that follows the calendar month during which notification of the said assessment was received.

(2) The Commission may in its discretion impose such conditions and terms as it may consider necessary, including the requirement for the payment of interest and extension of the time frame within which payment must be made.

Penalty for  
 late payment.

**84.**-(1) Where casino tax due is not paid by the operator of the casino resort within the set time frame, then a penalty equal to five per cent (5%) of the amount of casino tax that is payable shall be added thereto and shall be payable together with interest calculated on the basis of the applicable for the time being, public default rate determined by a decree issued by the Minister of Finance pursuant to the provisions of the Single Public Default Rate Law.

167(l) of 2006  
 118(l) of 2012.

(2) Where an amount of casino tax due is not paid by the operator by the date on which it is payable under the provisions of subsection (1), an additional penalty of five percent (5%) of the outstanding casino tax shall be imposed for every completed month during which the casino tax remains unpaid but the total additional penalty may not exceed fifty per cent (50%) of the amount of the outstanding casino tax.

(3) Any penalty and interest imposed pursuant to the provisions of this section shall be recovered as casino tax due.

(4) The Commission may in its discretion reduce or delete all or part of the penalty payable in accordance with the provisions of subsections (1) and (2) and notify the Auditor General of the Republic and the Accountant General of the Republic of the justification of its decision.

Recovery of tax and penalty.

**85.**-(1) Casino tax and any financial penalty that is payable in accordance with the provisions of sections 80, 81, 83, and 84 and the Regulations made hereunder, may be recovered as a debt due to the Republic and in order to recover such amounts the Commission may in its name or pursuant to the powers granted to it by the provisions of this Law, act as a representative of the Tax Department for the purposes of collecting and recovering such amounts as if they were taxes due under the provisions of any Law in force for the time being relating to the collection and recovery of a tax debt.

(2) The Commission shall be entitled to compensation for all costs arising from the implementation of the provisions of this Law and any decisions of the court against the operator, where the operator is considered responsible for casino tax due, interest or penalties on the basis of any proceedings in accordance with the provisions of subsection (1).

Tax refund.

**86.** (1) Where it is proven to the satisfaction of the Commission that the amount of casino tax paid by the operator exceeds the amount due, the operator shall be entitled to request refund of the excess amount plus interest at the applicable public default interest rate for the time being, starting from the first day of the calendar month which follows the day of such payment:

Provided that, no interest shall be paid if it is proven that the payment of the excess amount of casino tax is due to an error of the operator.

(2) Where a tax assessment is varied following a hierarchical recourse or a recourse under Article 146 of the Constitution and as a result the operator of the casino appears to have paid casino tax in excess of the amount due, the casino operator shall be entitled to reimbursement of the excess amount of casino tax plus interest at the applicable public default interest rate for the time being, starting from the first day of the calendar month which follows the day of such payment.

Imposition of  
penalty for  
incorrect tax  
returns.

**87.**-(1) Submission of incorrect tax returns by the operator due to an omission or an erroneous estimate of any gross gaming revenue or casino tax or due to the provision of any incorrect information to the Commission relating to the responsibility of the operator for casino tax is an offence.

(2) Contravention of the provisions of subsection (1) by the operator shall result in the imposition of a penalty equal to twice the amount of the casino tax due, which has not been paid or assessed as a result of incorrect tax returns submitted or incorrect information.

Tax evasion.

**88.** A casino employee, casino key employee, employee or agent of the operator who, with the intention to evade tax or in order to assist the operator to evade the payment of casino tax-

(a) makes a false statement, report or entry in any tax returns submitted in accordance with the provisions of this Law or the Regulations made hereunder;

(b) provides an answer which is false either orally or in writing to any question made or request to him for information;

(c) prepares, keeps or authorises the preparation or keeping of any false records or falsifies or authorises the falsification of any record;

(d) uses fraud or any trick or authorises the use of any fraudulent method or trick,

is deemed to be committing an offence which shall be grounds for the initiation of disciplinary proceedings against such person and the operator, by the Commission.

## **PART XIV**

### **OFFENCES AND PENALTIES**

Providing illegal gaming services.

**89.** A person who acts in contravention of the provisions of section 18 is guilty of an offence and is liable on conviction to imprisonment not exceeding five (5) years or to a fine not exceeding one million euros (€1.000.000) or both.

Providing gaming services outside the licence conditions.

**90.** A person who provides gaming services at the casino resort, in contravention of the provisions of this Law, the Regulations made hereunder or the casino resort licence, including casino gaming for which no authorisation has been granted by the Commission or upon rules of casino gaming for which no proper authorisation has been granted by the Commission, in addition to any disciplinary proceedings against him by the Commission, is guilty of an offence and is liable on conviction to imprisonment not exceeding five (5) years or to a fine not exceeding one million euros (€1.000.000) or both.

Casino customers participating in illegal gaming services.

**91.** A casino customer who knowingly participates in illegal casino gaming in contravention of the provisions of this Law and the Regulations made hereunder is guilty of an offence and is liable on conviction to imprisonment not exceeding six (6) months or a fine not exceeding one hundred thousand euros (€100.000) or both.

Offences.

**92.-(1)** A person who commits any of the offences set out in sections 67 to 72 is guilty of an offence and is liable on conviction to imprisonment not exceeding five (5) years or to a fine not exceeding one million euros (€1.000.000) or both.

(2) For the purposes of application of subsection (1), the fact that a person did not succeed in winning or in increasing its chances of winning in

casino gaming or at gaming machines or the fact that the person received no financial gain as a result of the prohibited activity for which he is accused, is not a defence.

Prohibited advertising.

**93.** A person who acts in contravention of the provisions of section 65 is guilty of an offence and is liable on conviction to imprisonment not exceeding six (6) months or to a fine not exceeding one hundred thousand euros (€100.000) or both.

Providing false information.

**94.** A person who knowingly provides false or misleading information to the Commission is guilty of an offence and is liable on conviction to imprisonment not exceeding one (1) year or to a fine not exceeding two hundred thousand euros (€200.000) or both.

Urging minors to take part in illegal activities.

**95.** A person who knowingly performs any acts with the purpose of urging, encouraging or permitting a minor to participate in casino gaming or to make use of gaming machines or to enter the casino gaming floor, is guilty of an offence and is liable on conviction to imprisonment not exceeding one (1) year or a fine not exceeding two hundred thousand euros (€200.000) or both.

Penalty.

**96.**-(1) Where a casino operator or other legal person is found guilty of an offence for which no penalty is expressly provided in accordance with the provisions of this Law, he shall be liable if convicted to a fine not exceeding one million euros (€1.000.000).

(2) Any natural person who is found guilty of an offence for which no penalty is expressly provided in accordance with the provisions of this Law, shall be liable if convicted to imprisonment not exceeding three (3) years or a fine not exceeding six hundred thousand (€600.000) euros or both.



Fines and penalties payable to the Commission.

**97.-(1)** Any fines imposed under the provisions of this Law and the Regulations made hereunder shall be paid and received as a civil debt due to the Commission by the offender:

Provided that the responsibility of the person to pay the fine imposed to him shall not be affected by the termination, cancellation, surrender or expiry of the licence he holds.

## **PART XV MISCELLANEOUS PROVISIONS**

Cooperation of the Commission with international casino regulatory bodies.

**98.-(1)** The Commission may enter into arrangements with any foreign casino regulatory body for the exchange of information or to provide mutual assistance in order to facilitate either party or any of their functions.

11 of 192(I) of 2022.

(2) The Commission shall provide information to a foreign casino regulatory body only after having received in advance from the said body a written confirmation of assumption of responsibility on its part that it will comply with all written conditions of the Commission for the use and disclosure of this information and provided that any conditions imposed shall satisfy the provisions of the Protection of Natural Persons with regard to the Processing of Personal Data and for the Free Movement of such Data Law.

(3) For the purposes of obtaining information from a foreign casino regulatory body, the Commission may enter into a written agreement with such body that it will comply with the conditions for the use and disclosure which may be required by the foreign casino regulatory body on the basis of the applicable provisions in its jurisdiction.

Terms, conditions and derogations for planning and construction

**99.-(1)** The chosen by the Steering Committee and ratified by the Council of Ministers proposal of the operator, which has been licensed by the Commission shall be subject as far as the planning and construction

development of  
the casino resort.

development included in the relevant proposal is concerned, to the terms  
and conditions imposed on the basis of the provisions of-

90 of 1972  
56 of 1982  
7 of 1990  
28 of 1991  
91(l) of 1992  
55(l) of 1993  
72(l) of 1998  
59(l) of 1999  
142(l) of 1999  
241(l) of 2002  
29(l) of 2005  
135(l) of 2006  
11(l) of 2007  
46(l) of 2011  
76(l) of 2011  
130(l) of 2011  
164(l) of 2011  
33(l) of 2012  
110(l) of 2012  
150(l) of 2012  
20(l) of 2013  
65(l) of 2013  
120(l) of 2014  
39(l) of 2015  
134(l) of 2015  
24(l) of 2016  
142(l) of 2018  
16(l) of 2019  
75(l) of 2021.

(a) the Town and Country Planning Law and the Regulations made  
thereunder; and

Cap. 96.  
14 of 1959  
67 of 1963  
6 of 1964  
65 of 1964  
12 of 1969  
38 of 1969  
13 of 1974  
28 of 1974  
24 of 1978  
25 of 1979  
80 of 1982  
15 of 1983  
9 of 1986  
115 of 1986  
199 of 1986  
53 of 1987  
87 of 1987  
316 of 1987  
108 of 1988  
243 of 1988  
122 of 1990  
97(l) of 1992  
45(l) of 1994  
14(l) of 1996

(b) the Streets and Buildings Regulation Law and the Regulations  
made thereunder.

52(l) of 1996  
37(l) of 1997  
72(l) of 1997  
71(l) of 1998  
35(l) of 1999  
61(l) of 1999  
81(l) of 1999  
57(l) of 2000  
66(l) of 2000  
73(l) of 2000  
126(l) of 2000  
157(l) of 2000  
26(l) of 2002  
33(l) of 2002  
202(l) of 2002  
101(l) of 2006  
21(l) of 2008  
32(l) of 2008  
47(l) of 2011  
77(l) of 2011  
131(l) of 2011  
152(l) of 2011  
34(l) of 2012  
149(l) of 2012  
66(l) of 2013  
40(l) of 2015  
19(l) of 2016  
111(l) of 2017  
143(l) of 2017  
143(l) of 2018  
17(l) of 2019  
53(l) of 2021  
132(l) of 2022  
60(l) of 2023.

(2) Notwithstanding the provisions of subsection (1), for the purposes of the application of the provisions of this Law, the following shall apply:

(a) Any reference in the Town and Country Planning Law and the Streets and Buildings Regulation Law as well as the Regulations made thereunder, to the terms 'appropriate authority', 'Town Planning Authority' and 'Minister', wherever these terms are encountered and in any grammatical variation thereof, shall be deemed as reference to the term 'Council of Ministers' in the corresponding grammatical variation;

(b) The Council of Ministers may by a decision, for reasons of public interest, decide otherwise to what is contemplated by the provisions of the Town and Country Planning Law and the Regulations made

thereunder and the Streets and Buildings Regulation Law and the Regulations made thereunder, regarding any terms and conditions to be imposed for granting the necessary planning permit and building permit respectively, for the purposes of the construction of the casino resort, with the exception of terms and conditions relating to the maximum permitted building coefficient, in respect of which the Council of Ministers may for reasons of public interest consider in its Decision that a derogation must be granted, such derogation not exceeding the percentage of two hundred fifty per cent (250%) of the permitted coefficient based on the provisions of the relevant legislation.

(3) Areas of the Republic which have been declared “Natura 2000” pursuant to the provisions of the Protection and Management of Nature and Wild Life Law or which constitute forest land pursuant to the provisions of the Forests Law or which have been characterised as archaeological sites based on declared ancient monuments included in the First and Second Schedule or which are zero development zones pursuant to the provisions of the Antiquities Law may not be the object of a derogation pursuant to a decision of the Council of Ministers under the provisions of subsection (1).

153(I) of 2003  
131(I) of 2006  
113(I) of 2012  
67(I) of 2015.  
25(I) of 2012  
104(I) of 2018.  
  
Cap. 31.  
48 of 1964  
32 of 1973  
92(I) of 1995  
4(I) of 1996  
33(I) of 1997  
120(I) of 2005  
41(I) of 2006  
103(I) of 2012  
200(I) of 2014  
16(I) of 2017.

Regulation of matters which may arise in the event of a solution to the Cyprus problem.

**100.** No provision of this Law may be interpreted as prohibiting the entering into any agreement between the operator on the one hand and any body, authority or person exercising executive or administrative power or function or authority in the Republic on the other, in relation to any matter which may arise and may need to be regulated in the event of a comprehensive solution to the Cyprus problem.

Civil liability of persons.

**101.** No civil liability shall be incurred by a person who is a member, inspector, employee or agent of the Commission; member, secretary or officer of the Steering Committee; or authorised, appointed, employed or acting upon the instructions of the Commission to exercise the powers, perform the functions or execute the duties of the Commission or to support the Commission in performing its functions or executing its duties in accordance with the provisions of this Law and the Regulations made hereunder in relation to a bona fide act or omission while-

(a) exercising any power granted under the provisions of this Law or the Regulations made hereunder;

(b) performing any function or executing any duty, according to the provisions of this Law or the Regulations made hereunder or the provisions of any other applicable Law; and

(c) committing any act or any omission in complying with the provisions of this Law and the Regulations made hereunder or the provisions of any other applicable Law.