

LAW REGULATING THE ESTABLISHMENT, OPERATION, FUNCTION,
SUPERVISION AND CONTROL OF CASINOS AND RELATED MATTERS OF 2015

The English version of the Law is an unofficial translation of the Greek version and is provided for convenience only. The Greek version is the authoritative and controlling version of the Law and Regulations.

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ARRANGEMENT OF SECTIONS

PART I

INTRODUCTORY PROVISIONS

Article

1. Short Title.
2. Interpretation.
3. Authorization of the Minister.
4. Integrated casino resort.

PART II

NATIONAL GAMING AND CASINO SUPERVISION COMMISSION

5. Establishment of the National Gaming and Casino Supervision Commission.
6. Members of the Commission.
7. Eligibility, term, qualifications, removal, conditions and remuneration of the Chairman and members of the Commission.
8. Objectives of establishment of the Commission.
9. Functions and duties of the Commission.
10. Powers of the Commission.
11. Appointment of an executive director and other employees.
12. Structure, operation and budget of the Commission.
13. Authorization of the Council of Ministers to issue Regulations.

PART III

CONTRACTS AND LICENSING OF CASINOS

14. Contracts in relation to gaming valid.
15. Exclusivity period for one casino resort only.
16. Satellite casino premises.
17. Ownership transfer by the shareholders of the casino resort operator or the owner of land or buildings where the casino resort is located.
18. Conducting or providing facilities for casino games and casino game machines without casino license prohibited.
19. Steering Committee.
20. Licensing Procedure.
21. Review of the suitability of the selected candidate.
22. Suitability of the selected candidate.
23. Casino resort license and conditions.
24. Duration of casino resort license.
25. Renewal of casino resort license.
26. Casino resort license fees.
27. Amendment of casino resort license conditions.
28. Casino boundaries.
29. Transfer, mortgage and encumbrance of the casino resort license.
30. Disciplinary action and sanctions against the casino resort operator.
31. Interim operator if casino resort license cancelled, surrendered or suspended.
32. Surrender of casino resort license.

PART IV

CASINO OPERATIONS, ENTRY INTO CASINO PREMISES AND EXCLUSION ORDERS

33. Hours and days of operation of the casino resort.
34. Smoking.
35. Entrance fee and membership.
36. Entry ban to casino premises on casino customers.
37. Entry to casino premises by inspectors.
38. Entry by Police and other law enforcement agencies.
39. Minors.

40. Exclusion orders.

PART V
COMPLIMENTARIES AND JUNKETS

41. Automated teller machines prohibited within the casino premises.
42. Complimentaries.
43. Junkets.

PART VI
DISPUTES BETWEEN OPERATOR AND CUSTOMERS

44. Resolution of disputes as to winnings, losses or manner in which the games are conducted.

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

45. Casino layout.
46. Casino games and rules for games.
47. Gaming equipment.
48. Suppliers of gaming machines and gaming test services.
49. Signs displaying games rules and permissible wagers.
50. Secure areas, premises, equipment and procedures.

PART VIII
LICENSING OF CASINO EMPLOYEES AND CASINO KEY EMPLOYEES

51. Licensing of casino employees.
52. Licensing of casino key employees.
53. Duration and conditions of casino employee licenses and casino key employee licenses.

PART IX
CASINO INTERNAL CONTROLS

54. Commission approval of internal controls.
55. Bank Accounts.
56. Accounting Records.
57. Financial statements.
58. Records retention.
59. Audit and special audit.

PART X
SUPERVISION AND CONTROL OF OPERATOR

60. Reports on casino resort operation requested by the Commission.
61. Directions to the operator.
62. Investigation of the casino resort and the operator.
63. Change in the situation of the operator.
64. Contracts with unsuitable persons and approval of certain contracts.
65. Casino resort advertising and promotion.
66. Responsible gaming requirements.

PART XI
OFFENCES FOR FRAUDULENT ACTS, UNFAIR ADVANTAGE
AND CHEATING

67. Fraudulent acts.
68. Use or possession of device, software or machine to obtain advantage at playing casino games.
69. Possession, use and manufacturing of certain unauthorized gaming equipment and devices.
70. Unlawful interference with gaming equipment.
71. Cheating methods.
72. Entering the casino on false pretenses.
73. Questioning of suspected person.

PART XII
POWERS OF CONTROL AND INSPECTION

74. Powers of inspectors.
75. Commission Powers of investigation of violation and enforcement of the provisions of this Law.
76. Power of Commission to search the casino premises.
77. Challenge of Commission decision.
78. Right to an indemnity.

PART XIII
TAX PROVISIONS

79. Tax provisions and exceptions.
80. Casino tax.
81. Collection of casino tax by the Commission.
82. Rights of appeal.
83. Time within which payments are to be made.
84. Penalty for late payment.
85. Recovery of tax and penalty.
86. Repayment of tax.
87. Penalty for incorrect tax return statement.
88. Evasion of tax.

PART XIV
OFFENCES AND PENALTIES

89. Provision of illegal gaming services.
90. Provision of gaming services outside license terms.
91. Casino customer participation in illegal gaming services.
92. Offences.
93. Prohibited advertising.
94. Providing false information.
95. Inducing minors in illegal activities.

- 96. Penalty.
- 97. Fines and financial penalties to be paid to the Commission.

PART XV
MISCELLANEOUS

- 98. Cooperation between the Commission with international casino regulatory bodies.
- 99. Terms, conditions and deviations for the planning and building development of the casino resort.
- 100. Regulation of matters that may arise in the event of resolution of the Cyprus problem.
- 101. Civil liability of persons.

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

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.

SINCE 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 titled “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 of rules on information society services” as amended or replaced from time to time,

AND SINCE this Law refers to the above referred to the Technical Rules Law, according to the provisions of article 9 thereof and the above referred to Directive according to the provisions of Article 12 thereof,

The House of Representatives enacts as follows:

PART I
PRELIMINARY

Short title. 1. This Law may be cited as the Casino Operations and Control Law of 2015.

Interpretation.

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

“annual license fee” means the annual fee imposed on the operator by the Commission for the casino resort operation license;

“application fee” means the fee required pursuant to the provisions of this Law or/and the Regulations promulgated hereunder;

“associate” means in relation to the casino resort operator or applicant for a casino resort license a person who, in the opinion of the Commission, is able to exercise significant influence over or with respect to the management or operation of the business of the operator or applicant for a casino resort license;

“casino” or “casino premises” means the areas approved by the Commission, wherein casino games may be conducted and gaming machines are made available for use, including the casino gaming floor, any pathways through this area leading to other areas of the casino resort and any areas or other facilities housed therein;

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

“casino employee” means any natural person, not a casino key employee, who is employed in the operation of the casino, including without limitation dealers or croupiers, machine mechanics; security employees, accounting staff, collections personnel, surveillance personnel and any other natural persons whose employment duties require or authorize access to restricted casino areas;

“casino employee license” means the license required for a casino employee issued by the Commission;

“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 played in the casino with cards, dice, equipment or any mechanical, electromechanical or electronic device or machine for money, cheques, credit cards or any other representative of value;

“casino gaming floor” means that portion of the casino premises where authorized casino games are conducted and gaming machines are 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 empowered to make discretionary decisions, which regulate the casino operation, and includes pit bosses, shift bosses, cashier supervisors, casino managers, assistant managers, managers and supervisors of casino security employees or any other natural person empowered to make discretionary decisions, which regulate the management of the casino or of any other employee designated by the Commission as a key employee;

“casino key employee license” means the license required for a casino key employee issued by the Commission;

“casino operations” or “operations” in relation to the casino, means:-

- (a) the conduct of gaming in the casino,
- (b) the administration, management, and supervision of the conduct of gaming in the casino;
- (c) the money counting in, and in relation to, the casino,
- (d) the accounting procedures in, and in relation to, the casino,
- (e) the use of storage areas within the casino premises; or/and

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

“casino resort operator” or “operator” means a person holding the casino resort license;

“casino tax” means the tax on the gross gaming revenue of the casino payable by the operator to the Commission according to the provisions of section 80 and of the Regulations promulgated under this Law;

“Chairman” means the Commission member 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 that have a fixed Euro wagering value;

“Commission” means the National Gaming and Casino Supervision Commission, which is established according to the provisions of section 5;

“complimentary service or item” means a service or item provided at no cost or at a reduced price to a casino customer;

“complimentary service account” means an account maintained by the casino resort operator, which itemizes complimentary services and/or items and includes, without limitation, a listing of the cost of Junket services and any other service or item provided at no cost or reduced price to casino customers or Junket customers;

“conflicted interest in businesses relating to the activities of the casino resort” means doing business activities with any person holding a license or applying for license from the Commission, pursuant to the provisions of this Law or with a person relating,

directly or indirectly, to any business or organization holding or applying for a license from the Commission pursuant to the provisions of this Law and who-

- (a) is entitled to receive an income deriving from the business; or
- (b) has any contribution to the capital of the business, whether by loan or otherwise;

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

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

“excluded person” means any person barred from entering or remaining at the casino by an exclusion order;

“exclusion order” means a directive to bar a person from entering or remaining at the casino, according to the provisions of this Law or the Regulations promulgated hereunder or pursuant to a self-exclusion or exclusion by the operator, by order of the Commission or the Police, or by court order;

“executive director” means the chief executive officer of the Commission;

“five star hotel” means the classification of a hotel as a five star hotel, according the provisions of the Hotels and Tourist
40 of 1969

52 of 1970 Establishments Laws and the Regulations promulgated thereunder;
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(I) of 2005
9(I) of 2014.

“gaming” means the 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 a monetary consideration or other value;

“gaming equipment” means any device or things used, or capable of being used, for or in connection with gaming and betting and includes –

- (a) gaming machines;
- (b) electronic monitoring systems;
- (c) chips, dice, cards and gaming tables; and
- (d) parts of, or accessories of any such machine, equipment or system;

“gaming machine” means any device or object, whether wholly or partly mechanically or electronically operated and which-

- (a) that is designed so that it may be used for the purpose of

playing a game of chance or a game of mixed chance and skill,

- (b) that is designed so that as a result of making a wager on the device, winnings may become payable, and
- (c) has been approved by the Commission as gaming machine;

“gaming supplier” means a person manufacturing or supplying gaming machines or provides gaming test services;

“gaming supplier license” means the license issued by the Commission approving the holder to manufacture or supply gaming machines or software or to provide gaming test services for the casino;

“gaming tables” means equipment on or at which casino games are conducted;

“gaming test services” means services to test, certify or maintain gaming equipment;

“Government” means the government of the Republic;

“gross gaming revenue” shall have the meaning as set out in subsection (4) of section 80;

“illegal casino gaming” means providing casino games or gaming machines in a facility not licensed under the provisions of this Law or providing gaming services in the casino in violation of the provisions of this Law and the Regulations promulgated hereunder;

“initial license fee” means the initial fee provided for in section 26;

“inspector” means an employee of the Commission with the responsibility and authority for determining whether the operator is complying with this Law and the Regulations promulgated hereunder by inspecting the casino premises, monitoring the operations and records of the casino resort and addressing various disputes of the casino customer with the operator;

“integrated casino resort” or “casino resort” means the integrated casino resort described in section 4;

“integrated casino resort license” or “casino resort license” means the license 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 for the management of the casino resort in the event of cancellation, surrender or suspension of the casino resort license;

“invitation for the expression of interest” means the document issued by the Steering Committee calling upon persons to express their interest in the acquisition of a license for a casino resort by providing information demonstrating their qualifications, suitability and plans to be evaluated as pre-qualified candidates for the award of such license;

“invitation to submit a comprehensive offer” shall mean the document issued by the Steering Committee inviting the pre-qualified candidates to submit a comprehensive offer and bid for the award of the license to be issued by the Commission for the development and operation of the integrated casino resort;

“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, in accordance with 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 induce any person, selected on the basis of that person’s financial means and propensity to gamble, to come to the casino resort for the purpose of gaming and pursuant to which, and as consideration for which, any or all of the costs of transportation, food, lodging and entertainment of the said person are directly or indirectly paid by the casino resort operator;

“Junket customer” means a casino customer participating in a Junket;

“Junket operator” means a person, other than an employee of the casino resort, who holds a junket operator license for Junket services and contracts with the casino resort operator to bring Junket customers to the casino resort for whom that person receives-

- (a) either a commission based on the revenues of gaming in the casino received from that Junket customer or Junket customers; or
- (b) a share of the operator’s gross gaming revenue from the Junket customers; or
- (c) such other form of payment or rebate, monetary or otherwise as may be designated by the Commission ;

“Junket operator license” means the license issued by the Commission to a Junket operator;

“Junket representative” means any natural person, who provides services for the referral, procurement or selection of persons who may participate in any Junket to the casino, regardless whether such activities occur in the Republic or not;

“Junket representative license” means the license issued by the Commission to a Junket representative;

“license” means any license the Commission is authorized to grant, according to the provisions of this Law and the Regulations promulgated hereunder;

“licensee” means any person holding a license or approval issued by the Commission, including but not limited to the operator, casino employees, casino key employees, gaming suppliers, Junket operators and Junket representatives;

“main shareholder” means the shareholder holding the greatest number of voting rights in the operator company;

“Minister” means the Minister for Energy, Commerce, Industry and Tourism;

“minor” means a person under the age of twenty one (21) years of age;

“order” or “operating instruction” means an order or an operating instruction issued by the Commission pursuant to the authority conferred by the provisions of this Law;

“owner” means the owner or owners of the land and/or buildings on which the casino resort is situated;

“payout 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 on approved stock exchanges;

“record” means any documents and source of information compiled, irrespective of form and material, recorded or produced by any method;

“Republic” means the Republic of Cyprus;

“satellite casino premises” means an area for conducting casino games on a limited number of gaming machines or/and gaming tables which is outside the premises of the casino resort, as regulated by the provisions of section 16 of this Law;

“self-exclusion list” means a compilation 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 notices issued by the Commission by orders or operating instructions from time to time setting out technical standards and requirements for gaming equipment;

“Steering Committee” means the committee established according to the provisions of section 19;

“tokens” means special coins used for gaming and represent value;

Authorization of the Minister.

3.-(1) The Minister may delegate, in writing to the General Director of the Ministry of Energy, Industry and Tourism, hereinafter called “General Director”, the exercise of any authority except for the power

to issue orders and execute any duty, which the provisions of this Law or the Regulations promulgated hereunder grant or confer to the Minister respectively:

It is provided that in case of the above delegation and until its expiration, the Minister shall maintain the authority to exercise the so delegated authority and execute the so delegated duty.

(2) The General Director, who is conferred with the exercise of authority or the execution of duty pursuant to the provisions of subsection (1), shall be obliged to exercise the said authority and execute the said duty, in accordance with any directions of the Minister.

(3) The Minister may amend and revoke delegation carried out pursuant to the provisions of subsection (1) by written notice to the General Director.

(4) In case the Minister and the General Director simultaneously exercise the same authority or execute the same duty pursuant to the provisions of this section, the General Director may not exercise the same authority or execute the same duty with the Minister on specific facts, unless the Minister so permits and in accordance with his directions.

(5) In case a person exercises, pursuant to the provisions of this section, authority or performs a duty, which this Law or the Regulations promulgated hereunder grant or confer, respectively, to another person, this Law and the Regulations promulgated hereunder shall apply as if they had expressly granted the said authority to the person exercising the same and as if they had expressly conferred 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 exist under a plan prepared by the operator and proposed during the tender process and which have been approved and licensed by the Commission.

(2) The premises provided in subsection (1) shall include a casino of international standards, a luxury hotel or hotels of international standard and other tourism enriching services, activities and facilities.

(3) The luxury hotel or hotels of international standard for which provision is made in subsection (2) shall exceed the requirements of a five star hotel, as this is determined by the Hotel and Tourist Accommodation Law and the Regulations promulgated thereunder and offer in total at least 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 permitted to install more than two hundred (200) gaming tables or more than two thousand (2000) gaming machines without prior Commission approval. To apply, operator shall submit a special application to the Commission for consideration, which the Commission may accept or reject in writing. The operator shall pay the relevant fee required by the Commission for the variation.

(5) For the purposes of the limitations on gaming tables and gaming machines, 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 the National Gaming and Casino Supervision Commission.
5. The National Gaming and Casino Supervision Commission is hereby established in the form of a public law legal body, which is named the “Cyprus Gaming and Casino Supervision Commission”.
- Members of the Commission.
6. The Commission shall consist of seven (7) members, who shall be appointed by the Council of Ministers, one of whom 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 duration of the term of office of the first members of the Commission shall be as follows:
- (i) Four (4) years for the Chairman,
 - (ii) four (4) years for the three (3) members appointed by the Council of Ministers,
 - (iii) Two (2) years for the three (3) members appointed by the Council of Ministers.
- (b) Subject to the provisions of paragraph (a), the term of office of the Chairman and of the remaining four members shall be four years.
- (c) No person shall be appointed by 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, unless he is a person of renowned status and honesty with specialized knowledge and has the ability to contribute to the attainment of the objectives of the Commission.

(3) The Commission shall consist of the Chairman and members, who shall cumulatively have the following qualifications:

- (a) One (1) member is a lawyer with experience in contracts;
- (b) one (1) member has the qualifications required to be registered in the Association of Certified Public Accountants of Cyprus with experience in auditing;
- (c) one (1) member is a person with specialized knowledge and experience in information technology;
- (d) one (1) member is a person with specialized knowledge and experience in law enforcement; and
- (e) Three (3) members are persons preferably derived from a profession or specialization different from the profession or specialization of any appointed person or person who is simultaneously appointed as member on the date of their appointment.

(4) Subject to the provisions of sub-section (2), no person shall be selected for appointment at the position of the Chairman or of any other member of the Commission, if -

- (a) either himself/herself or his/her spouse or first degree relative engages professionally or holds shares, at a

percentage of more than 1% of the share capital, or has any other direct, indirect or conflicted interest in businesses relating to the activities of the casino resort;

- (b) holds a state position or the position of mayor or member of a municipal council or President or member of Community Council or of school authority, unless he/she resigns from such position;
- (c) has been convicted of an offence involving dishonesty or moral turpitude;
- (d) has been declared bankrupt, provided that he has not been reinstated or is under compulsory management or is under arrangement with his creditors; or
- (e) has been declared mentally incompetent under the laws in force in the Republic;

(5) The appointment and/or replacement of the Chairman and of the members of the board of directors of the Commission requires the prior written consent of the Parliamentary Committee of Energy, Trade, Industry and Tourism and for this purpose the names, the qualifications thereof as well as the justification whether they comply with the provisions of subsections (2), (3) and (4), are notified by the Minister to the Parliamentary Committee of Energy, Trade, Industry and Tourism.

(6) The Chairman and the members of the Commission shall, when taking up their duties as well as for each year from the date of the appointment thereof and until the expiration of their term of office, make a statement of any interest thereof to businesses relating to the functions of the casino resort to the Council of Ministers.

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

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

- (a) has been declared bankrupt, provided that he has not been reinstated or is under compulsory management or is under arrangement with his creditors;
- (b) has been declared mentally incompetent under the laws in force in the Republic;
- (c) has been convicted of any criminal offence which is punishable by imprisonment or an offence involving dishonestly or moral turpitude;
- (d) is unable to perform his duties because of physical disability or illness for a period of more than six (6) months;
- (e) has acquired a financial or other interest that may affect the impartiality of his judgment and refuses to submit his resignation;
- (f) has abused his position;
- (g) is negligent or/and fails to carry out his duties or commits a serious offence in carrying out his duties;
- (h) following a recommendation by the Commission, in the case of unjustified absence from discharging his duties

or after an unjustified absence from at least three (3) consecutive meetings of the Commission;

(9) The conditions of engagement and remuneration of the Chairman and of the remaining members of the Commission, including any period when the Chairman is engaged on a full time basis, shall be determined by a Decision of the Council of Ministers and shall be consistent with conditions of engagement and remuneration of similar Republic of Cyprus regulatory bodies.

(10)(a) If the Chairman or any other member of the Commission resigns, dies or has his appointment revoked or otherwise vacates his office before the expiry of the term for which he has been appointed, the Council of Ministers may appoint another person for the unexpired term of the office of the said member.

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

Objectives
of establishment of
the Commission.

8. The objectives of the Commission are to maintain and administer systems for the licensing, supervision, and control of a casino, ensuring that -

(a) The management and operation of a casino resort is carried out by persons who are suitable and remain free from criminal influence or exploitation;

(b) gaming in the casino is conducted honestly;

(c) the potential erosion of society, addiction to gambling as well as any negative effects on society and especially on minors and vulnerable groups from the

casino operation is restricted and controlled, and

- (d) the operator complies with its obligations deriving out of the conditions of the casino resort license.

Functions and duties of the Commission. 9.-(1) The Commission shall during the exercise of its functions and duties -

- (a) draft, issue and amend orders, operating instructions and directions for the implementation of the provisions of this Law and of the Regulations promulgated hereunder as well as the regulation of the operator and the operation of the casino;
- (b) draft, issue, review and amend orders, operating instructions and directions as required to maintain a robust regulatory environment;
- (c) issue the casino resort license to the successful candidate selected by the Steering Committee and found to be the most suitable following due diligence conducted by the Steering Committee and ratified by the Council of Ministers;
- (d) develop application and investigation methods and procedures, assess applicants, collect application fees and license a suitable operator, casino employees, casino key employees, Junket operators, Junket representatives and gaming suppliers;
- (e) exercise disciplinary power according to the provisions of this Law and the Regulations promulgated hereunder and conduct hearings without limitation relating to violations of the provisions of this Law and of the Regulations

promulgated hereunder;

- (f) impose sanctions, enforce decisions and collect fines and penalties arising from violations of this Law and of the Regulations promulgated hereunder;
- (g) collaborate and consult with the International Association of Gaming Regulators and responsible gaming organizations on matters relating to the protection of young persons and vulnerable groups from casino gaming and implement specific preventive and protective measures;
- (h) conduct studies at regular intervals in consultation with the public and organized groups on the impact of casino gaming on young persons, vulnerable groups and the general public and submit suggestions for obtaining protection measures;
- (i) cooperate and consult with organizations and government agencies in order to ensure the proper and effective implementation of the provisions of this Law, including the possibility of establishing advisory committees;
- (j) monitor actions and activities concerning illegal casino gaming and prepare studies and proposals to stop them;
- (k) advise and report to the Minister concerning the policy in relation to the supervision and inspection of the casino;
- (l) do all things required to do under this Law, including the following:
 - (i) Supervise the operation of the casino, the persons

responsible for the same and the conduct of gaming in it;

- (ii) ensure that the handling, collection, disbursement and counting of money within the casino premises is supervised;
- (iii) detect offences committed within the casino premises or in relation to the casino;
- (iv) receive and investigate complaints from casino customers concerning the conduct of gaming in it;
- (v) decide on disputes arising between the casino resort operator and casino customers;
- (vi) check the casino records when it considers it necessary;
- (vii) inspect, test, and approve gaming equipment and chips used in the casino;
- (viii) prepare and give to the Minister such reports concerning the operation of the casino and the conduct of gaming in it when it considers it necessary or when the Minister so requests;
- (ix) collect all license and application fees and taxes imposed by the provisions of this Law and the Regulations promulgated hereunder;
- (x) perform audits of the financial records of the casino;

- (xi) enforce, within the powers granted by the provisions of this Law and in cooperation with the Police where required, the license conditions and the provisions of this Law and the Regulations promulgated hereunder;
 - (xii) investigate the suitability of the applicants and issue the relevant licenses;
 - (xiii) have access and carry out an audit of the books and records of the operator and observe the operation of the casino at all times;
 - (xiv) collect and deposit with the Accountant General Office of the Republic, taxes, license fees, application fees and monetary fines due by the operator or another applicant for a license or licensee according to the provisions of this Law.
- (m) perform such other functions as are conferred or imposed on the Commission by the provisions of this Law or any other applicable law.

(2) The Commission shall, in the exercise of its powers and duties, establish and operate, on the basis of a percentage of its revenue collected by the annual license fee, a fund for the rehabilitation of individuals addicted to gambling, through which it promotes actions to alleviate negative effects on society from gambling; the amount of funds to be deposited in this fund as well as the analysis of the objects for which it has been allocated, shall be included in the annual budget of the Commission, which shall be prepared in accordance with the provisions of section 12.

Commission.

be advantageous, necessary or expedient for or in connection with the performance of its functions and 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 for which it has discretion to issue based on the provisions of this Law or the Regulations promulgated hereunder.

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

- (a) Conduct such investigations and hold such hearings as it considers it necessary for enforcing the provisions of this Law or the Regulations promulgated hereunder;
- (b) require any person to furnish such returns and information as is considered necessary for implementing the provisions of this Law;
- (c) develop and prescribe the method and form of applications and the application fees for the operator, casino employees, casino key employees, gaming suppliers, Junket operators and Junket representatives;
- (d) publish educational materials or carry out research or other educational activities relating to the casino gaming, to support financially or otherwise the carrying out by other persons such activities or the provision by others of relevant information or advice;
- (e) enter into such contracts and lease offices when and as is considered necessary or expedient for the purposes of performing its functions or discharging its duties;
- (f) become a member or cooperate with any international body

or organization, the functions, objects or duties of which are similar to those of the Commission; and

- (g) make provision for the specialized training of any employee of the Commission and cover the costs of training as well as all of the expenditure incidental thereto.

Appointment of an executive director and other employees.

115 of 1990
58(I) of 1992
29(I) of 2006
171(I) of 2007.

11.-(1) The Commission shall appoint an executive director after making a public invitation in accordance with the provisions of Public Law on Legal Bodies (Appointment of General Directors) Law following transparent and non-discriminatory procedures and setting out terms and conditions of such 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 functions and affairs of the Commission in accordance with the policies of the Council of Ministers and the Commission.

(3) The Commission shall have the right to terminate the engagement of the executive director, subject to compliance with applicable legislation and procedures for public law legal bodies.

(4) The Commission may appoint and employ, on such terms and conditions, as it may determine, any officers, employees, consultants, inspectors and agents as may be necessary for the effective performance of its functions and discharge of its duties, provided that such appointments shall be made as contract employees.

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, which are issued under section 13 of this Law.

(2) The Commission shall establish an office, employ staff and prepare an annual budget for each financial year in accordance with the conditions, timing and procedures which apply for the annual budgets for public law legal bodies, on the basis of section 3 of Public Law on Legal Bodies (Budget Voting) Law.

194 of 1987

318 of 1987

52 of 1988

69 of 1989

186 of 1991

19(I) of 2001

35(I) of 2012.

(3) Funding for the Commission for its budgetary requirements in subsection (2) shall be derived from government grant, the amount of which corresponds to its annual budget and the funding received by the Commission shall be applied exclusively in the payment or discharge of the obligations of the Commission and in making any payment that the Commission is required to make.

Any funding received by the Commission in excess of its actual requirements for a financial year shall be accounted for against the next financial year's government grant.

(4) The Commission shall keep proper accounts and records of its transactions and shall do all things necessary to ensure that all payments are correctly made and properly authorized and adequate control is maintained over the assets of the Commission and over the expenditure incurred by the Commission.

(5) The Commission shall be audited by the Auditor General of

the Republic of Cyprus, or may alternatively at the Commission's discretion be audited either by the Auditor General in cooperation with independent external auditors or solely by independent external auditors.

(6) Any further accounting requirements and procedures for keeping records, annual financial statements and annual statutory audit requirements for the Commission are determined by the Regulations promulgated under this Law.

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

Authorization of the Council of Ministers to issue Regulations.

13.-(1) The Council of Ministers shall issue Regulations for the implementation of the provisions of this Law and the determination of any issue, that needs to be or is required to be determined, which Regulations shall be brought 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 issues:

- (a) Setting out procedures for the Commission meetings, the audit of Commission accounts and the presentation of its financial statements;
- (b) setting out the methods and forms of application and any form and/or fees payable by the applicant for any license issued by the Commission, including but not limited, to licenses for 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 consideration of his application by the Commission;

- (c) setting out the operation of the Commission;
- (d) setting out required approval procedures and licensing for gaming machines manufacturers and suppliers as well as gaming test services providers;
- (e) setting out the methods, procedures and controls of due diligence on the suitability of the operator and other applicants as well as the delivery of information concerning any person's history, the character, the associates, the criminal record, the business activities and financial affairs of any person;
- (f) setting out procedures for wearing identification badges by casino employees, key casino employees and casino customers, gaming suppliers, Junket representatives and the Junket customers which are necessary to enforce restrictions on access to the casino premises and other restricted areas of the casino resort;
- (g) setting out the manner and procedure of all disciplinary hearings conducted by the Commission, including special rules of evidence applicable thereto, notices thereof and 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) defining the casino layout and the applicable restrictions in the areas of operation, the required procedures for approval of the rules of authorized

casino games, odds, payout ratios, gaming machines, devices and permitted gaming equipment, and the method of operation of such casino games, gaming machines and gaming equipment;

- (j) setting out grounds and procedures for the revocation, suspension or cancellation of licenses and of appointment of an interim casino resort operator;
- (k) setting out the required anti-money laundering procedures;
- (l) regulating the manufacture, distribution, sale and servicing of gaming equipment;
- (m) setting out the procedures, forms and methods of management controls, including the employee organizational charts, supervision and organization, the responsibility, and the minimum security standards, including the security personnel structure, the alarm and other electrical or visual security measures;
- (n) setting out the minimum procedures which are necessary for the exercise of effective control over the internal financial affairs of the operator, including provisions for the safeguarding of assets and revenue, the recording of cash, the evidence of indebtedness, the maintenance of reliable records, accounts and reports of transactions, operations and events, including reports to the Commission;
- (o) setting out the minimum standards of accountancy methods, procedures and forms; a uniform code of accounts and accounting classifications; and any other

standard operating procedures, as may be necessary to assure consistency, comparability and effective disclosure of all financial information, including calculations of percentages of profit by casino games, gaming tables, gaming devices and slot machines;

42(l) of 2009
163(l) of 2013.

- (p) Requiring the submission of periodic financial reports as well the form thereof, including an annual audit conducted by a statutory auditor who is licensed under the provisions of the Statutory Audits of Annual and Consolidated Accounts Law attesting to the financial condition of the casino resort operator and whether the accounts, records and control procedures are maintained by the licensee as required by the provisions of this Law and the Regulations promulgated hereunder;
- (q) Regulating gaming related advertising of the casino resort operator, and the employees and agents thereof, and ensuring that such advertisements are truthful, tasteful, inoffensive, do not promote gaming as an economic transaction and promote the casino resort as a whole and not just the casino as a standalone;
- (r) regulating the entertainment provided by the operator;
- (s) provisions that must be imposed concerning the distribution and consumption of alcoholic beverages within the premises of the casino, which shall permit alcoholic beverages to be served and consumed on the casino gaming floor;
- (t) regulating the mandatory and voluntary exclusion of certain individuals;

- (u) setting out minimum requirements and procedures for the issuance of complimentary and Junkets;
- (v) setting out the procedures for the resolution of disputes arising out between the operator and the casino customers;
- (w) setting out the required notification and approval of changes in the operator's situation;
- (x) setting out the requirements for notifications of certain types of contracts of supply to the casino;
- (y) setting out the requirements for an operator plan of responsible gaming,
- (z) setting out the required procedures and fees for the approval and operation of the satellite casino premises;
- (aa) setting out the work duties of the Commission inspectors;
- (ab) introducing criteria for the entry of citizens of the Republic of Cyprus in the casino premises, which include examination of the person's tax file, the issuance of a special entry identification as well as any other criteria that may be deemed necessary for the protection of Cyprus citizens from the negative effects of gambling addiction.

CONTRACTS AND LICENSING OF CASINOS

Contracts in relation to gaming valid. 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 casino customers for playing in the casino of a casino game conducted in accordance with the provisions of this Law and the Regulations promulgated hereunder;
- (b) any contract entered into between the casino resort operator and casino customers for the use of a gaming machine in the casino, which gaming machine is licensed and operating in accordance with the provisions of this Law and the Regulations promulgated hereunder.

Exclusivity period for one casino resort only. 15.-(1) The Commission shall, during the period not exceeding fifteen (15) year from the date of issuance of the first casino resort license to the casino resort operator, be prohibited from granting any other casino resort license or any other license of a casino within the Republic.

Where following a period of ninety (90) days from the date the operator has submitted all the required information to the competent authorities of the Republic for the issuance of the required licenses for the construction of a casino resort, the operator has not received within this period a final approval, the exclusivity period shall be extended for an equivalent period equal to the number of days from the expiration of the 90 day period to the date of final approval.

(2) For a period, which is agreed between the Commission and the operator, the operator may, prior to the opening of the integrated casino resort, operate a temporary casino either within the integrated casino resort site or another site approved by the Commission, as part of its development phase, subject to the provisions of this section.

The operation of a temporary casino shall be subject to the operator's strict compliance with the approved plans and development schedules for the casino resort and any additional conditions included in the said license.

The right to operate a temporary casino according to the provisions of this subsection shall be automatically revoked in the event of non-compliance with the development schedules for the casino resort, without any further action of the Commission being required and shall be canceled automatically with the commencement of operations of the casino at the casino resort.

(3) The operator is prohibited from developing or operating any other casinos in the Republic other than the integrated casino resort or the temporary casino that he may be developing under the provisions of subsection (2) or the satellite casino premises under the provisions of section 16.

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

Satellite Casino
Premises.

16.-(1) The casino resort license 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 the grant in 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 in each of them and five (5) gaming tables in one of them. In three (3) of the four (4) satellite casino premises, only the placement of gaming machines is allowed and the placement of gaming tables is prohibited.

(2) The exercise of the right referred to in subsection (1) of this section for operation of up to four (4) satellite casino premises apart from the casino resort, is discretionary for the operator and only applicable if the operator elects to exercise this right and upon submitting a relevant request thereof to the Commission by which the operator substantiates that the operation of such premises contributes to combat criminal activity associated with gaming and prevents individuals wishing to participate in casino games from participating in games conducted in illegal and unregulated premises and provided that relevant approval of the Commission is obtained.

The satellite casino premises each must be placed in different districts of the Republic which are selected by the operator and at locations different to the district of where the casino resort will be located.

The satellite casino premises shall be operated in support the operation of the integrated casino resort.

(3) The satellite casino premises shall form part of the casino resort license and are governed by the conditions of the said license, of the provisions of this Law, and the conditions of any other license for the approved site required by the Regulations promulgated under this Law or/and the Commission.

(4) If the operator of the casino resort obtains the relevant

approval by the Commission to exercise the right to operate one or more satellite casino premises, the operator shall be required to pay the relevant fees set out in the Regulations promulgated under this Law.

(5) The rights granted to the operator to develop and operate the temporary casino premises and the satellite casino premises are personal to the operator and shall not be sold, transferred or assigned by the operator in any way to any person.

Ownership transfer
by the shareholders
of the casino resort
operator or the owner
of the land or
buildings where the
casino resort is
located.

17.-(1) During the term of the casino resort license -

- (a) No shareholder of the integrated casino resort operator company or owner of the land or buildings where the casino resort is located shall, without the prior written approval of the Commission, transfer or dispose of or convert any part of his stake in the operator or the owner of the land of the casino resort, to the extent that such stake proposed to be transferred or disposed or converted is -
 - (i) equal to or greater than ten percent (10%) of the equity and/or total votes attached to all voting shares in the operator or the owner of the land or buildings where the casino is located if the shareholder is a publicly listed company or five percent (5%) of the equity and/or total votes

attached to all voting shares in the casino resort operator or owner of the land or buildings where the casino is located to all the other shareholders;
or

- (ii) is equal to or greater than the percentage of the total equity and/or total votes attached to the main shareholder's stake in the casino resort operator or owner of the land or buildings where the casino is located; and
- (b) no person other than the main shareholder of the casino resort operator or the owner of the land or buildings where the casino is located shall, without the prior written approval of the Commission, acquire any stake in the casino resort operator or owner of the land or buildings where the casino is located to the extent that after the acquisition, the percentage of the total votes attached to the stake of that person in the casino resort operator or owner of the land or buildings where the casino is located-
- (i) is equal to or more than ten percent (10%) of the equity and/or total votes attached to all voting shares in the casino resort operator or owner of the land or buildings where the casino is located if the person is a publicly listed company or of five percent (5%) of the equity and/or total votes attached to all voting shares in the casino resort operator or the owner of the land or buildings where the casino is located for all the other persons; and

- (ii) is equal to or higher than the percentage of the

total votes attached to the main shareholder's stake in the casino resort operator or owner of the land or buildings where the casino is located.

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

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

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

- (aa) the percentage, which represents the proportion 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, corresponding to the total votes attached to all voting shares in the casino resort operator or owner of the land or buildings where the casino is located at that time; and
- (bb) every percentage of the total 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 control at that time.

Conducting or providing facilities for casino games and casino game machines without casino license prohibited.

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

(2) A person operating a casino without a casino license by the Commission shall be guilty of an offense and upon conviction, shall be subject to imprisonment or a fine or both penalties as these are set out in section 89.

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 the person to pay an amount equal to his gross revenue derived from the illegal casino gaming during the period when the offence was committed.

Steering Committee.

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

(2) The Steering Committee shall consist of seven (7) members and one (1) secretary, who shall be selected from various services of the government of the Republic as follows:

- (a) The General Director of the Ministry of Energy, Trade, Industry and Tourism, as Chairman;
- (b) the General Director of the Ministry of Interior or his representative;
- (c) the General Director of the Ministry of Finance or his

representative;

- (d) the General Director of the Ministry of Transport, Communication and Works or his representative;
- (e) the Accountant General of the Republic or his representative;
- (f) a representative of the Ministry of Energy, Trade, Industry and Tourism;
- (g) a representative of the Presidency of the Republic of Cyprus; and
- (h) an officer of the Ministry of Energy, Trade, Industry and Tourism, as secretary:

(3) At the meetings of the Steering Committee, the Attorney General of the Republic or his representative and the Auditor General of the Republic or his representative are invited and are entitled to attend as observers.

(4) Every member of the Steering Committee shall be appointed under conditions determined by the Council of Ministers.

The Council of Ministers may set out new appointment conditions in any new 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 the attraction and evaluation of suitable candidates for the development and operation of a casino resort.

(2) The competitive procedure shall consist of a pre-qualification

stage and a comprehensive offer stage as follows:

- (a) At the pre-selection stage, the Steering Committee shall invite expression of interest submissions 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 to three (3) persons. After selecting the final pre-selected candidates it shall provide the final list of candidates to the Council of Ministers for ratification, which may reject any candidate it considers to be unsuitable on grounds of public interest or/and national security and provides the reasons for its rejection.

Where a candidate is rejected by the Council of Ministers, the next highest scoring candidate will then be submitted to the Council of Ministers for approval, if one remains.

The criteria for selection of candidates referred to above shall be communicated to the Parliamentary Committee for Energy, Trade, Industry and Tourism.

- (b) at 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 offers.

(3) The Steering Committee shall proceed to select, on the basis of the total score secured by the candidates during the evaluation of the second stage of the procedure, the candidate who secures the highest score as the selected candidate.

(4) The Steering Committee shall invite the selected candidate to submit any information deemed necessary for the purpose of ascertaining his suitability to hold a license for a casino resort, according to the provisions of sections 21 and 22, and if he is considered suitable the Steering Committee shall submit such 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 discovered or new persons included in the recommendation of the selected candidate, which had not previously been brought to the attention of the Council of Ministers during the ratification of the candidate in the pre-selection procedure.

The Council of Ministers may reject the final candidate selected by the Steering Committee on grounds of public interest or/and national security, and shall provide the reasons for its decision.

Where no new information is discovered or new persons are included in the recommendation of the selected candidate, the Council of Ministers shall ratify the selection of the Steering Committee.

(6) Where the Council of Ministers do not ratify the selected candidate in accordance with the provisions of subsections (3) and (4), the candidate with the next highest score in the evaluation by the Steering Committee shall be considered as the selected candidate, which candidate the Steering Committee shall then review for suitability, according to the provisions of subsection (4), and if considered suitable, the Steering Committee shall submit the candidate's name to the Council of Ministers for ratification.

The Steering Committee shall continue this procedure until a

candidate is ratified or the licensing procedure is cancelled due to the lack of a suitable candidate.

(7) Following the final ratification by the Council of Ministers, the Steering Committee shall inform the candidate and the Commission of its selection. The Commission shall then invite the candidate to pay the initial license fee and upon receipt of payment by the Commission, the Commission shall proceed to issue the license for the casino resort.

Review of the suitability of the selected candidate.

21.-(1) Before submitting the selected candidate for ratification to the Council of Ministers, according to subsection (5) of section 20, the Steering Committee shall conduct a due diligence investigation and review the suitability of the candidate to hold a casino resort license.

(2) The Steering Committee shall conduct an investigation and request for any information for which provision is made in this Law and in the Regulations promulgated hereunder and shall investigate and assess the suitability of the selected candidate to undertake duties of an operator and to hold a casino resort license.

(3) Following the completion of the review of the selected candidate, the Steering Committee shall notify the candidate in writing whether he has been approved or rejected.

Where the Steering Committee decides that the selected candidate is unsuitable to hold a casino resort license, it shall provide the reasons for the rejection.

(4) Where a selected candidate is rejected, the Steering Committee shall invite the candidate with the next highest score to submit information according to the provisions of subsection (4) of section 20 and such procedure shall continue until the a candidate is

approved by the Commission and ratified by the Council of Ministers or the license procedure is cancelled due to the lack of a suitable candidate.

Suitability of the selected candidate.

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

- (a) the selected candidate; and
- (b) each shareholder who holds a percentage of ten percent (10%) and/or more of the shares or/and voting rights of the selected candidate for public listed companies; and
- (c) each shareholder who holds a percentage of five percent (5%) or/and more of the shares and/or voting rights of the selected candidate for companies which are not publicly listed; and
- (d) the address and every associate of the selected candidate,

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

Casino resort license and conditions.

23.-(1) The integrated casino resort license granted shall be to develop, operate and maintain an integrated casino resort as a whole and not for the casino alone, under conditions, which the Commission considers necessary to impose.

(2) Without limiting the matters to which conditions may be imposed for the issuance of an integrated casino resort license, conditions may be imposed for any matter for which provision is made in this Law or in the Regulations promulgated hereunder.

(3) The integrated casino resort license is granted for the term and for the location specified in the license provided that the conditions set out therein are maintained.

Duration of casino resort license.

24. The integrated casino resort license shall be granted for a period of thirty (30) years commencing from the date of its grant, subject to it being earlier cancelled or surrendered according to the provisions of this Law.

Renewal of casino resort license.

25.-(1) Subject to the provisions of section 24, an application by the operator to the Commission for the renewal of the casino resort license, may not be made to the Commission earlier than the expiration of twelve (12) years after the date of the grant of the initial casino resort license.

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

(3) The renewal term and any renewal casino resort license fees shall be determined by the Commission with the approval of the Council of Ministers at the time the request for renewal is submitted by the casino resort operator.

Casino resort license fees.

26.-(1) Upon granting the casino resort license, the operator shall pay the Commission the initial license fee in advance, and thereafter an annual license fee, payable at such times and in such manner as is set out in the Regulations promulgated under this Law.

(2) The initial license fee of the casino resort shall be the amount which the operator agreed to pay for the initial license fee in its

response to the invitation to submit a comprehensive offer for the grant of a casino resort license.

(3) The annual license fee due each year for the first four years following the date of grant of the integrated casino resort license shall be the amount of €2,500,000. Following the first four years and until the eighth year following the grant of the integrated casino resort license the annual license fee shall be the amount of €5,000,000.

(4) Upon the completion of eight (8) years from the date of grant of the casino resort license and thereafter once every four (4) years during the term of the casino resort license, the Commission may review the annual license fee where such review is deemed necessary by the Commission to support its operations costs, based on the amounts budgeted for the Commission and approved by the House of Representatives.

(5) The amount of the annual fee, which arises from the review for which provision is made in subsection (4) may not be less than five million euro (€5.000.000) and any increase may not exceed twenty percent (20%) of the annual fee during the previous four (4) year period.

(6) Following the review for which provision is made in subsection (4), the Commission may require the payment of an increased annual casino resort license fee commencing on the expiration of the next twelve month anniversary date of the term.

Amendment of
casino resort license
conditions.

27.-(1) An amendment of the conditions of the casino resort license may be proposed by either the casino resort operator by a request thereof to the Commission or by the Commission by giving notice 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 to make submissions to the Commission concerning the amendment proposed by the same.

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

If the amendment relates to a fundamental term of the casino resort license, the Commission must agree to such an amendment with the operator before adopting the amendment.

(4) An amendment approved by the Commission according to the provisions of subsection (3) shall be effective from the date the notice of the decision is sent to the casino resort operator or such later date as is set out in the notice of such decision 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 license, within the designated site for which this was granted.

(2) The Commission may, if it deems appropriate, either upon its own initiative or on the application of the casino resort operator, propose redefinition of the boundaries of the casino premises, within the designated site for which the casino resort license is granted.

Redefinition of the casino boundaries may be proposed by the Commission only for significant reasons and necessary to safeguard the Government's strategic objectives in 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 is set out based on the Regulations promulgated under this Law.

(b) The defining or redefining of the boundaries of the casino premises takes place when the Commission agrees the new boundaries of the casino resort with the operator, following written notice of such new boundaries or at such later date as is set out in the notice.

Transfer, mortgage and encumbrance of the casino resort license.

29.-(1) The casino resort license granted by the Commission shall not be transferable, except with the prior written consent of the Commission and the Council of Ministers.

Any proposed transfer of the casino resort license to another party shall require the examination of suitability of the proposed transferee thereof, as is set out in sections 21 and 22 and the Regulations promulgated under this Law.

The Council of Ministers shall have the same powers of ratification for any proposed new casino resort operator, which arise out of the provisions of section 20 and shall review its suitability to operate the casino resort based on its experience, qualifications, financial strength and ability and commitment to fulfill the strategic objectives of the Republic.

(2) The casino resort operator shall not encumber the casino resort license in any way, unless such encumbrance concerns the further development of the casino resort and having secured the prior approval of the Commission and the Council of Ministers.

Disciplinary action and sanctions against the casino resort operator.

30.-(1) The casino resort operator may be subject to grounds for disciplinary action by the Commission for any of the following reasons, if in the opinion of the Commission-

- (a) the integrated casino resort license was improperly obtained for reasons attributable to the operator and at the time it was granted or renewed there were grounds for refusing the grant thereof;
- (b) the integrated casino resort premises are no longer suitable to support the original plan or the conduct of casino operations for reasons attributable to the operator and the operator does not remedy the same;
- (c) the operator is no longer considered a suitable person to hold the casino resort license, in particular with respect to the criteria set out according to the provisions of sections 21 and 22;
- (d) the operator fails to provide information that it is required by the provisions of this Law to provide or has provided information knowing it to be false or misleading or with reckless disregard whether it is true or false; or
- (e) a serious violation of the conditions of the casino resort license has been committed based on the provisions of this Law or the Regulations issued hereunder either by operator or by another person in charge of the casino or by an agent thereof or by a casino employee or by a casino key employee which-
 - (i) severely affects the integrity of the casino

operations or the integrity of gaming in the casino or severely undermines any measure intended to safeguard individuals or the society against negative effects from casino gaming;

- (ii) has caused or could illegally cause significant financial gain or significant financial loss to any person;
- (iii) has occurred as a result of willful intent or reckless disregard regarding regulatory compliance to the applicable regulations,
- (iv) has arisen from or in connection with a systemic failure or multiple failures in the management or operation of the casino; or
- (v) is injurious to the public interest or public order.

(2) The Commission may impose the following sanctions against the casino resort operator for the acts or omissions which are provided in subsection (1), as follows:

- (a) Cancel or suspend the casino resort license;
- (b) issue a letter of reprimand or a cease and desist order;
- (c) vary the terms of the casino resort license; and
- (d) impose a financial penalty for each ground the operator is subject to disciplinary action, the maximum amounts of which are set out in the Regulations

promulgated under this Law.

Interim operator if casino resort license cancelled, surrendered or suspended.

31.-(1) If the casino resort license is cancelled or suspended or a cease and desist order is issued, in accordance with paragraphs (a) and (b) of subsection (2) of section 30 or is surrendered in accordance with the provisions of section 32, the Commission may, with approval of the Minister, appoint an interim operator to continue to operate the casino resort until such time as a permanent new 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 promulgated under this Law and shall secure the ratification of the Council of Ministers, in accordance with the provisions of section 20.

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

(4) The license for the interim operator shall be terminated upon the appointment of a permanent new operator.

(5) The interim operator shall be deemed during the period of its appointment to hold the casino resort license, has the rights and duties of the casino resort operator, shall comply with the provisions of this Law and the Regulations promulgated hereunder and the same conditions in the casino resort license applicable to the person holding the said license before its cancellation, surrender or suspension.

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

(a) set out the rights and duties of the interim operator;

- (b) restrict the use of the net earnings received by such interim operator during the period of operation of the casino resort by the interim operator;
- (c) set out the requirement for the owner of the land or buildings where the casino resort is located to provide full access and use of the land and buildings of the casino resort to the interim operator during the period of interim operation of the casino resort;
- (d) set out fair compensation for the owner of the buildings and the land of the casino resort buildings for use of the buildings and land during the period of the operation of the casino resort by the interim operator and restriction of the transfer of the buildings and of the land of the casino resort during such period.

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

Surrender of casino resort license.

32.-(1) The casino resort operator may surrender the casino resort license by giving six months' notice in writing to the Commission, or such other period as may be approved by the Commission.

(2) The surrender of the license shall be effective only if the consent of the Commission is obtained, at such time to be determined by the same and provided that the operator complies with any surrender conditions that the Commission may impose.

PART IV
CASINO OPERATIONS
ENTRY TO CASINO PREMISES AND EXCLUSION ORDERS

Hours and days of operation of the casino resort.

33.-(1) The casino resort shall be permitted to operate twenty four (24) hours per day and seven (7) days a week.

(2) The operator shall file with the Commission a schedule of proposed hours of operation, which must be notified to the Commission prior to implementation by the operator.

(3) Any proposed change in the operating hours by the operator must be notified by the operator in advance in writing to the Commission.

Smoking.

34. Smoking shall be permitted only on the casino gaming floors and such areas shall be made distinct from the remaining areas of the casino resort.

The casino gaming floor shall not constitute an area where smoking is prohibited pursuant to the meaning given in the Health Protection (Smoking Control) Law.

75(l) of 2002

40(l) of 2003

37(l) of 2004

14(l) of 2008

89(l) of 2009.

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.

This section shall not affect the control by the operator of the conditions of entry pursuant to provisions of this Law.

Entry ban to casino premises on casino customers.

36. Any casino customer may be denied entry to the casino or required to leave the casino, or be temporarily or permanently excluded from the casino premises at any time upon the request of the casino resort operator for the purposes of compliance with the provisions of this Law and the Regulations promulgated hereunder, by order of the Commission, the Police or by court order or for any other reasons related to ensuring public order or for justified reasons of public interest.

Entry to casino premises by inspectors.

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) observing the casino operations;
- (b) determining whether the casino operations are being properly conducted, supervised and managed;
- (c) determining whether the provisions of this Law and the Regulations promulgated hereunder are being complied with; and
- (d) otherwise exercising his responsibilities arising out of his engagement terms with the Commission.

(2) Further job responsibilities of the inspector shall be set out by the Regulations promulgated under this law and/or by the Commission.

- Entry by Police and other law enforcement agencies.
38. Members of the Police and officers of any other service of the Republic, who are responsible for law enforcement, may enter into the casino premises, including any non-public areas, and may remain there until the matter for which the operator or the Commission requested their intervention has been considered settled.
- Minors.
- 39.-(1) A minor shall not be permitted to play any casino games or gaming machines nor attend or approach any gaming equipment or gaming tables on the integrated casino resort premises.
- (2) A minor shall have the limited permission to pass through, but not remain on the casino premises on designated paths en route to other non-gaming facilities accompanied by his parents or other adult persons.
- (3) If the casino resort operator exercises the right to operate satellite casino premises, minors shall be prohibited from entering in the same.
- (4) If the operator reasonably suspects that a minor is playing casino games or casino machines or attends or approaches any gaming table or gaming equipment, the operator must require identification of the said person, including his name, age and residence address.
- (5) If such person is unable to produce valid identification in accordance with the provisions of subsection (4) establishing his name, age and residence address, the operator must promptly procure that such person immediately leaves the casino gaming floor.
- (6) An operator and any casino employee who knowingly permits

a minor to violate the provisions of subsections (1) or (3) is subject to disciplinary action against him by the Commission.

(7) An operator, not complying with the provisions of subsections (4) and (5), is subject to disciplinary action by the Commission.

Exclusion orders.

40. Exclusion orders may be made by the operator, the Commission, the Police or by a court order or by voluntary application of a person.

PART V

COMPLIMENTARIES AND JUNKETS

Automated teller machines prohibited within the casino premises.

41.-(1) The operator shall not provide or allow another person to provide an automated teller machine within the casino gaming floor.

The operator or another person shall not be prohibited from providing automated teller machines in other locations within the casino resort.

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

Complimentaries.

42.-(1) The furnishing of a complimentary service or any item by the operator shall be deemed to constitute the indirect payment for the service or item by the operator, and shall be valued in financial terms based upon the retail price normally charged by the operator for the service or item.

(2) The value of a service or item not normally offered for sale by the operator such as transportation expenses shall be the cost of the operator of providing the service or item, as determined in

accordance with the operating instructions of the Commission.

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

- (a) the complimentary service consists of room, food, catering or beverage provided directly to the casino customer or to the Junket customer and his guests by the operator or indirectly on behalf of the operator by a third person; or
- (b) the complimentary service consists of documented transportation expenses provided directly to the casino customer or to the Junket customer and his guests by the operator or indirectly on behalf of the operator by a third person; or
- (c) the complimentary service consists of coins, tokens, chips, cash or other complimentary items or services provided through a complimentary distribution program approved by the Commission or maintained in accordance with the Regulations promulgated under this Law.

138(l) of 2001 (4) The operator shall, subject to the Processing of Personal Data
 37(l) of 2003 (Protection of Individuals) Law, maintain a complimentary service
 105(l) of 2012. account in its accounting records for complimentary items or
 services which are permitted in accordance with the provisions of
 this section, and shall submit upon request a report to the
 Commission based upon such account and covering all
 complimentaries offered by the operator during the period specified
 by the Commission and shall include description of the
 complimentaries and their respective value, the number of persons
 by category of service who received the same, and such other

information as the Commission may require.

(5) The casino resort operator shall not be permitted to directly or indirectly provide to any government official of the Republic, any complimentary service or discount which is other than such service or discount that is offered to members of the general public in like circumstances.

Any direct or indirect complimentary service or discount to the Chairman, the members and the employees of the Commission shall be prohibited.

Junkets.

43.-(1) No Junket may be organized or permitted and no person may act as a Junket representative or Junket operator except in accordance with the provisions of this section and the Regulations promulgated 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, unless otherwise proven, to be organizing or conducting a Junket.

(3) No person shall perform any of the functions of a Junket operator unless that person holds a Junket operator license issued by the Commission and no Junket representative shall perform any of the functions of a Junket representative, unless that person holds a Junket representative license issued by the Commission.

(4) Any person violating the provisions of this section shall be 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 or/and Junket representative,

unless such Junket operator holds a valid Junket operator license and the Junket representative holds a valid Junket representative license from the Commission.

(b) Violation of the provisions of paragraph (a) by the operator shall be grounds for disciplinary action against him by the Commission.

PART VI

DISPUTES BETWEEN OPERATOR AND CUSTOMERS

Resolution of disputes as to winnings, losses or manner in which the games are conducted.

44. If an operator and a casino customer are unable to reach a satisfactory resolution of any dispute between them as to alleged winnings or alleged losses or the manner in which a game is conducted, the operator shall-

- (a) immediately notify an inspector or in the absence of an inspector another contact person designated by the Commission regarding the dispute; and
- (b) inform the casino customer of his right to request that an inspector conducts an investigation into the dispute.

PART VII

CASINO LAYOUT, CASINO GAMES, GAMING EQUIPMENT, GAMING MACHINES

Casino layout.

45.-(1) The layout of the casino and its gaming tables, gaming equipment and other casino facilities proposed by the operator shall be approved by the Commission and in compliance with the provisions of the Regulations promulgated under this Law.

(2) Any changes to the layout of the casino from that approved by the Commission shall not be implemented until approved by the Commission.

(3) Violation of the provisions of this section by the operator shall be grounds for disciplinary action against him by the Commission.

Casino games and
rules for games.

46.-(1) The operator shall submit for approval to the Commission, the selection of casino games, the modes of play and rules thereof, the permitted wagers and the payout ratios for the casino games and the gaming machines it proposes to offer to customers at the casino.

(2) The Commission shall notify the operator of its approval or rejection of casino games, the mode of play and the rules for casino games, permitted wagers and payout ratios and may issue regulations governing permitted odds, wagers and the payout ratios without restricting the permitted size of wagers and prizes for the gaming machines.

(3) The operator shall not permit a casino game to be played in the casino, until the casino game and its mode of play, the rules, the permitted wagers and the payout ratios have been approved by the Commission.

The Commission may prohibit from time to time the playing of certain casino games in the casino and shall in such case notify the operator that such casino games are no longer permitted.

(4) A casino key employee or a casino employee shall not conduct the play of a casino game in the casino, until the casino game, its mode of play, the rules, the permitted wagers and the payoff of winning wagers have been approved by the Commission.

(5) Violation of any provision of subsection (1) or/and (3) shall be grounds for conducting disciplinary action against the operator by the Commission.

(6) Violation of the provisions of subsection (4) shall be grounds for conducting disciplinary action against the casino employee or casino key employee by the Commission.

Gaming equipment. 47.-(1) The operator must submit all the gaming equipment to the Commission for approval prior to the use thereof in the casino, except where such gaming equipment is exempted by the Commission in accordance with the Regulations promulgated under this Law.

(2) The procedures for applications by the operator for approval of gaming equipment by the Commission, pursuant to the provisions of subsection (1), shall be set out in the Regulations promulgated under this Law.

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

(4) The Commission may approve gaming equipment for use in the casino, and, further may approve particular gaming equipment or approve gaming equipment of a specified class or description, and make the approval subject to conditions.

(5) The operator shall not use, or allow to be used, 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 one class of gaming equipment, which has been approved by the Commission and complies with such technical standards as may be required in the standards notices pursuant to regulations, orders or operating rules; and
- (c) in case the gaming equipment is required to be tested and certified, the testing has been carried out by a test service provider approved by the Commission, who holds a gaming supplier license in accordance with the provisions of section 48.

(6) Failure to comply with the provisions of subsections (1) or/and (5) shall be grounds for conducting disciplinary action against the operator by the Commission.

Suppliers of gaming machines and gaming test services.

48.-(1) No person shall supply gaming machines or gaming test services to the casino and the operator shall not be permitted to be supplied with such gaming machines or gaming test services, unless such supplier of gaming equipment or gaming test services holds a valid gaming supplier license from the Commission or is exempted from this requirement by the Commission, as is set out in the Regulations promulgated under this Law.

(2) Manufacturers and suppliers of gaming machines and providers of gaming test services may apply to the Commission to

secure a gaming supplier license of an approved manufacturer of gaming machines and software, supplier of gaming machines and software or provider of gaming test services, application which shall be in such form and manner as is set out in the Regulations promulgated under this Law and upon payment of the relevant fee.

(3) Upon review of the application and conducting investigations on the suitability of the manufacturer or supplier, the Commission may approve the applicant and issue a gaming supplier license to manufacture and supply such gaming machines or provide such gaming test services as specified in the gaming supplier license.

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

Signs displaying
games rules and
permissible wagers.

49.-(1) The operator shall prominently display a sign at the casino setting out the area and/or way in which the 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 payout ratios of each gaming machine.

(2) The operator shall prominently display at each gaming table a sign indicating the permissible minimum and maximum wagers at such table.

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

Secure areas,
premises, equipment
and procedures.

50.-(1) The operator shall maintain all secure areas, premises, equipment and facilities, and shall apply all the procedures required in the Regulations promulgated under this Law and from directions of the Commission.

(2) Failure by the operator to comply with the provisions of subsection (1) shall be grounds for conducting disciplinary action against the operator by the Commission.

PART VIII
LICENSING OF CASINO EMPLOYEES AND KEY CASINO
EMPLOYEES

Licensing of casino employees.

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

(2) The standards and criteria required to qualify for a casino employee license, the terms and conditions of granting such license and the application procedure, form and application fee to apply shall be set out in the Regulations promulgated under this Law.

Licensing of casino key employees.

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

(2) The standards and criteria required to qualify for a casino key employee license, the terms and conditions of granting such license and the application procedure, form and application fee to apply shall be set out in the Regulations promulgated under this Law.

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

53.-(1) Casino employee licenses and casino key employee licenses shall remain in force until cancelled or revoked by the Commission or the holder of the casino employee license or casino key employee license surrenders it to the Commission.

(2) Casino employee licenses and casino key employee

licenses shall be subject to any conditions imposed by the Commission at the time of their issue or during their validity, and shall be revoked upon termination of the employment or resignation of such casino employee or casino key employee.

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

PART IX

CASINO INTERNAL CONTROLS

Commission
approval of internal
controls.

54.-(1) The operator shall have a system of internal controls in place at the casino premises to minimize the risk of loss of assets through theft, fraud, errors and omissions, to reduce the risk to casino customers and casino employees physical safety and to assure the validity of revenue, which shall be approved by the Commission at least ninety (90) days before casino operations are to commence, unless otherwise directed by the Commission.

(2) The Commission may, at any time, upon ninety (90) days written notice, require the operator to make changes to its internal control procedures and the operator shall be permitted to make an objection to the Commission within fifteen (15) days of the notice objecting to the proposed changes.

(3) The Commission shall within fifteen (15) days of receipt of the objection submitted pursuant to the provisions of subsection (2) notify the operator if it affirms, varies or withdraws its requirement for the proposed changes in the procedures of the internal control and such change determined by the Commission shall be implemented prior to the end of the ninety (90) day notice period.

(4) The operator may, at any time, upon ninety (90) days' notice to the Commission, request a change in the internal control procedures and upon studying the request, the Commission shall notify the operator of its approval or rejection of the proposed change and in case such change is approved, it shall be effective at the end of the ninety (90) day notice period or at such time as otherwise agreed by the Commission.

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

(6) The operator shall ensure that it complies with the approved system of internal controls.

(7) Failure to comply with any provision of subsections (1), (2), (3), (4) and (6) by the operator shall be grounds for conducting disciplinary action against operator by the Commission.

Bank accounts.

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

(2) The operator shall provide the Commission with a written authority addressed to the approved bank, in a form acceptable to such bank and the Commission, to authorize 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 authorization of the

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

(4) Failure by the operator to comply with any provision of subsections (1) or/and (2) shall be grounds for disciplinary action 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 to correctly record and reflect the transactions and the financial position of the casino resort operations, in accordance with the approved internal controls and the Regulations promulgated under this Law.

(2) The accounting records shall be maintained in such a manner to enable accurate and correct financial statements to be prepared as well as for such records and its financial statements to be audited.

(3) Failure by the operator to comply with any provision of subsections (1) or/and (2) shall be grounds for conducting disciplinary action against him by the Commission.

Financial statements. 57.-(1) The operator shall within ninety (90) days after the end of each financial year, prepare financial statements and accounts in accordance with the International Financial Reporting Standards as adopted by the European Union, and according to the provisions of the Companies Law, and the Regulations promulgated under this Law.

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(I) of 1999
2(I) of 2000
135(I) of 2000
151(I) of 2000
76(I) of 2001
70(I) of 2003
167(I) of 2003
92(I) of 2004
24(I) of 2005
129(I) of 2005
130(I) of 2005
98(I) of 2006
124(I) of 2006
70(I) of 2007
71(I) of 2007
131(I) of 2007
186(I) of 2007
87(I) of 2008
41(I) of 2009
49(I) of 2009
99(I) of 2009
42(I) of 2010
60(I) of 2010
88(I) of 2010
53(I) of 2011

53A(I) of 2011
117(I) of 2011
145(I) of 2011
157(I) of 2011
198(I) of 2011
64(I) of 2012
98(I) of 2012
190(I) of 2012
203(I) of 2012
6(I) of 2013
90(I) of 2013
74(I) of 2014
75(I) of 2014
18(I) of 2015
62(I) of 2015
63(I) of 2015.

(2) Failure by the operator to comply with the provisions of subsection (1) shall be grounds for conducting disciplinary action against the operator by the Commission.

Records retention.

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

(2) The operator shall make available to the Commission or an inspector all records of the casino resort during the six (6) year retention period, in accordance with subsection (1), upon request of the Commission or an inspector.

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

Audit and special audit.

59.-(1) The operator shall promptly following the end of the financial year, appoint a legal auditor or legal audit firm who are licensed pursuant to the provisions of the Auditors and Obligatory Audits of the Annual and Consolidated Accounts Law and is approved by the Commission for conducting the obligatory audit of the accounting records and financial statements of the operator.

(2) The Commission may, for the exercise of the responsibilities, provided in subsection (1), request the assistance of the Auditor General of the Republic of Cyprus if the Commission deems necessary.

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

(4) The Commission may by notice in writing require the operator to appoint, at the operator's own expense, a special auditor or other specialists who must be approved in advance by the same and the operator shall make such appointment upon receiving the relevant approval.

(5) The specialist, appointed pursuant to the provisions of subsection (4), shall review and investigate the matters set out in the written notice of the Commission, submit relevant reports and provide the information required by the Commission within the time specified in the notice of the Commission.

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

PART X
SUPERVISION AND CONTROL OF OPERATOR

Reports on casino resort operation requested by the Commission.

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

(2) Failure by the operator to comply with the provisions of subsection (1) shall be grounds for conducting disciplinary action against the operator by the Commission.

Directions to the operator.

61.-(1) The Commission may give the operator a written direction not inconsistent with the provisions of this Law and the Regulations promulgated hereunder, that relates to the conduct, supervision or control of the casino resort, whether within or outside the casino resort and the operator shall comply with any such direction within the time specified by the Commission.

(2) The power granted in accordance with the provisions of this section shall include requirements by the Commission on the operator to adopt, vary, cease or refrain from any action, conduct or practice at the casino resort or elsewhere.

(3) Failure by the operator to comply with a direction issued in accordance with the provisions of subsection (1) shall be grounds for conducting disciplinary action against him by the Commission.

Investigation of the casino resort and the operator.

62.-(1) The Commission may investigate the casino resort and the operator at any time if it has reasonable cause to do so or if so directed by the Council of Ministers.

(2) The investigation may include the casino resort operations,

the operator, associates of the operator, or any person, who in the opinion of the Commission, may affect the exercise of activities or operation of the casino or the operator.

(3) The operator shall fully cooperate with the Commission in any such investigation in accordance with subsection (2) and provide all information, records and documents requested, answer any questions raised by the Commission and attend any meetings or hearings required by the Commission.

(4) Failure by the operator to comply with the provisions of subsection (3) shall be grounds for conducting disciplinary action against the operator by the Commission.

Change in the situation 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 relationships with associates thereof that could affect the exercise or operation of the casino resort or the exercise of control over the operator and such changes may not take place without the prior written approval of the Commission.

(2) Where a change in accordance with subsection (1) takes place outside of the control of the operator, the operator shall promptly notify the Commission of any such significant change as soon as it becomes aware of the change.

(3) The Commission upon reviewing any changes proposed pursuant to the provisions of subsection (1) or those having taken place pursuant to the provisions of subsection (2), investigate the impact of the changes on the operator and the casino resort and the suitability of the proposed change in the management, ownership or associates in accordance with the provisions of this Law and the Regulations promulgated hereunder and may subsequently approve or reject the change or impose additional conditions on the

casino resort license 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 promulgated thereunder.

(4) Failure by the operator to comply with any provision of subsections (1) and (2) shall be grounds for conducting disciplinary action against operator by the Commission.

Contracts with unsuitable persons and approval of certain contracts.

64.-(1) The operator shall not be permitted to enter into contracts for the supply of goods or services for the casino resort directly or indirectly with any person who has submitted an application for a gaming supplier license and which has been dismissed or has been found unsuitable by the Commission or had a gaming supplier license revoked by the Commission or by a gaming regulator in any other jurisdiction.

(2) The Commission may issue orders, operating instructions or guidelines in relation to contracts for supply of goods and services of a certain type or of above a certain value for the casino resort requiring notification or approval, consistent with the Regulations promulgated under this Law. The operator shall comply with such orders, operating instructions or guidelines.

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

Casino resort advertising and promotion.

65.-(1) Subject to the provisions of subsection (2), no person shall carry out any advertising or promotional activities relating to the casino resort whether within or outside the Republic, where the provisions of subsection (3) of this section, the Regulations promulgated under this Law and the standards and requirements set out by the Commission are not met.

(2) Subject to the provisions of subsection (3) of this section, the Regulations promulgated under this Law may make requirements about the form, content, timing and location of advertisements related to the casino resort.

(3) Advertising of the casino resort shall -

- (a) be truthful, tasteful, informational and not to be offensive in any way;
- (b) not promote casino gaming as an economic alternative;
- (c) promote the casino resort as a whole, and not just 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 at a casino to a strictly controlled and safe casino resort so as to be deterred from visiting an illegal casino or a casino operating in an inadequately controlled environment.

(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, a casino employee, a Junket operator or a Junket representative shall be grounds for conducting disciplinary action against the liable person by the Commission.

(5) Failure to comply with the provisions of this section by any person shall be an offence according to the provisions of section 96.

Responsible gaming requirements. 66.-(1) The operator shall establish and maintain during the term of the casino resort license, a responsible gaming program approved by the Commission and in accordance with the Regulations promulgated under this Law.

(2) The responsible gaming program must be submitted and approved by the Commission prior to issue of the casino resort license.

(3) The responsible gaming program of the operator shall contain -

- (a) the goals, targets, performance indicators of the responsible gaming program and timelines to meet all responsible gaming requirements required by the Commission either on the basis of the Regulations promulgated under this Law or on the basis of any other frameworks;
- (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 trace any casino customer, who has or may present problems arising from gaming addiction;
- (d) procedures and guidelines with respect to the availability of information, treatment, counselling services or intervention services to any casino customer regarding problems of addiction, of

responsible gaming and the financial, social and other problems that may be caused by gaming;

- (e) details of the establishment, operation and implementation by the casino operator of a system to enable a casino customer to set limits on money spent on gaming or time spent gaming;
- (f) details of the establishment, operation and implementation by the operator of a system to exclude certain casino customers with gaming problems;
- (g) details of the establishment, operation and implementation by the operator of a system to determine and impose a maximum number of visits which a casino customer may make to the casino premises each month;
- (h) details of a training program for its casino employees and casino key employees in promoting or adopting responsible measures in the conduct of gaming within the casino including the acknowledgement of any pathological behavior, addiction or reliance;
- (i) procedures and guidelines for the keeping of records relating to responsible gaming activities adopted under the responsible gaming program;
- (j) operation of a support program of casino addicted individuals; and
- (k) any other provisions in the program as the Commission may deem appropriate.

(4) Failure by the operator to comply with the provisions of subsection (1) shall be grounds for conducting disciplinary action against the operator by the Commission.

PART XI
OFFENCES FOR FRAUDULENT ACTS, UNFAIR ADVANTAGE
AND CHEATING

Fraudulent acts.

67.-(1) A person shall not -

- (a) either himself or through another person, alter or misrepresent or influence in any way the outcome of a casino game 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 himself or through another person, place, increase or decrease a wager or determine the course of play after acquiring knowledge, not available to all players, of the outcome of a casino game or of any event that affects the outcome of the casino game or knowledge which is the subject of the wager, including placing or increasing wagers on a gaming table past the time it is permissible to do so under the applicable casino game rules or removing amounts wagered from a gaming table past the time it is permissible to do so under the applicable casino game rules;
- (c) assist another person in acquiring knowledge, not available to all players, of the outcome of the casino game or any event that affects the outcome of the casino game for the purpose of placing, increasing

or decreasing a wager or determining course of play contingent upon that event or outcome;

- (d) claim, collect or take, or attempt to claim, collect or take, money or anything of value in or from a casino game, with intent to defraud, without having made a wager thereon, or to claim, collect or take an amount greater than the amount won;
- (e) knowingly to entice or induce a person to attend the casino with the intent that such person shall play or participate in casino game in violation of all of his duties and obligations provided by this section;
- (f) either himself or through another person, manipulate with the intent to cheat any component of a gaming machine in a manner contrary to the designed and normal operational purpose for the component, with the knowledge that the manipulation affects the outcome of the game or of knowledge of any event that affects the outcome of the game; or
- (g) either himself or through another person, change or alter the outcome of any electronic table game or change or vary the way the outcome is reported to any participant in the electronic table game.

(2) Violation of any provision of subsection (1) by the operator, a casino employee or key casino employee shall be grounds for conducting disciplinary action against the liable person by the Commission.

(3) Violation of any provision of subsection (1) by any person shall be an offence according to the provisions of section 96.

Use or possession of device, software or machine to obtain advantage at playing casino games. 68.-(1) A person shall be prohibited from using, possessing or assisting any other person to use or possess any electronic, electrical or mechanical device, or any software, machine or any combination thereof, which is designed, constructed, altered or programmed to obtain an advantage at playing any casino game at the casino premises, including but not limited to a device that-

- (a) projects the outcome of the casino game;
- (b) keeps track of cards played or cards prepared for play in the casino game;
- (c) analyses the probability of the occurrence of an event relating to the casino game; or
- (d) analyses the strategy for playing or wagering to be used in the casino game,

except those that may be made available as part of a casino game and are approved as such by the Commission or as is otherwise permitted by the same.

(2) Violation of any provision of subsection (1) shall be an offence in accordance with the provisions of section 96.

Possession, use and manufacturing of unauthorized gaming equipment and devices. 69.-(1) A person shall be prohibited from possessing, using manufacturing, selling, or distributing any cards, dice, chips, games or devices which are intended for use or are used in the casino premises by such person in violation of the provisions of sections 67 to 71.

(2) A person shall be prohibited from marking, altering or otherwise modifying any cards, dice, chips, games or devices in a

manner that -

- (a) affects the result of the wager by determining win or loss; or
- (b) alters the normal criteria of random selection, which affect the operation of a casino game or the outcome of the casino game or gaming machine.

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

(4) Violation of the provisions of subsections (1) to (3) shall be an offence in accordance with 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) be in possession of any device made, adapted or intended to be used for improperly interfering with gaming equipment at the casino, including, tools, drills, wires, coins or tokens attached to strings or wires or electronic or magnetic devices to facilitate the alignment of any winning combinations or removing from a gaming machine money or other contents thereof;
- (b) perform any act with intention of improperly interfering with gaming equipment at the casino including to facilitate the alignment of any winning combination or attempting without authorization to

remove money or tokens from a gaming machine or other content thereof;

- (c) insert, or cause to be inserted in a gaming machine any coin other than that of the Republic legal currency or gaming token provided by the operator of the denomination or type displayed on the gaming machine in order to operate and gain credit on the gaming machine; and
- (d) possess or use while on the casino premises any key or device designed or suitable for the opening of any gaming machine or drop box, other than by the authorized casino employees or casino key employees who may act in such a manner within the performance of their duties.

(2) Violation of any provision of subsection (1) shall be an offence in accordance with the provisions of section 96.

Cheating methods.

71.-(1) A person, whether the operator, a casino employee, casino key employee or casino customer, shall be prohibited from cheating at any casino game or in the use of a gaming machine or gaming equipment.

(2) For the purposes of this section, "cheat" means the use of methods to alter the elements of chance, method of selection or criteria which determine -

- (a) the result of the casino game or gaming machine;
- (b) the frequency payment in a casino game or gaming machine;

(c) the value of a wager, or

(d) the value of a wagering credit.

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

(4) Violation of the provisions of subsection (1) by the operator, a casino employee or key casino employee shall be additional grounds for conducting disciplinary action against them by the Commission.

Entering the casino on false pretenses.

72.-(1) A person shall be prohibited from entering the casino premises and play on a casino game or on a gaming machine, having fraudulently misrepresented that he is some other person, or by using another's identification document.

(2) Violation of the provisions of subsection (1) shall be an offence punishable in accordance with the provisions of section 96.

(3) The operator may:

(a) refuse admission to the casino premises by any such person acting in the manner provided in subsection (1) and require this person to immediately leave the casino premises or/and

(b) notify the Police of any person, acting in the manner provided in subsection (1), refusing to leave the casino premises.

Questioning of suspected person.

73.-(1) The operator, a casino employee, a key casino employee or agent of the operator, who on reasonable grounds suspects that a

casino customer is committing, attempting to commit or has committed any of the offences set out in sections 67 to 72 may -

- (a) refuse to allow this person to continue playing casino games and gaming machines and require this person to leave the casino premises;
- (b) question the person for whom there is suspicion that he is acting or acted in the manner provided in subsection (1) or question any person relating to the casino games and gaming machines, provided that such person consents to the questioning in relation to the activities suspected to constitute an offence;
- (c) notify the Commission and the Police of the possibility of any suspected violation being committed in accordance with the provisions of subsection (1).

(2) The operator, casino employee, key casino employee or agent of the operator acting according to the provisions of subsection (1) shall not be criminally or civilly liable.

PART XII

POWERS OF CONTROL AND INSPECTION

Powers of
Inspectors.

74.-(1) An inspector has the power to take the following actions -

- (a) require any licensee in possession or control of any gaming equipment, records or other things relating to the operation of the casino to produce the gaming equipment, record or other thing for inspection and 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 these;
- (c) if the inspector considers it necessary to do so for the purpose of obtaining evidence of the contraventions of any provision of this Law, seize any gaming equipment, record or other thing;
- (d) stop any casino game or use of any gaming machine on the casino premises;
- (e) by written notice require-
 - (i) the licensee;
 - (ii) an employee of a licensee; or
 - (iii) any other agent or licensee associated with the casino operation or management,to appear before an inspector at a specified time and place and answer questions, or provide information within a reasonable period set out in the notice, with respect to 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 licensee in charge of the equipment to withdraw it, if it is considered to be unsuitable;
- (g) investigate any complaint from a casino customer

relating to the conduct of any activity regulated by the provisions of this Law; and

- (h) take any other action or act authorized by the provisions of this Law to be done.

(2) If any inspector seizes anything pursuant to the provisions of this section, it may be retained by the inspector until the completion of any proceedings, including proceedings on appeal, in which it may be evidence, but in the case of records, the licensee from whom the records were seized shall be permitted to inspect and make copies of the records.

(3) Upon reasonable suspicion that any licensee has committed a disciplinary violation or an offence on the casino premises, an inspector may require this person to state his full name and address. Failure to comply by a licensee shall be grounds for conducting disciplinary action against the licensee 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 are not authorized by the Commission or their use or possession constitutes violation of the provisions of this Law or/and the Regulations promulgated hereunder.

(5) In case that following completion of the investigation, the inspector concludes that the gaming equipment or device is not duly authorized or is illegal, the inspector may apply to a court for an order requiring forfeiture of such gaming equipment or other thing seized according to the provisions of subsection (4) in favor of the Commission.

(6) Should the inspector conclude that the gaming equipment or

device is duly authorized or legal, he shall promptly return the gaming equipment or device seized pursuant to the provisions of subsection (4) to the person from whom it was seized.

Commission Powers of investigation of violation and enforcement of the provisions of this Law.

75.-(1) In addition to the powers conferred on the Commission by the provisions of this Law, the Commission may for the purposes of investigating any contravention of the provisions of this Law or the Regulations promulgated hereunder by a licensee, which may result to referring this person to disciplinary action, the Commission may do any of the following actions or acts:

- (a) require any licensee whom it reasonably believes to have committed the contravention to furnish evidence of that person's identity;
- (b) require any licensee to furnish any information or any record, document or copy thereof in his possession, so to inspect, copy or make extracts from the same;
- (c) require, by order in writing, attendance before the Commission of any licensee who, in its reasonable opinion, appears to be acquainted with the facts or the matter investigated; and
- (d) examine orally any licensee who is possibly acquainted with the facts and circumstances of the matter under investigation as a witness, either prior to or during any hearing of disciplinary proceedings.

(2) Any licensee examined pursuant to the provisions of this section shall be bound to truthfully testify as to the relevant facts and circumstances under which these intervened.

(3) Any statement made by a licensee pursuant to the provisions of this section shall be put in writing, read to him, and after correction, if necessary, be signed by the said person.

(4) Failure to comply with a request of the Commission on the basis of the provisions of this section shall be grounds for conducting disciplinary action against the licensee by the Commission.

Power of the
Commission to
search the casino
premises.

76.-(1) The Commission shall be authorized to enter the casino premises at any time without notice for the purpose of investigating any contravention of the provisions of this Law, which may result in conducting disciplinary action, and may do all or any of the following:

- (a) search the casino premises and take possession of anything therein and reasonably believed to be connected with the contravention;
- (b) require the production of records and documents reasonably believed to relate to the commission of the contravention, and take and retain copies thereof;
- (c) compel any licensee, who is able to operate any gaming equipment at the casino premises, to do so for the purpose of enabling the Commission to determine whether the gaming equipment, or disk, tape or other storage device that can be used or associated with the gaming equipment, contains information that is relevant to the investigation;
- (d) if information relevant to the investigation, which is carried out, is found for the purposes of applying the provisions in paragraph (c), produce or require the

production of the information in documentary form or transfer or require the transfer of the said information to a disk, tape or other storage device, and remove it from the casino premises.

(2) Failure by the operator to comply with the provisions of subsection (1) shall be grounds for conducting disciplinary action against the operator by the Commission.

(3) Should the operator fail to cooperate or comply with the provisions of subsection (1), the Commission may apply for a court order to search and seize records, documents, disks, tapes, storage devices, gaming equipment or anything else relevant to its investigation.

Challenge of
Commission
decision.

77. A person aggrieved by any decision of the Commission may challenge the same by filing an appeal pursuant to the provisions of Article 146 of the Constitution.

Right to an
indemnity.

78.-(1) Any license or approval granted pursuant to the provisions of this Law is a privilege revocable by the Commission.

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

PART XIII TAX PROVISIONS

Tax provisions and
exceptions.

79. Notwithstanding the provisions of the Value Added Tax Law, the supply of casino gaming services shall be exempted from the

95(l) of 2000 obligation of paying Value Added Tax, hereinafter called "VAT":
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
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.

The provision of accommodation, catering, beverage and entertainment, which is not related to casino gaming or other goods and services provided at the casino resort, excluding the casino gaming services, shall be subject to VAT pursuant to the provisions of the Value Added Tax Law and the Regulations promulgated thereunder.

Casino tax.

80.-(1) The Commission shall be an agent of the Department of Tax with respect to regulation, enforcement and collection of casino tax, which shall be payable to the Commission by the operator.

(2) The operator shall pay the Commission a casino tax every month during which he holds the casino resort license.

(3) The percentage of the casino tax payable in accordance with the provisions of subsection (2) shall be fifteen percent (15%) of the gross gaming revenue for the preceding calendar month and shall be payable by the end of the calendar month following the calendar month for which the casino tax is payable. The above percentage for

casino tax shall not be increased during the period of exclusivity for the casino resort license as set out in section 15.

(4) For the purposes of this section -

“freeplay” means the value of chips, chip vouchers and tokens provided free of charge by operator to casino customers. Permitted freeplay shall not exceed twenty five per cent (25%) of gross gaming revenue, which is taxable in any financial year;

“gross gaming revenue” means all the cash and receipts from cash paid into gaming machines and from the purchase of chips, chip vouchers and tokens to play casino games and gaming machines, less the permitted amount of freeplay and less amounts paid out for winnings;

“paid out” shall mean all the amounts paid to the casino customers or any amounts held by the casino on behalf of a casino customer as winnings that the casino customer is entitled to withdraw on first demand.

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

Collection of casino tax by the Commission.

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

(2) The Commission may, in writing, upon an approval of the Commissioner of Tax authorize any officer of the Department of Tax to perform or assist in the performance of the exercise of any duty

imposed on, or exercise any power conferred upon the Commission pursuant to the provisions of this section and the Regulations promulgated hereunder.

Right of appeal

82.- Should the operator be aggrieved by a refusal of the Commission to revise an assessment or by an assessment of casino tax made upon it pursuant to the provisions of this Law and the Regulations promulgated hereunder, it may challenge such decision or assessment before the Tax Council, in accordance with the provisions of the Assessment and Collection of Taxes Law.

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

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.

Time within which payments are to be made.

83.-(1) Any amount of casino tax assessed to be payable in accordance with the provisions of this Law and the Regulations promulgated hereunder shall, notwithstanding any objection or appeal against the assessment, be payable by the end of the month following the calendar month in which the notice of said assessment was received.

(2) The Commission may, in its discretion, impose the terms and conditions that it may consider necessary to impose, including requiring the payment of interest and extension of the time limit within which payment is to be made.

Penalty for late payment.

84.-(1) If any casino tax due and payable is not paid by the casino operator within the required time, a penalty equal to five percent (5%) of the amount of the casino tax payable shall be added thereto and shall be due and payable together with interest at the applicable public default interest rate, which is determined in a Decree issued by the Minister of Finance pursuant to the provisions of the Single Public Default Rate Law.

167(I) του 2006
118(I) του 2012.

(2) If the amount of outstanding casino tax is not paid by the resort operator by the due date as provided in accordance with the provisions of subsection (1), an additional penalty of five percent (5%) of the outstanding casino tax shall be payable for each completed month that the casino tax remains unpaid, but the total additional penalty shall not exceed fifty percent (50%) of the amount of the outstanding casino tax.

(3) Any penalty and interest imposed in accordance with the provisions of this section shall be recoverable as if it were casino tax due and payable.

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

Recovery of tax and penalty.

85.-(1) Casino tax and any financial penalty due and payable, in accordance with the provisions of sections 80, 81, 83, and 84 and the Regulations promulgated hereunder, shall be recoverable as a debt due to the Republic and the Commission may act, in its name or by virtue of the powers granted by the provisions of this Law, as a representative of the Department of Tax for the purposes of collecting and recovering thereof as if they were taxes due in accordance with the provisions of any applicable Law relating to the receipt and recovery of taxes.

(2) The Commission shall be entitled to compensation for all costs permitted by the application of the provisions of this Law and any court judgments against the operator where such operator is found liable for casino tax, interest or penalties based on any proceedings in accordance with the provisions of subsection (1).

Repayment of tax.

86.-(1) If it is proved to the satisfaction of the Commission that the casino operator has paid casino tax in excess of the amount payable, the casino operator shall be entitled to have the amount so paid in excess refunded plus interest at the applicable public default rate, from the first day of the calendar month following the date of payment thereof.

No interest shall be paid to operator if the excess payment of casino tax was due to the error of the operator.

(2) If a tax assessment is varied because of the filing an appeal including an appeal under Article 146 of the Constitution so that the

casino operator appears to have paid casino tax more than the amount due, the casino operator shall be entitled to have the excess amount so paid refunded with interest at the applicable public rate from the first day of the calendar month following the date of payment thereof.

Penalty for incorrect tax return statement. 87.-(1) Filing an incorrect casino tax return statement by the operator by omitting or understating any gross gaming revenue or casino tax or giving any incorrect information to the Commission in relation to the operator's liability to casino tax shall be an offence.

(2) Violation of the provisions of subsection (1) by the operator shall make the operator liable to a penalty equal to double the amount of the outstanding casino tax, which has not been paid or which has not been calculated as a result of incorrect tax return statement or incorrect information.

Evasion of tax. 88. A casino employee, casino key employee or agent of the operator, who willfully with intent to evade or assist the operator to evade casino tax -

- (a) makes any false statement, declaration or entry into any tax return statement made under the provisions of this Law or the Regulations promulgated hereunder;
- (b) gives any false answer, whether verbally or in writing, to any question or request for information asked or made;
- (c) prepares, maintains or authorizes the preparation or maintenance of any false record or falsifies or authorizes the falsification of any record;

- (d) makes use of any fraud or contrivance or authorizes the use of any fraud or contrivance,

shall be considered to be committing an offence and which shall constitute grounds for disciplinary action against that person and the operator by the Commission.

PART XIV OFFENCES AND PENALTIES

- | | |
|---|---|
| Provision of illegal gaming services. | 89. A person, acting in violation of the provisions of section 18, shall be guilty of an offence and upon conviction shall be subject to imprisonment not exceeding five (5) years or a fine not exceeding one million (€1.000.000) or both of these penalties. |
| Provision of gaming services outside license terms. | 90. A person, who provides gaming services at the casino, in violation of the provisions of this Law, of the Regulations promulgated hereunder or the casino resort license, including, casino games not authorized by the Commission or casino games rules not duly authorized by the Commission shall, in addition to any disciplinary action by the Commission, be guilty of an offence and upon conviction shall be subject to imprisonment not exceeding five (5) years or a fine not exceeding one million (€1.000.000) or both of these penalties. |
| Casino customer participation in illegal gaming services. | 91. A casino customer, who knowingly participates in illegal casino gaming in violation of the provisions of the Law and of the Regulations promulgated hereunder, shall be guilty of an offence and upon conviction shall be subject to imprisonment not exceeding six (6) months or a fine not exceeding one hundred thousand (€100.000) or both of these penalties. |
| Offences. | 92.-(1) A person who commits any of the offences set out in sections 67 to 72, shall be guilty of an offence and upon conviction |

shall be subject to imprisonment not exceeding five (5) years or a fine not exceeding one million (€1.000.000) or both..

(2) For the purposes of applying the provisions of subsection (1), it shall not constitute a defence that the person was not successful in winning or increasing his chances of winning at casino games or gaming machines or otherwise did not obtain financial gain as a result of the prohibited activity for which such person is accused.

Prohibited advertising.

93. A person acting in violation of the provisions of section 65 shall be guilty of an offence and upon conviction shall be subject to imprisonment not exceeding six (6) months or a fine not exceeding one hundred thousand (€100.000) or both.

Providing false information.

94. A person, who knowingly provides the Commission with information that is false or misleading shall be guilty of an offence, and upon conviction, shall be subject to imprisonment not exceeding one (1) year or a fine not exceeding two hundred thousand (€200.000) or both.

Inducing minors in illegal activities.

95. A person, who knowingly makes actions intending to induce, encourage or permit a minor to participate in casino games or use gaming machines or enter the gaming floor, shall be guilty of an offence and upon conviction he shall be subject to imprisonment not exceeding one (1) year or a fine not exceeding two hundred thousand (€200.000) or both of these sentences.

Penalty.

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

(2) Any natural person guilty of an offence, for which no penalty is expressly provided in accordance with the provisions of this Law,

upon conviction shall be liable to imprisonment not exceeding three (3) years or a fine not exceeding six hundred thousand (€600.000) or both.

Fines and financial penalties to be paid to the Commission.

97.-(1) Any fine imposed based on the provisions of this Law and the Regulations promulgated hereunder shall be paid and received as a civil debt due to the Commission by the offender.

The responsibility of the person to pay the imposed fine shall not be affected by the termination, cancellation, surrender or expiration of the license he holds.

PART XV MISCELLANEOUS

Cooperation between 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 assistance in order to facilitate the performance by the other party of any of its functions.

(2) The Commission shall not furnish information to a foreign casino regulatory body, unless it first obtains written confirmation from the said body that it undertakes to comply with the Commission's written terms of use and disclosure of such information and provided that any such terms include the provisions of the Processing of Person Data (Protection of Individuals) Law.

(3) For the purpose of ensuring the obtaining of information from a foreign casino regulatory body, the Commission may enter into a written agreement with such body that it shall comply with the terms of use and disclosure required by the foreign casino regulatory body, on the basis of the provisions applicable in that jurisdiction.

Terms,

99.-(1) The planning and construction development, contained in the

conditions and
 deviations
 for the planning and
 construction
 development of
 casino resort.

relevant proposal of the operator, which was selected by the Steering Committee, ratified by the Council of Ministers and which was licensed by the Commission, is subject to the terms and conditions set out based on the provisions-

- | | |
|---|---|
| <p>90 of 1972</p> <p>56 of 1982</p> <p>7 of 1990</p> <p>28 of 1991</p> <p>91(I) of 1992</p> <p>55(I) of 1993</p> <p>72(I) of 1998</p> <p>59(I) of 1999</p> <p>142(I) of 1999</p> <p>241(I) of 2002</p> <p>29(I) of 2005</p> <p>135(I) of 2006</p> <p>11(I) of 2007</p> <p>46(I) of 2011</p> <p>76(I) of 2011</p> <p>130(I) of 2011</p> <p>164(I) of 2011</p> <p>33(I) of 2012</p> <p>110(I) of 2012</p> <p>150(I) of 2012</p> | <p>(a) of the Town and Country Planning and the Regulations promulgated thereunder; and</p> |
|---|---|

20(I) of 2013

65(I) of 2013

120(I) of 2014

39(I) of 2015.

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(I) of 1992

45(I) of 1994

14(I) of 1996

52(I) of 1996

37(I) of 1997

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

72(I) of 1997
71(I) of 1998
35(I) of 1999
61(I) of 1999
81(I) of 1999
57(I) of 2000
66(I) of 2000
73(I) of 2000
126(I) of 2000
157(I) of 2000
26(I) of 2002
33(I) of 2002
202(I) of 2002
101(I) of 2006
21(I) of 2008
32(I) of 2008
47(I) of 2011
77(I) of 2011
131(I) of 2011
152(I) of 2011
34(I) of 2012
149(I) of 2012
66(I) of 2013
40(I) of 2015.

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

(a) Any reference to the Town and Country Planning Law and the Streets and the Regulation of Streets and Buildings Law as well as the Regulations promulgated thereunder, the terms “competent authority”, “Town Planning Authority” and “Minister”, whenever these terms are used and any

grammatical variation thereof, shall be considered as reference to the term “Council of Ministers” in the respective grammatical variation;

- (b) the Council of Ministers may by decision, on grounds of public interest, decide to waive or vary the provisions of the Town and Country Planning Law and the Regulations promulgated thereunder and the Regulation of Streets and Buildings Law and the Regulations promulgated thereunder, regarding any terms and conditions imposed in relation to the grant of the town planning permit and construction permit required, respectively, for the purposes of constructing the casino resort, excluding terms and conditions concerning the permitted building factor, for which the Council of Ministers may for public interest grounds consider granting a variation with a Decision thereof, this variation not exceeding the percentage of two hundred fifty per cent (250%) of the permitted factor based on the provisions of the relevant legislation.

- (3) The areas of the Republic, which have been declared as
 153(I) of 2003 “Nature 2000” pursuant to the provisions of the Protection and
 131(I) of 2006 Administration of Nature and Wild Life Law or which constitute forest
 113(I) of 2012 land pursuant to the provisions of Forests Law or which have been
 67(I) of 2015. characterized as archaeological sites based on the ancient
 monuments, so declared, which are included in the First and Second
 25(I) of 2012. Schedule or constituting zero development zones pursuant to the
 Cap. 31. provisions of the Antiquities Law shall not be subject to variation by
 48 of 1964 a decision of the Council of Ministers, which is obtained pursuant to
 32 of 1973 the provisions of subsection (1).
 92(I) of 1995

4(l) of 1996
 33(l) of 1997
 120(l) of 2005
 41(l) of 2006
 103(l) of 2012
 200(l) of 2014.

Regulation of matters that may arise in the event of resolution of the Cyprus problem.

100. No provision in this Law shall be interpreted to prohibit the conclusion of any agreement between the operator, and any body, authority or person exercising regulatory or administrative power or operation or function in the Republic, regarding any matter that may arise and is subject to regulation, in the event of a comprehensive settlement of the Cyprus problem.

Civil liability of persons.

101. No 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 authorized, appointed, employed or acting under the instructions of the Commission to exercise the operations, perform the functions of the Commission or execute the responsibilities of the Commission, or support the Commission in performing the functions thereof or the execution of the responsibilities thereof, in accordance with the provisions of this Law and the Regulations promulgated hereunder regarding an action or omission made bona fide and arising out of-

- (a) the exercise of any authority provided in accordance with the provisions of this Law or the Regulations promulgated hereunder;
- (b) the performance of any operation or execution of any responsibility, in accordance with the provisions of this Law or the Regulations promulgated hereunder or the provisions of any other applicable Law; and

- (c) the execution of an act or omission within the context of compliance with the provisions of this Law and the Regulations promulgated hereunder or the provisions of any applicable Law.