



Lotteries & Gaming Authority

PRESS RELEASE

Landmark Maltese Court Decision for Remote Gaming in Europe

9th January 2007. Today the Maltese court of appeal has refused to enforce a judgment by a French court in a case instituted by GIE Pari Mutuel Urbain (P.M.U.) against Zeturf Ltd, a sports book holding a Maltese gaming licence.

The judgment delivered by a French tribunal on 8th July, 2005 and later confirmed by the Paris court of appeal on 4th January, 2006, had ordered Zeturf Ltd to cease taking online bets on horse races organised in France.

Subsequently P.M.U. sought to have the judgment recognised and enforced by the Maltese Courts, under the Council Regulation on the jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (EC 44/2001).

In turning down P.M.U.'s request, the Maltese court of appeal concluded that the matter was of administrative nature and therefore falls outside the scope of the EC regulation.

Reference was made by the Maltese court to the structure of P.M.U. that is incorporated in France as a commercial entity and yet regulated by an 'ad hoc' law that gives it power that is usually not allocated to private enterprise. In spite of P.M.U.'s claims to the contrary, the Maltese court concluded that P.M.U. is an entity of an administrative nature that is singularly empowered to shape and enforce French policy on relative gaming matters.

The Lotteries and Gaming Authority has been following this case with interest and notes that this decision strengthens Malta's position with regards to European remote gaming.

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