

## Amendments table for the Gambling Act 2005

On 1 September 2007 the Gambling Act 2005 came into force. This erratum details the changes following the introduction of this Act.

<b>Qualifications affected</b>	<b>Text to be added to the handbooks listed in the column on the left:</b>
<p><b>Level 2 National Certificate for Designated Premises Supervisors</b></p> <p>1st Edition June 06</p> <p>Replace section 5.1</p>	<p><b>Gambling on licensed premises</b></p> <p>a) Most types of gambling locations, including alcohol licensed premises, are now also covered by the Gambling Act 2005. The Act has three licensing objectives:</p> <ul style="list-style-type: none"> <li>• Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime,</li> <li>• Ensuring that gambling is conducted in a fair and open way, and</li> <li>• Protecting children and other vulnerable persons from being harmed or exploited by gambling.</li> </ul> <p>b) The Gambling Commission (formerly the Gaming Board) issues licences to premises and individuals, publishes conditions and codes of practice and supervises the gambling industry. Local council licensing authorities administer certain types of permits and authorisations, including approval of casinos, bingo halls and betting offices. They also issue gaming machine permits (see below).</p> <p>c) Certain gambling activities are permitted on alcohol licensed premises without authorisation. These include dominoes, cribbage and other equal chance games (with stakes limited to £5 per person), small incidental raffles or customer lotteries and bingo. Poker and poker-style games are also permitted, with limits set at £100 for total money staked in a day. In addition, no player may win more than £100 in a day.</p> <p>d) Exceeding the limits set for stakes and prizes may result in action against the premises licence holder. In addition, the licensing authority can suspend or restrict gaming on the premises if the conditions have been breached.</p> <p>e) All operators of alcohol licensed premises are expected to comply with the Codes of Practice on gambling and gaming machines published by the Gambling Commission.</p> <p>f) For the above reasons it is strongly recommended that licensees and operators obtain expert specialist advice before allowing additional gaming to take place on the premises.</p> <p>g) It is a strict condition of the Gambling Act that no participation fee may be charged nor may any deduction be made from stakes or winnings by the premises licence holder.</p> <p>h) Children under 18 are specifically prohibited from taking part in any permitted gaming.</p> <p>i) Games such as snooker, pool, skittles and darts do not fall under the heading of gaming as they are considered games of skill rather than chance. These games are allowed and participants may wager with each other on the outcome.</p>
<p><b>Level 2 Introduction to Licensed Retail Operations</b></p> <p>Module 12 - Gaming and Machine Income</p> <p>Version 2</p> <p>Replace Chapter 1</p>	

j) **Gaming machines:**

- The Gambling Act provides for four categories of gaming machines – A, B, C and D. The category of machine depends on the stakes and prizes allowed. Alcohol licensed premises are permitted to have either Category C or D machines.
  - i) Category C machines have a maximum 50p stake and give a maximum of £35 jackpot
  - ii) Category D machines give a maximum of £5 or £8 (non monetary) jackpot. They have a maximum stake of 30p.
- Under the Act, licensed premises have an automatic entitlement of up to two machines of Category C or D. No permit is required, but on the expiry of the existing machine permit (Section 34 permit) or where new alcohol licensed premises are opened, the premises licence holder must notify the licensing authority in writing of the intention to provide up to two machines and pay a one-off fee of £50. After that, unless more machines are introduced, no further fees are payable.
- Existing or new premises with more than two machines will need a Licensed Premises Gaming Machine Permit, issued by the licensing authority. Application should be made before the expiry of the existing permit (Section 34 permit) or the grant of a new premises licence. The same number of machines will be allowed, but in the case of new applications the licensing authority has power to limit or restrict the number of machines. Application must be accompanied by a fee and thereafter an annual fee is charged on the anniversary of the grant of the permit.
- It is important to note that Category C machines are restricted to persons 18 years old and over and must be sited in the bar area of the premises. These machines must display clear signage forbidding play by under 18s and be supervised to ensure that there is no underage play. There is no age restriction on the use of Category D machines.

k) **Betting:**

- Betting transactions cannot take place on alcohol licensed premises. While customers may write betting slips or fill in football coupons on the premises, it is illegal to pass such slips or coupons to bookmakers or their agents, or to receive winnings on the premises. Such activities can only take place on the premises of a licensed bookmaker. However, the use of a telephone to place bets with the bookmaker's office is permissible.
- Permitting the unauthorised use of premises for betting can attract, on summary conviction, a fine of £5000, imprisonment for a term not exceeding 51 weeks or both.

l) **Lotteries:**

- Before allowing any lottery tickets to be sold on the premises, the premises licence holder or designated premises supervisor should ensure that they comply with the law. If there is any doubt as to the legality of a particular scheme it is best to take professional advice, or contact the licensing authority.
- Small scale customer lotteries are allowed where patrons may win a prize in money or money's worth up to a maximum of £50. Only one such lottery may be conducted in any period of seven days. Tickets or chances are not transferable and there must be no rollovers. No profits

	<p>are allowed and all stakes must be returned as prizes or devoted to charitable or fund-raising purposes.</p> <ul style="list-style-type: none"><li>• National Lottery (Lotto) tickets and National Lottery Instants (Scratch Cards) cannot be sold on premises that are primarily used for the sale of alcohol.</li></ul>
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<p><b>Level 1 Award in Responsible Alcohol Retailing</b></p> <p>4<sup>th</sup> Edition Feb 07</p> <p>Replace p22 3.4 c)</p>	<p>3.4 c) <b>You must be aware that:</b></p> <ul style="list-style-type: none"><li>• Licensed premises are permitted to have limited-prize gaming machines of two categories, with a cash prize up to £35 (Category C) or a cash/tokens prize of up to £8 (Category D)</li><li>• No permit is required for up to two machines on the premises</li><li>• All-cash Category C machines are restricted to persons aged 18 and over and must display clear signage forbidding play by under 18s and be positioned so that they can be supervised by staff</li><li>• There is no age or location restriction on the use of Category D machines.</li></ul>
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