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STATUTORY INSTRUMENTS

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**1996 No. 1359**

**The Deregulation (Gaming Machines  
and Betting Office Facilities) Order 1996**

**Relaxation of restrictions on use of machines for amusement purposes**

7.—(1) The 1968 Act shall be amended as follows.

(2) In section 32(2) (power of licensing authority to authorise more than two machines), in paragraph (b), after “34” there shall be inserted “(5E)”.

(3) In section 35 (prohibition of use of machines not falling within sections 31 to 34) for paragraph (c) there shall be substituted—

“(c) as mentioned in section 34(1)(a), (aa), (c) or (d), (5A) or (5E)(a), (b) or (c) of this Act.”.

(4) In section 38 (offences under Part III of the Act), in subsection (3) (contravention of section 34 in the case of premises in relation to which that section applies because of a direction under section 32), for the words from “and where” to “contravened” there shall be substituted “and where subsection (5E) of section 34 of this Act is contravened in relation to premises falling within paragraph (c) of that subsection”.

(5) In subsection (6) of that section (other offences in connection with section 34)—

(a) for “any of the provisions” there shall be substituted “subsection (1)”,

(b) the words from “, otherwise” to “section,” are hereby repealed,

(c) for “paragraph (a)”, in the first place where it occurs, there shall be substituted “paragraph (aa)”, and

(d) after “paragraph (a)”, in the second place where it occurs, there shall be inserted “or (aa)”.

(6) After that subsection there shall be inserted—

“(6A) Subject to subsection (11) of this section, where subsection (5A) of section 34 of this Act is contravened, the holder of the betting office licence in respect of the premises shall be guilty of an offence.

(6B) Subject to subsection (11) of this section, where, in the case of any premises falling within paragraph (a) or (b) of subsection (5E) of section 34 of this Act—

(a) that subsection, or

(b) a condition to which the permit is subject,

is contravened, the holder of the permit shall be guilty of an offence.”.

(7) In subsection (11) of that section (defence to certain offences) for “subsection (4) or subsection (6)” there shall be substituted “(4), (6), (6A) or (6B)”.

(8) In section 39(2) (under which a court may cancel a permit under section 34 on convicting the holder of an offence under section 38(6) in respect of contravention of a condition attached to the permit) after “(6)” there shall be inserted “or (6B)”.