

**2004 No. 2243**

**CUSTOMS AND EXCISE**

**The Gaming Duty (Amendment) Regulations 2004**

*Made* - - - - *31st August 2004*

*Laid before the House of Commons* *1st September 2004*

*Coming into force* - - *1st October 2004*

The Commissioners of Customs and Excise, in exercise of the powers conferred upon them by sections 12(4) and 14(1) of the Finance Act 1997(a) hereby make the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Gaming Duty (Amendment) Regulations 2004 and come into force on 1st October 2004.

**Interpretation**

2. In these Regulations “quarter” means the first three months of an accounting period.

**Application and revocation**

3.—(1) These Regulations apply in the case of payments on account of gaming duty for any quarter that ends on or after 31st October 2004.

(2) The Gaming Duty (Amendment) Regulations 2002(b) are revoked.

**The amount of payments on account**

4. For the purpose of calculating payments on account of gaming duty in the cases to which these Regulations apply, substitute the following Table for the Table in regulation 5 of the Gaming Duty Regulations 1997(c):

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(a) 1997 c.16; section 10 defines “gaming duty”; section 15(2) provides for sections 10 to 14 and Schedule 1 to be construed as one with the Customs and Excise Management Act 1979 (c.2) and section 1(1) of that Act defines “the Commissioners”; section 15(3) defines “accounting period”.  
(b) S.I. 2002/2310, which substituted a new Table for the Table in Regulation 5 of the Gaming Duty Regulations 1997.  
(c) S.I. 1997/2196, amended by S.I. 1998/2055, 1999/2489, 2000/2408, 2001/3021, 2002/2310 and 2003/2247.

**Table**

<i>Part of gross gaming yield</i>	<i>Rate</i>
The first £258,250	2.5 per cent.
The next £573,250	12.5 per cent.
The next £573,250	20 per cent.
The next £1,003,750	30 per cent.
The remainder	40 per cent.

New King's Beam House  
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31st August 2004

*Michael Hanson*  
Commissioner of Customs and Excise

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**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations amend the Gaming Duty Regulations 1997 (S.I. 1997/2196), regulation 5, the amount of payments on account. They substitute a new Table reflecting changes to gaming duty made by section 16 of the Finance Act 2004 (c. 12), and will apply in the case of payments on account of gaming duty for any quarter that ends on or after 31st October 2004.

The duty rates and bands in the Table are those for the first three months of each six-monthly accounting period, hence the bands represent half of the new bands of gross gaming yield shown in the Finance Act 2004. The interim quarterly payments under the 1997 Regulations are intended to be roughly half of the expected duty liability for the six-monthly period.

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