
STATUTORY INSTRUMENTS

2009 No. 1837

BETTING, GAMING AND LOTTERIES

The Gambling (Operating Licence and Single-Machine Permit Fees) (Amendment) Regulations 2009

<i>Made</i>	- - - -	<i>9th July 2009</i>
<i>Laid before Parliament</i>		<i>9th July 2009</i>
<i>Coming into force</i>	- -	<i>31st July 2009</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 69(2)(g) and (5), 100(2) and (3), 103(2) and 355(1) of the Gambling Act 2005⁽¹⁾:

Citation and commencement

1. These Regulations may be cited as the Gambling (Operating Licence and Single-Machine Permit Fees) (Amendment) Regulations 2009 and come into force on 31 July 2009.

Amendment of the 2006 Regulations

2. The Gambling (Operating Licence and Single-Machine Permit Fees) Regulations 2006⁽²⁾ (“the 2006 Regulations”) are amended as set out in regulations 3 to 23 of these Regulations.

General interpretation

3. In regulation 2(1)—

(a) after the definition of “general betting (standard) operating licence” insert—

““general betting (standard) (real events) operating licence” means a licence which falls within paragraph (b) of the definition of a “general betting (standard) operating licence”, but which is not a general betting (standard)(virtual events) operating licence”;

“general betting (standard) (virtual events) operating licence” means a licence which falls within paragraph (b) of the definition of a “general betting (standard) operating licence” and which only authorises the holder to provide facilities for betting on the outcome of a virtual game, race or other event or process⁽³⁾”;

(1) 2005 c. 19.

(2) S.I. 2006/3284, as amended by S.I. 2007/269, S.I. 2007/1791, S.I. 2008/1803 and S.I. 2008/3105.

(3) For the definition of a virtual game, race or other event or process see section 353(3) of the Act.

- (b) omit the definition of “supply”;
- (c) in the definition of “supplementary gambling software operating licence”, for ““supplementary gambling software operating licence” (as defined in section 65(2)(i) of the Act) means a gambling software operating licence” substitute ““supplementary gambling software operating licence” means a gambling software operating licence (as defined in section 65(2)(i) of the Act)”;
- (d) after the definition of “supplementary operating licence” insert—
 - ““supply” does not include install, adapt, maintain or repair.”.

Units of division

4. In regulation 3—

- (a) for paragraphs (2)(d) and (e) substitute—
 - “(d) in relation to a non-remote general betting (limited) operating licence (other than one falling within subparagraph (e)), the number of working days being the maximum number of days in the relevant period on which the licence will authorise the licensee to undertake activities authorised by it;
 - (e) in relation to a non-remote general betting (limited) operating licence under the authority of which the licensee provides, from a dog track, facilities for betting on the outcome of greyhound races taking place at that track (“relevant betting facilities”), the number of working days as calculated in accordance with the following formula—
 - A – B
 - where—
 - (i) A is the total number of working days in the relevant period on which the licence holder undertakes activities authorised by the licence, and
 - (ii) B is the total number of working days in the relevant period on which the licence holder provides relevant betting facilities in connection with relevant greyhound races but does not undertake any other activity authorised by the licence;
 - (f) in relation to a non-remote general betting (standard) operating licence the number of licensed premises, which is the maximum number of sets of premises on which the licence will authorise the licensee to carry on the activities authorised by the licence in the relevant period.”;
- (b) after paragraph (3)(b) insert—
 - “(c) a reference to “relevant greyhound races” means greyhound races that—
 - (i) take place between the hours of 8:00am and 7:00pm; and
 - (ii) are shown live on television at premises at which facilities for betting are provided by the holder of a general betting (standard) operating licence.”.

Application fees for non-remote operating licences

5. In regulation 7(1) for “regulations 16 and 18 to 20” substitute “regulations 8A, 16 and 18 to 20”.

Annual fees and first annual fees for non-remote operating licences

6.—(1) In regulation 8(1) for “regulations 17 and 21” substitute “regulations 8A, 17 and 21”.

(2) After regulation 8 insert—

“Application, annual and first annual fees for non-remote general betting (standard) operating licences

8A.—(1) This regulation applies in respect of a non-remote general betting (standard) operating licence if—

- (a) the licensee does not at any time during the relevant period make a gaming machine available for use at premises in respect of which the licensee holds a betting premises licence, and
- (b) the licensee holds such a licence for the duration of that period in respect of—
 - (i) four or fewer premises,
 - (ii) five to fifteen premises, or
 - (iii) sixteen to fifty premises.

(2) Subject to regulations 16 and 18 to 20, the application fee for a licence to which this regulation applies is to be determined in accordance with paragraph (3).

(3) The application fee is—

- (a) for a licence to which paragraph (1)(b)(i) or (ii) applies, £977;
- (b) for a licence to which paragraph (1)(b)(iii) applies, £3,417.

(4) Subject to regulations 17 and 21 the annual fee for a licence to which this regulation applies is to be determined in accordance with paragraph (5).

(5) The annual fee is—

- (a) for a licence to which paragraph (1)(b)(i) applies, £1,571;
- (b) for a licence to which paragraph (1)(b)(ii) applies, £7,077;
- (c) for a licence to which paragraph (1)(b)(iii) applies, £16,860.

(6) The first annual fee for a licence to which this regulation applies is 75 per cent of the annual fee for that licence, as determined in accordance with paragraph (5).

(7) In this regulation—

- (a) “relevant period” has the same meaning as in regulation 3;
- (b) a reference to anything authorised by, or that will happen pursuant to a licence includes, for the purpose of determining an application fee for that licence, anything included in the application as something to be authorised by the licence.”.

Remote operating licences: fee categories

7. In regulation 10(2)(c) for “columns (3), (4) and (5)” substitute “columns (3) to (9)”.

Application fees for remote operating licences

8. In regulation 11 after paragraph (1)(c) insert—

- “(d) for a category I licence is the amount indicated in column (5) of that table adjacent to the description of the licence in column (1);
- (e) for a category J licence is the amount indicated in column (6) of that table adjacent to the description of the licence in column (1);
- (f) for a category K licence is the amount indicated in column (7) of that table adjacent to the description of the licence in column (1);

- (g) for a category L licence is the amount indicated in column (8) of that table adjacent to the description of the licence in column (1).”.

Annual fees and first annual fees for remote operating licences

9. In regulation 12 after paragraph (1)(c) insert—

- “(d) for a category I licence is the amount indicated in column (5) of that table adjacent to the description of the licence in column (1);
- (e) for a category J licence is the amount indicated in column (6) of that table adjacent to the description of the licence in column (1);
- (f) for a category K licence is the amount indicated in column (7) of that table adjacent to the description of the licence in column (1);
- (g) for a category L licence is the amount indicated in column (8) of that table adjacent to the description of the licence in column (1).”.

Application fee for combined operating licences

10. In regulation 16 for “regulations 18 to 20” substitute “regulations 16A and 18 to 20”.

11. After regulation 16 insert—

“Application fee for certain combined remote licences

16A.—(1) This regulation applies to a combined remote operating licence which combines two or three of the following kinds of licence (and no other kind of licence)—

- (a) a remote casino operating licence;
- (b) a remote bingo operating licence;
- (c) a general betting (standard) (virtual events) operating licence.

(2) The application fee for a licence to which this regulation applies is the sum of the principal amount determined in accordance with paragraph (3) and the additional amount determined in accordance with paragraph (4).

(3) Where the annual gross gambling yield in respect of the licence—

- (a) is less than £500,000, the principal amount is £2,933;
- (b) is £500,000 or greater but less than £5 million, the principal amount is £7,169;
- (c) is £5 million or greater but less than £25 million, the principal amount is £11,274;
- (d) is £25 million or greater but less than £100 million, the principal amount is £16,551;
- (e) is £100 million or greater but less than £250 million, the principal amount is £26,641;
- (f) is £250 million or greater but less than £500 million, the principal amount is £37,591;
- (g) is £500 million or greater, the principal amount is £63,671.

(4) Where the licence combines—

- (a) two of the kinds of licence referred to in paragraph (1), the additional amount is £1,050,
- (b) three of those kinds of licence, the additional amount is £2,100.

(5) The reference in paragraph (3) to the annual gross gambling yield is a reference to the annual gross gambling yield calculated in accordance with regulation 3(2)(a)(i).”

Annual fees and first annual fees for combined operating licences

12. In regulation 17—

- (a) in paragraph (1) for “regulation 21” substitute “regulations 17A and 21”; and
- (b) in paragraph (2)(b) for “90 per cent” substitute “95 per cent”.

Annual fee for combined operating licences

13. After regulation 17 insert—

“Annual fees and first annual fees for certain combined remote licences.

17A.—(1) This regulation applies to a combined remote operating licence which combines two or three of the following kinds of licence (and no other kind of licence)—

- (a) a remote casino operating licence;
- (b) a remote bingo operating licence;
- (c) a general betting (standard) (virtual events) operating licence.

(2) The annual fee for a licence to which this regulation applies is the sum of the principal amount determined in accordance with paragraph (4) and the additional amount determined in accordance with paragraph (5).

(3) The first annual fee for a licence to which this regulation applies is the same amount as the annual fee determined in accordance with paragraph (2) (were the annual fee to be payable when the first annual fee is payable).

(4) Where the annual gross gambling yield in respect of the licence—

- (a) is less than £500,000, the principal amount is £3,188;
- (b) is £500,000 or greater but less than £5 million, the principal amount is £9,563;
- (c) is £5 million or greater but less than £25 million, the principal amount is £13,529;
- (d) is £25 million or greater but less than £100 million, the principal amount is £38,128;
- (e) is £100 million or greater but less than £250 million, the principal amount is £74,012;
- (f) is £250 million or greater but less than £500 million, the principal amount is £117,746;
- (g) is £500 million or greater, the principal amount is £155,425.

(5) Where the licence combines—

- (a) two of the kinds of licence referred to in paragraph (1), the additional amount is £2,500;
- (b) three of those kinds of licence, the additional amount is £5,000.

(6) The reference in paragraph (4) to the annual gross gambling yield is a reference to the annual gross gambling yield calculated in accordance with regulation 3(2)(a)(i).”

Annual fees for holders of two operating licences

14. In regulation 21(3) for “10 per cent” (wherever occurring) substitute “5 per cent”.

Change in corporate control application fee

15. In regulation 23(3) for “regulations 23B(1)(a) and (4) to (6)” substitute “regulation 23B(2) (a) and (3) to (5)”.

16. In regulation 23A—

(a) in paragraph (1)(c) for “paragraphs” substitute “regulations”;

(b) in paragraph (2)—

(i) in sub-paragraph (b) omit “, held by that person”,

(ii) after that sub-paragraph, add—

“held by that person.”.

17. In regulation 23B—

(a) in paragraph (3)—

(i) in sub-paragraph (b) omit “, held by that person”,

(ii) after that sub-paragraph, add—

“held by that person.”.

(b) in paragraph (4) for “(2)” substitute “(3)”;

(c) in paragraph (5) for “(4)” substitute “(3)”.

Substitution of new Schedules

18. For the table in Schedule 1 to the 2006 Regulations substitute the table in Schedule 1 to these Regulations.

19. For the table in Schedule 2 to the 2006 Regulations substitute the table in Schedule 2 to these Regulations.

20. For the table in Schedule 3 to the 2006 Regulations substitute the table in Schedule 3 to these Regulations.

21. For the table in Schedule 4 to the 2006 Regulations substitute the table in Schedule 4 to these Regulations.

22. For the table in Schedule 5 to the 2006 Regulations substitute the table in Schedule 5 to these Regulations.

23. For the table in Schedule 6 to the 2006 Regulations substitute the table in Schedule 6 to these Regulations.

9th July 2009

Gerry Sutcliffe
Parliamentary Under Secretary of State
Department for Culture, Media and Sport

SCHEDULE 1

Regulation 18

Categories of non-remote operating licences

<i>Description of licence</i>	<i>Unit of division</i>	<i>Category A</i>	<i>Category B</i>	<i>Category C</i>	<i>Category D</i>	<i>Category E</i>
Existing casino operating licence	Annual gross gaming yield	Less than £5.5 million	£5.5 million or greater, up to but excluding £27.5 million	£27.5 million or greater, up to but excluding £110 million	£110 million or greater, up to but excluding £275 million	£275 million or greater
New casino operating licence	Nature of premises licence	Small	Large			
Bingo operating licence	Number of licensed premises	4 or fewer	5 to 15	16 to 50	51 to 99	100 or more
General betting (standard) operating licence	Number of licensed premises	4 or fewer	5 to 15	16 to 50	51 to 199	200 or more
General betting (limited) operating licence	Number of working days	75 or fewer	76 to 199	200 or more		
Pool betting operating licence	Annual gross gambling yield	Less than £5.5 million	£5.5 million or greater, up to but excluding £110 million	£110 million or greater		
Betting intermediary operating licence	Annual gross gambling yield	Less than £5.5 million	£5.5 million or greater, up to but excluding £110 million	£110 million or greater		
Gaming machine general operating licence for an adult gaming centre	Number of licensed premises	4 or fewer	5 to 15	16 to 50	51 to 99	100 or more

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<i>Description of licence</i>	<i>Unit of division</i>	<i>Category A</i>	<i>Category B</i>	<i>Category C</i>	<i>Category D</i>	<i>Category E</i>
Gaming machine general operating licence for a family entertainment centre	Number of licensed premises	4 or fewer	5 to 15	16 to 50	51 to 99	100 or more
Gaming machine technical (full) operating licence	Value of annual gross sales	Less than £550,000	£550,000 or greater, excluding £6.6 million	£6.6 million or greater		
Gaming machine technical (supplier) operating licence	Value of annual gross sales	Less than £550,000	£550,000 or greater, excluding £6.6 million	£6.6 million or greater		
Gaming machine technical (software) operating licence	Value of annual gross sales	Less than £550,000	£550,000 or greater, up to but excluding £6.6 million	£6.6 million or greater		
Gambling software operating licence	Value of annual gross sales	Less than £550,000	£550,000 or greater, up to and including £6.6 million	£6.6 million or greater		
Lottery operating (external lottery manager) licence	Annual proceeds	Less than £550,000	£550,000 or greater, up to but excluding £6.6 million	£6.6 million or greater		
Lottery operating (society) licence	Annual proceeds	Less than £100,000	£100,000 or greater, up to but excluding £500,000	£500,000 or greater		

SCHEDULE 2

Regulation 19

Application fees for non-remote operating licences

<i>Description of licence</i>	<i>Category A</i>	<i>Category B</i>	<i>Category C</i>	<i>Category D</i>	<i>Category E</i>
Existing casino operating licence	£6,509	£9,763	£19,528	£19,528	£19,528
New casino operating licence	£28,641	£37,591			
Bingo operating licence	£977	£1,627	£3,255	£17,087	£20,504
General betting (standard) operating licence	£977	£977	£3,417	£17,087	£40,032
General betting (limited) operating licence	£178	£355	£979		
Pool betting operating licence	£651	£1,627	£4,882		
Betting intermediary operating licence	£198	£198	£198		
Gaming machine general operating licence for an adult gaming centre	£977	£977	£1,627	£4,882	£16,274
Gaming machine general operating licence for a family entertainment centre	£977	£977	£1,627	£4,882	£16,274

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<i>Description of licence</i>	<i>Category A</i>	<i>Category B</i>	<i>Category C</i>	<i>Category D</i>	<i>Category E</i>
Gaming machine technical (full) operating licence	£977	£1,627	£16,274		
Gaming machine technical (supplier) operating licence	£977	£1,627	£4,882		
Gaming machine technical (software) operating licence	£977	£4,882	£16,274		
Gaming software operating licence	£977	£4,882	£16,274		
Lottery operating (external lottery manager) operating licence	£977	£1,627	£2,278		
Lottery operating (society) licence	£163	£244	£325		

SCHEDULE 3

Regulation 20

Annual fees for non-remote operating licences

<i>Description of licence</i>	<i>Category A</i>	<i>Category B</i>	<i>Category C</i>	<i>Category D</i>	<i>Category E</i>
Existing casino operating licence	£17,378	£23,112	£74,112	£329,711	£443,526

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<i>Description of licence</i>	<i>Category A</i>	<i>Category B</i>	<i>Category C</i>	<i>Category D</i>	<i>Category E</i>
New casino operating licence	£51,877	£108,132			
Bingo operating licence	£1,646	£7,413	£17,914	£39,928	£87,127
General betting (standard) operating licence	£1,646	£7,413	£17,914	£41,124	£236,927
General betting (limited) operating licence	£200	£467	£1,346		
Pool betting operating licence	£2,222	£4,277	£4,338		
Betting intermediary operating licence	£280	£4,277	£4,338		
Gaming machine general operating licence for an adult gaming centre	£1,638	£6,771	£13,736	£29,550	£41,124
Gaming machine general operating licence for a family entertainment centre	£1,097	£4,905	£9,950	£23,749	£39,928
Gaming machine technical (full) operating licence	£3,102	£6,625	£15,813		
Gaming machine technical	£1,258	£3,397	£4,338		

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<i>Description of licence</i>	<i>Category A</i>	<i>Category B</i>	<i>Category C</i>	<i>Category D</i>	<i>Category E</i>
(supplier) operating licence					
Gaming machine technical (software) operating licence	£1,608	£4,044	£6,575		
Gambling software operating licence	£1,608	£4,044	£6,575		
Lottery operating (external lottery manager) licence	£2,075	£2,368	£2,700		
Lottery operating (society) licence	£348	£692	£1,458		

SCHEDULE 4

Regulation 21

Categories of remote operating licences

<i>Description of licence</i>	<i>Unit of division</i>	<i>Category F</i>	<i>Category G</i>	<i>Category H</i>	<i>Category I</i>	<i>Category J</i>	<i>Category K</i>	<i>Category L</i>
Casino operating licence	Annual gross gambling yield	Less than £0.5 million	£0.5 million or greater, up to but excluding £5 million	£5 million or greater, up to but excluding £25 million	£25 million or greater, up to but excluding £100 million	£100 million or greater, up to but excluding £250 million	£250 million or greater, up to but excluding £500 million	£500 million or greater
Bingo operating licence	Annual gross gambling yield	Less than £0.5 million	£0.5 million or greater, up to but excluding £5 million	£5 million or greater, up to but excluding £25 million	£25 million or greater, up to but excluding £100 million	£100 million or greater, up to but excluding £250 million	£250 million or greater, up to but excluding £500 million	£500 million or greater

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<i>Description of licence</i>	<i>Unit of division</i>	<i>Category F</i>	<i>Category G</i>	<i>Category H</i>	<i>Category I</i>	<i>Category J</i>	<i>Category K</i>	<i>Category L</i>
			£5 million	£25 million	£100 million	£250 million	£500 million	
General betting (limited) (virtual events) operating licence	Annual gross gambling yield	Less than £0.5 million	£0.5 million or greater, up to but excluding £5 million	£5 million or greater, up to but excluding £25 million	£25 million or greater, up to but excluding £100 million	£100 million or greater, up to but excluding £250 million	£250 million or greater, up to but excluding £500 million	£500 million or greater
General betting (limited) (real events) operating licence	Annual gross gambling yield	Less than £5.5 million	£5.5 million or greater, up to but excluding £110 million	£110 million or greater, up to but excluding £220 million	£220 million or greater, up to but excluding £550 million	£550 million or greater		
General betting (limited) operating licence	Annual gross gambling yield	Less than £275,000						
Pool betting operating licence	Annual gross gambling yield	Less than £5.5 million	£5.5 million or greater, up to but excluding £110 million	£110 million or greater, up to but excluding £220 million	£220 million or greater, up to but excluding £550 million	£550 million or greater		
Betting intermediary operating licence	Annual gross gambling yield	Less than £5.5 million	£5.5 million or greater, up to but excluding £110 million	£110 million or greater, up to but excluding £220 million	£220 million or greater, up to but excluding £550 million	£550 million or greater		
Betting intermediary (trading room only)	Annual gross gambling yield	Less than £550,000	£550,000 or greater, up to but excluding	£6.6 million or greater				

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operating licence			£6.6 million	
Gaming machine technical (full) operating licence	Value of annual gross sales	Less than £550,000	£550,000 or greater, up to but excluding £6.6 million	£6.6 million or greater
Gaming machine technical (supplier) operating licence	Value of annual gross sales	Less than £550,000	£550,000 or greater, up to but excluding £6.6 million	£6.6 million or greater
Gaming machine technical (software) operating licence	Value of annual gross sales	Less than £550,000	£550,000 or greater, up to but excluding £6.6 million	£6.6 million or greater
Gambling software operating licence	Value of annual gross sales	Less than £550,000	£550,000 or greater, up to but excluding £6.6 million	£6.6 million or greater
Lottery operating (external lottery manager) licence	Annual proceeds	Less than £550,000	£550,000 or greater, up to but excluding £6.6 million	£6.6 million or greater
Lottery operating (society) licence	Annual proceeds	Less than £100,000	£100,000 or greater, up to but excluding £500,000	£500,000 or greater

SCHEDULE 5

Regulation 22

Application fees for remote operating licences

<i>Description of licence</i>	<i>Category F</i>	<i>Category G</i>	<i>Category H</i>	<i>Category I</i>	<i>Category J</i>	<i>Category K</i>	<i>Category L</i>
New casino operating licence	£2,933	£7,169	£11,274	£16,551	£26,641	£37,591	£63,671
Bingo operating licence	£2,933	£7,169	£11,274	£16,551	£26,641	£37,591	£63,671
General betting (limited) (virtual events) operating licence	£2,933	£7,169	£11,274	£16,551	£26,641	£37,591	£63,671
General betting (limited)(real events) operating licence	£3,259	£7,169	£16,274	£19,551	£28,641		
General betting (telephone only) operating licence	£593						
Pool betting operating licence	£651	£1,627	£4,882	£4,882	£4,882		
Betting intermediary operating licence	£6,346	£13,018	£16,274	£19,551	£28,641		
Betting intermediary (trading rooms) operating licence	£593	£977	£1,627				
Gaming machine technical (full)	£977	£1,627	£16,274				

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<i>Description of licence</i>	<i>Category F</i>	<i>Category G</i>	<i>Category H</i>	<i>Category I</i>	<i>Category J</i>	<i>Category K</i>	<i>Category L</i>
operating licence							
Gaming machine technical (supplier) operating licence	£977	£1,627	£4,882				
Gaming machine technical (software) operating licence	£977	£4,882	£16,274				
Gambling software operating licence	£6,346	£13,018	£16,274				
Lottery operating (external lottery manager) licence	£977	£1,627	£2,278				
Lottery operating (society) licence	£163	£244	£325				

SCHEDULE 6

Regulation 23

Annual fees for remote operating licences

<i>Description of licence</i>	<i>Category F</i>	<i>Category G</i>	<i>Category H</i>	<i>Category I</i>	<i>Category J</i>	<i>Category K</i>	<i>Category L</i>
New casino operating licence	£3,188	£9,563	£13,529	£38,128	£74,012	£117,746	£155,425
Bingo operating licence	£3,188	£9,563	£13,529	£38,128	£74,012	£117,746	£155,425
General betting	£3,188	£9,563	£13,529	£38,128	£74,012	£117,746	£155,425

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<i>Description of licence</i>	<i>Category F</i>	<i>Category G</i>	<i>Category H</i>	<i>Category I</i>	<i>Category J</i>	<i>Category K</i>	<i>Category L</i>
(limited) (virtual events) operating licence							
General betting (limited) (real events) operating licence	£13,529	£38,128	£74,012	£117,746	£155,425		
General betting (telephone only) operating licence	£1,594						
Pool betting operating licence	£1,594	£38,128	£74,012	£117,746	£155,425		
Betting intermediary operating licence	£13,529	£38,128	£74,012	£117,746	£155,425		
Betting intermediary (trading rooms) operating licence	£1,594	£6,765	£19,063				
Gaming machine technical (full) operating licence	£6,765	£19,063	£37,006				
Gaming machine technical (supplier) operating licence	£6,765	£19,063	£37,006				
Gaming machine	£6,765	£19,063	£37,006				

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technical (software) operating licence			
Gambling software operating licence	£6,765	£19,063	£37,006
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Lottery operating (external lottery manager) licence	£6,765	£19,063	£37,006
Lottery operating (society) licence	£348	£692	£1,458
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EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Gambling (Operating Licence and Single-Machine Permit Fees) Regulations 2006 (“the 2006 Regulations”) made under the Gambling Act 2005 (“the Act”). The amendments create certain new fee categories and set new levels of fees that will be payable under the 2006 Regulations from 31st July 2009.

The 2006 Regulations prescribe fees relating to operating licences (application, annual and other fees) and single-machine supply and maintenance permits (application fees only) issued under Parts 5 and 10 of the Gambling Act 2005 (“the Act”) respectively.

Regulation 3 inserts new definitions into the 2006 Regulations. These introduce two new sub-categories of the general betting (standard) operating licence fee category. The first of these defines a general betting (standard)(real events) operating licence which is a licence that is not a general betting (standard)(virtual events) operating licence. The second of these defines a general betting (standard)(virtual events) operating licence which is a remote general betting (standard) operating licence that only authorises a person to provide facilities for betting on the outcome of a virtual game, race or other event or process (as defined in section 353(3) of the Act).

Regulation 4 amends regulation 3 of the 2006 Regulations by introducing a new basis for determining the fee payable by certain holders of non-remote general betting (limited) operating licences. This applies where the licence holder provides, from a dog track, facilities for betting on the outcome of greyhound races which take place on that track between 8:00am and 7:00pm and are shown live on television at premises at which facilities for betting are provided by the holder of a general betting (standard) operating licence. The fee for a holder of such a licence is determined by subtracting

the number of working days in the relevant period (as defined by regulation 3(3)(b) of the 2006 Regulations) on which the holder of the licence undertakes the activities referred to above from the total number of working days during that period on which the holder undertakes activities authorised by the licence.

Regulation 5 amends regulation 7 of the 2006 Regulations (which prescribes the basis for determining an application fee for a non-remote operating licence) by making this subject to a new regulation 8A.

Regulation 6 also amends Regulation 8 of the 2006 Regulations (which prescribes the basis for determining an annual fee for a non-remote operating licence) by making it subject to a new regulation 8A. Regulation 6 also introduces the new regulation 8A to prescribe application, annual and first annual fees for the holder of a non-remote general betting (standard) operating licence who holds a betting premises licence for fifty or fewer licensed premises and who does not make any gaming machines available for use in any of those premises. The application, annual and first annual fees for a licence holder within this category are determined by reference to whether the holder operates four or fewer, five to fifteen or sixteen to fifty licensed premises.

Regulations 7, 8 and 9 introduce additional fee categories for remote operating licences into Part 3 of the 2006 Regulations.

Regulation 10 amends regulation 16 of the 2006 Regulations by making that regulation (which prescribes the basis for determining an application fee for a combined operating licence) subject to the new regulation 16A, which prescribes the application fee for a particular category of combined remote operating licence.

Regulation 11 introduces a new regulation 16A into the 2006 Regulations to prescribe the basis for determining the application fee for a new category of combined remote operating licence. This category of licence combines two or more of a remote casino, a remote bingo or a general betting (standard)(virtual events) operating licence (and no other kind of licence). The application fee for this description of licence is set by reference to the annual gross gambling yield (defined by regulation 3(2)(a)(i) of the 2006 Regulations) generated by the activities authorised by the combined licence. The level of the application fee is prescribed in regulation 16A(2) to (4).

Regulation 12 amends regulation 17 of the 2006 Regulations to reduce the discount available to the holder of a combined operating licence in respect of the annual fee and first annual fee. The percentage of the fee payable in the circumstances described in the regulation is increased from 90 per cent to 95 per cent. Regulation 12 also makes regulation 17 (which prescribes the annual fee for a combined operating licence) subject to the new regulation 17A, which prescribes the annual and first annual fees for the new category of combined remote operating licence referred to above in connection with the new regulation 16A.

Regulation 13 introduces a new regulation 17A into the 2006 Regulations to prescribe the basis for determining an annual fee for that new category of combined remote operating licence. The annual fee for this category is set by reference to the annual gross gambling yield (defined by regulation 3(2)(a)(i) of the 2006 Regulations) generated by the activities authorised by the combined licence. The level of the annual fee is prescribed in Regulation 17A(2), (4) and (5). The first annual fee is set at the same level as the annual fee.

Regulation 14 amends regulation 21 of the 2006 Regulations so as to reduce the discount to the annual fee available to the holder of two operating licences, one which is a non-remote licence and the other a remote operating licence. The percentage reduction in the fee in each of the circumstances referred to in the regulation is reduced from 10 per cent to 5 per cent.

Regulations 15, 16 and 17 make minor and technical amendments to regulations 23(3), 23A and 23B of the 2006 Regulations. These amendments correct, inter alia, erroneous cross-references in those provisions.

Regulations 18 to 23 substitute new tables into Schedules 1 to 6 respectively of the 2006 Regulations.

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

A full regulatory impact assessment is annexed to the Explanatory Memorandum prepared in relation to this instrument.