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STATUTORY INSTRUMENTS

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**2018 No. 1402**

**BETTING, GAMING AND LOTTERIES**

**The Gaming Machine (Miscellaneous  
Amendments and Revocation) Regulations 2018**

*Made* - - - - *20th December 2018*

*Coming into force* - - *1st April 2019*

The Secretary of State, in exercise of the powers conferred by sections 236 and 355(1) of the Gambling Act 2005(1), makes the following Regulations.

In accordance with section 355(4)(i) of that Act, a draft of this instrument was laid before Parliament and approved by resolution of each House of Parliament.

**Citation and commencement**

1. These Regulations may be cited as the Gaming Machine (Miscellaneous Amendments and Revocation) Regulations 2018 and come into force on 1st April 2019.

**Amendment of the Categories of Gaming Machine Regulations 2007**

2.—(1) Regulation 5 of the Categories of Gaming Machine Regulations 2007(2) (definition of Category B gaming machine) is amended as follows.

(2) In paragraph (4), before sub-paragraph (a), insert—

“(za) it may be made available for use in accordance with (amongst other licences) an adult gaming centre premises licence or a bingo premises licence(3);”.

(3) In paragraph (5), in sub-paragraph (a), for “£100” substitute “£2”.

**Amendment of the Gaming Machine (Circumstances of Use) Regulations 2007**

3.—(1) The Gaming Machine (Circumstances of Use) Regulations 2007(4) are amended as follows.

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(1) 2005 c. 19; section 355(1) was amended by the Scotland Act 2016 (c. 11), paragraph (a) of section 52(5), and by the Wales Act 2017 (c. 4), paragraph (a) of section 58(2).

(2) S.I. 2007/2158; regulation 5 was amended by S.I. 2011/1711 and 2014/45.

(3) “Adult gaming centre premises licence” and “bingo premises licence” are defined in section 150(1) of the Gambling Act 2005; references to Category B gaming machines in the definition of “adult gaming centre premises licence” are treated as referring to sub-categories B3 and B4 by regulation 6(2) of the Categories of Gaming Machine Regulations 2007.

(4) S.I. 2007/2319, amended by S.I. 2015/121.

- (2) In regulation 7(1) (payment limits), for “regulations 9 and 11A” substitute “regulation 9”.
- (3) In regulation 9(1) (committed payment limits), for “regulations 11 and 11A” substitute “regulation 11”.
- (4) In regulation 11 (special provision for Category A and B2 machines)—
  - (a) in the heading, omit “and B2”;
  - (b) for paragraph (1) substitute—
    - “(1) This regulation applies to a Category A gaming machine which is designed or adapted to allow a person to pay a charge for use by using an amount of the deposited sum in relation to the machine.”;
  - (c) omit paragraph (1A).
- (5) Omit regulation 11A (additional special provision for Category B2 machines in certain circumstances).

**Revocation of the Gaming Machine (Circumstances of Use) (Amendment) Regulations 2015**

- 4. The Gaming Machine (Circumstances of Use) (Amendment) Regulations 2015(5) are revoked.

*Mims Davies*  
Minister for Sport and Civil Society  
Department for Digital, Culture, Media and  
Sport

20th December 2018

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## EXPLANATORY NOTE

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

Regulation 5(5) of the Categories of Gaming Machine Regulations 2007 ([S.I. 2007/2158](#)) (“the 2007 Regulations”) defines a sub-category B2 gaming machine for the purposes of the Gambling Act 2005 (c. 19).

These Regulations amend regulation 5(5) of the 2007 Regulations to reduce the maximum charge for use for such a machine to £2, and amend the definition of sub-category B3 gaming machines in regulation 5(4) to ensure that sub-category B3 gaming machines can continue to be distinguished from sub-category B2 gaming machines. Both of these sub-categories of gaming machine may be made available for use in accordance with a casino premises licence or a betting premises licence, but of the two sub-categories, only sub-category B3 gaming machines may also be made available for use in accordance with an adult gaming centre premises licence or a bingo premises licence.

To remove requirements that no longer have effect in practice as a consequence of this reduction, these Regulations also amend the Gaming Machine (Circumstances of Use) Regulations 2007 ([S.I. 2007/2319](#)) and revoke the Gaming Machine (Circumstances of Use) (Amendment) Regulations 2015 ([S.I. 2015/121](#)).

A full impact assessment of the effect that this instrument will have on the costs of business, the voluntary sector and the public sector is available from the Department for Digital, Culture, Media and Sport, 100 Parliament Street, London SW1A 2BQ, and is also available alongside these Regulations and the Explanatory Memorandum at [www.legislation.gov.uk](http://www.legislation.gov.uk).

These Regulations have been notified in draft to the European Commission in accordance with Directive (EU) 2015/1535 of the European Parliament and of the Council laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services (OJNo. L 241, 17.9.2015, p. 1).