

*Draft Regulations laid before Parliament under section 355(4)(c) of the Gambling Act 2005, for
approval by resolution of each House of Parliament.*

DRAFT STATUTORY INSTRUMENTS

2008 No. XXXX

BETTING, GAMING AND LOTTERIES

The Categories of Casino Regulations 2008

Made - - - -

Coming into force in accordance with Regulation 1(1)

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 7(5) to (7) and section 355(1) of the Gambling Act 2005(1).

A draft of these Regulations was laid before Parliament and approved by a resolution of each House of Parliament in accordance with section 355(4)(c) of that Act.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Categories of Casino Regulations 2008 and come into force on the day after the day on which they are made.

(2) In these Regulations “casino premises licence” has the same meaning as in Part 8 of the Gambling Act 2005.

Classification of casinos

2.—(1) This regulation specifies the matters by reference to which a casino is to be classified for the purposes of the Gambling Act 2005 as—

- (a) a large casino,
- (b) a small casino, or
- (c) below the minimum size for a licensed casino.

(2) A casino is a large casino if the combined floor area of those parts of the casino which are used for providing facilities for gambling is equal to or exceeds 1,500 square metres, but is less than 3,500 square metres.

(3) A casino is a small casino if the combined floor area of those parts of the casino which are used for providing facilities for gambling is equal to or exceeds 500 square metres, but is less than 1,500 square metres.

(4) A casino is below the minimum size for a licensed casino if the combined floor area of those parts of the casino which are used for providing facilities for gambling is less than 500 square metres.

(5) In this regulation a reference to parts of a casino used for providing facilities for gambling is a reference to—

- (a) where a casino premises licence has effect in respect of the casino, those parts of the premises shown on the plan included in the licence⁽²⁾ as the parts that will be used for providing facilities for gambling in reliance on the licence;
- (b) where an application for a casino premises licence in respect of the casino has been made and not determined, those parts of the premises shown on the plan that accompanied the application as the parts which will be used for providing facilities for gambling in reliance on the licence⁽³⁾; or
- (c) in any other case, those parts of the premises that would be required to be shown on the plan accompanying an application for a casino premises licence (were such an application to be made in respect of the premises) as the parts which would be used for providing facilities for gambling in reliance on the licence.

Secretary of State
Department for Culture, Media and Sport

(2) A plan of the premises must be included in a casino premises licence by virtue of section 151(1)(g) of the Gambling Act 2005.
(3) Under regulation 4(3) of the Gambling Act 2005 (Premises Licences and Provisional Statements) Regulations 2007 ([S.I. 2007/459](#)) an application for a casino premises licence must be accompanied by a plan showing the location and extent of any part of the premises which will be a table gaming area, and any other part of the premises that will be used for providing facilities for gambling in reliance on the licence.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations specify the matters by reference to which a casino is to be classified for the purposes of the Gambling Act 2005 as a large or small casino, or as below the minimum size for a licensed casino.

A casino is a large casino if the combined floor area of those parts of the casino used for providing facilities for gambling is equal to or exceeds 1,500 square metres but is less than 3,500 square metres.

A casino is a small casino if the combined floor area of those parts of the casino used for providing facilities for gambling is equal to or exceeds 500 square metres but is less than 1,500 square metres.

A casino is below the minimum size for a licensed casino if the combined floor area of those parts of the casino which are used for providing facilities for gambling is less than 500 square metres.

For the purposes of the Regulations, parts of a casino are to be regarded as used for providing facilities for gambling if: they are shown on the plan included in a licence that has effect in respect of the premises as the parts that will be used for providing such facilities in reliance on the licence; if they were shown on the plan that accompanied an application for a casino premises licence in respect of the premises (where the application remains undetermined) as the parts that would be used for providing such facilities in reliance on the licence; or in any other case if they would be required to be shown on the plan accompanying such an application (were one to be made in respect of the premises) as the parts which would be used for providing such facilities in reliance on the licence.