

---

*Changes to legislation: There are currently no known outstanding effects for the Finance Act 1995, Paragraph 6. (See end of Document for details)*

---

## SCHEDULES

### SCHEDULE 3

#### AMUSEMENT MACHINE LICENCE DUTY

##### *Meaning of “amusement machine”*

- 6 (1) For subsections (1) to (3) of section 25 (meaning of “gaming machine”) there shall be substituted the following subsections—

“(1) A machine is an amusement machine for the purposes of this Act if—

- (a) the machine is constructed or adapted for the playing of any game (whether a game of chance, a game of skill or a game of chance and skill combined);
- (b) the game is one played by means of the machine (whether automatically or by the operation of the machine by the player or players);
- (c) a player pays to play the game (except where he has an opportunity to play without payment as a result of having previously played successfully) either by inserting a coin or token into the machine or in some other way;
- (d) the machine automatically—
  - (i) applies some or all of the rules of the game or displays or records scores in the game; and
  - (ii) determines when a player who has paid to play a game by means of the machine can no longer play without paying again;

and

- (e) the machine is a gaming machine, a video machine or a pinball machine.

(1A) A machine constructed or adapted for the playing of a game is a gaming machine for the purposes of this Act if—

- (a) it is a prize machine;
- (b) the game which is played by means of the machine is a game of chance, a game of chance and skill combined or a pretended game of chance or of chance and skill combined; and
- (c) the outcome of the game is determined by the chances inherent in the action of the machine, whether or not provision is made for manipulation of the machine by a player;

and for the purposes of this subsection a game in which the elements of chance can be overcome by skill shall be treated as a game of chance and skill combined if there is an element of chance in the game that cannot be overcome except by superlative skill.

---

*Changes to legislation: There are currently no known outstanding effects for the Finance Act 1995, Paragraph 6. (See end of Document for details)*

---

- (1B) A machine constructed or adapted for the playing of a game is a video machine for the purposes of this Act if—
- (a) a micro-processor is used to control some or all of the machine’s functions; and
  - (b) the playing of the game involves information or images being communicated or displayed to the player or players by means of any description of screen, other than one consisting only in a blank surface onto which light is projected.
- (1C) For the purposes of this Act an amusement machine is a prize machine unless it is constructed or adapted so that a person playing it once and successfully either receives nothing or receives only—
- (a) an opportunity, afforded by the automatic action of the machine, to play again (once or more often) without paying, or
  - (b) a prize, determined by the automatic action of the machine and consisting in either—
    - (i) money of an amount not exceeding the sum payable to play the machine once, or
    - (ii) a token which is, or two or more tokens which in the aggregate are, exchangeable for money of an amount not exceeding that sum.”
- (2) In subsection (4) of that section (machines playable by more than one person), for “a gaming machine” there shall be substituted “a machine of any description”.
- (3) For subsections (5) to (9) of that section there shall be substituted the following subsections—
- “(5) For the purposes of sections 21 to 24 above a machine (the actual machine) in relation to which the number determined in accordance with subsection (5A) below is more than one shall be treated (instead of as one machine) as if it were a number of machines (accountable machines) equal to the number so determined.
- (5A) That number is—
- (a) except where paragraph (b) below applies, the number of individual playing positions provided on the machine for persons to play simultaneously (whether or not while participating in the same game); and
  - (b) where—
    - (i) that machine is a video machine but not a gaming machine, and
    - (ii) the number of such playing positions is more than the number of different screens used for the communication or display of information or images to any person or persons playing a game by means of the machine,
 the number of such screens.
- (6) Subsection (5) above does not apply in the case of any machine which is an excepted machine for the purposes of section 21 above or in the case of a pinball machine.

---

*Changes to legislation: There are currently no known outstanding effects for the Finance Act 1995, Paragraph 6. (See end of Document for details)*

---

- (7) Any question whether the accountable machines are, or are not, machines falling within any of the following descriptions, that is to say—
- (a) gaming machines,
  - (b) prize machines,
  - (c) small-prize machines, or
  - (d) five-penny machines,
- shall be determined according to whether or not the actual machine is a machine of that description, with the accountable machines being taken to be machines of the same description as the actual machine.”

**Changes to legislation:**

There are currently no known outstanding effects for the Finance Act 1995, Paragraph 6.