

2006 No. 2663

BETTING, GAMING AND LOTTERIES

**The Gaming Act 1968 (Variation of Monetary Limits) Order
2006**

<i>Made</i> - - - -	<i>3rd October 2006</i>
<i>Laid before Parliament</i>	<i>5th October 2006</i>
<i>Coming into force</i> - -	<i>27th October 2006</i>

The Secretary of State makes the following Order in exercise of the powers conferred by sections 31(3), 34(9) and 51(3) and (4) of the Gaming Act 1968(a):

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Gaming Act 1968 (Variation of Monetary Limits) Order 2006 and shall come into force on 27th October 2006.

(2) In this Order—

- (a) “the 1968 Act” means the Gaming Act 1968;
- (b) “all cash AWP machine” means a machine—
 - (i) to which Part 3 of the 1968 Act applies,
 - (ii) which is used for gaming, and
 - (iii) which complies with the conditions mentioned in subsections (5B) to (5C) of section 34 of that Act(b);
- (c) “casino jackpot gaming machine” means a jackpot gaming machine which is used for gaming on premises in respect of which a licence under the 1968 Act is for the time being in force, other than bingo club premises (as defined in section 20 of that Act(c)); and
- (d) “jackpot gaming machine” means a machine—
 - (i) to which Part 3 of the 1968 Act applies, and
 - (ii) which is used for gaming in accordance with section 31 of the 1968 Act.

(a) 1968 c. 65. The Gaming Act 1968 is to be repealed by the Gambling Act 2005 (c. 19), section 356(4) and Schedule 17, on a date to be appointed by order made under section 358(1) of that Act. Section 31(3) was amended by article 2(3) of the Regulatory Reform (Gaming Machines) Order 2003 (S.I. 2003/3275). Other amendments have been made to section 31 which are not relevant to this Order. Section 51(3) was amended by the Gambling Act 2005, section 356(1) and Schedule 16, paragraph 3(6).

(b) Subsections (5A) to (5E) of section 34 were inserted by the Deregulation (Gaming Machines and Betting Office Facilities) Order 1996 (S.I. 1996/1359). Amendments to those provisions have also been made by S.I. 2003/3275.

(c) There are amendments to section 20, but they are not relevant to this Order.

Monetary limits on the charge for play for jackpot gaming machines

2.—(1) This article specifies for the purposes of section 31(3) of the 1968 Act the sum which the charge for play for playing a game once by means of a jackpot gaming machine shall not exceed.

(2) Subject to paragraphs (3) and (4), the sum is £1.

(3) In the case of a casino jackpot gaming machine where the amount payable as a prize in respect of any one game played by means of the machine cannot exceed £500, the sum is £100.

(4) In the case of any other casino jackpot gaming machine, the sum is £2.

Monetary limits in respect of machines to which section 34 of the 1968 Act applies

3.—(1) This article applies to the provisions of section 34 of the 1968 Act specified in column 1 in the table in the Schedule (which specify maximum sums permitted in respect of the matters mentioned in column 2 in that table).

(2) Each of the provisions shall have effect as if for any reference in the provision to a column 3 sum there were substituted a reference to the sum specified in the associated entry in column 4 in the table in the Schedule.

(3) In paragraph (2), a “column 3 sum”, in relation to a provision, is a sum—

- (a) specified in column 3 in the table in the Schedule, and
- (b) which is referred to in that provision, but as that reference has effect by virtue of the relevant Gaming Act (Variation of Monetary Limits) Order.

(4) In paragraph (3), the reference to the relevant Gaming Act (Variation of Monetary Limits) Order is—

- (a) in the case of subsection (2) of section 34 of the 1968 Act, to the Gaming Act (Variation of Monetary Limits) (No. 2) Order 1997(a); and
- (b) in the case of subsections (5C) and (5D) of that section, to the Gaming Act (Variation of Monetary Limits) Order 2001(b).

Revocation

4.—(1) In the Schedule to the Gaming Act (Variation of Monetary Limits) (No. 2) Order 1997 the entry relating to section 34(2) of the 1968 Act is hereby revoked.

(2) The following instruments are hereby revoked—

- (a) the Gaming Act (Variation of Monetary Limits) Order 2001;
- (b) the Gaming Act 1968 (Variation of Monetary Limits) Order 2005(c).

3rd October 2006

Richard Caborn
Minister of State
Department for Culture, Media and Sport

(a) S.I. 1997/2079.
(b) S.I. 2001/3971.
(c) S.I. 2005/2776.

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Provisions of section 34 specifying sums</i>	<i>Matters in respect of which the sum is specified</i>	<i>Previous sum</i>	<i>New sum</i>
Subsection (2)	Charge for playing a game once by means of a machine to which section 34 of the 1968 Act applies	30 pence	50 pence
Subsections (5C) and (5D)	Amount which may be offered as a prize in respect of any one game played by means of an all cash AWP machine	£25	£35

EXPLANATORY NOTE

(This note is not part of the Order)

This Order varies certain limits specified for machines to which Part 3 of the Gaming Act 1968 (“the 1968 Act”) applies (commonly known as “fruit machines” or “slot machines”).

Section 31 governs machines to which Part 3 of that Act applies where used for gaming, either on premises licensed under that Act or on premises used by a club or miners’ welfare institute registered under Part 2 or 3 of the Act. Where such a machine is made available for gaming on such premises it is commonly referred to as a jackpot gaming machine. The Gaming Act 1968 (Variation of Monetary Limits) Order 2005 (S.I. 2005/2776) makes provision as to the maximum amount of the charge for play for such a machine. The amount varies depending on the type of premises in which the machine is used. Article 2 replaces the provisions in the 2005 Order. Article 2(3) and (4) reproduces the equivalent provisions in the 2005 Order, and its effect is to make no change to the limits on the charge for play where jackpot gaming machines are used in casinos. However, in the case of other premises article 2(2) has the effect of increasing the limit from 50 pence to £1.

Section 34 governs machines to which Part 3 of the 1968 Act applies where used for gaming on other premises. These machines are commonly known as amusements with prizes (AWP) machines. Subsection (2) of section 34 specifies the maximum amount of the charge for play for using an AWP machine. By virtue of the Gaming Act (Variation of Monetary Limits) (No.2) Order 1997 the amount specified in subsection (2) as the maximum charge for play is 30 pence. Article 3 and the Schedule to the Order make provision for this amount to be increased to 50 pence. Subsections (5C) and (5D) of section 34 specify the limits on prizes payable in respect of a particular type of AWP machine known as the higher value, or all cash, AWP machine. Article 3 and the Schedule to the Order also increase the limits in subsections (5C) and (5D) from £25 to £35.

A full Regulatory Impact Assessment of the costs and benefits of this Order is available from the Gaming and Lotteries Branch, Department for Culture, Media and Sport, 2-4 Cockspur Street, London SW1Y 5DH, telephone 020 7211 6498.

£3.00

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