
STATUTORY INSTRUMENTS

2007 No. 2319

The Gaming Machine (Circumstances of Use) Regulations 2007

Special provision for Category A and B2 machines

11.—(1) This regulation applies to a Category A or B2 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.

(2) The limit specified in regulation 9(2)(a) does not apply to the payment, in relation to such a machine, of a charge for use which exceeds £10; and, instead, any such payment is subject to the following provisions of this regulation.

(3) Subject to paragraph (5), where the machine is made available for use, the arrangements for the use of the machine must ensure that, for each permitted amount that a person wants to include in the amount he pays as a charge for use, he performs a separate action in relation to the machine to indicate that he wants to use that amount for that purpose.

(4) In this regulation, “permitted amount” is an amount not exceeding £10.

(5) Paragraph (3) does not apply where the conditions set out in paragraph (6), and either the condition set out in paragraph (7) or that in paragraph (8), are met.

(6) The conditions are that—

- (a) a person has previously paid a charge for use of an amount which exceeds £10;
- (b) the payment for that charge for use was made in accordance with paragraph (3) or paragraphs (5) to (8);
- (c) a person has used the machine in relation to that charge for use; and
- (d) before another person has paid to use the machine, the person referred to in sub-paragraph (a) pays a further charge for use in respect of the machine.

(7) Where the charge for use referred to in paragraph (6)(d) does not exceed the amount referred to in paragraph (6)(a), a person is required to take at least two separate actions in relation to the machine in order to pay the charge for use.

(8) Where the charge for use referred to in paragraph (6)(d) exceeds the amount referred to in paragraph (6)(a), a person is required to perform at least the required actions in relation to the machine in order to pay that charge for use.

(9) In paragraph (8), the required actions are—

- (a) a separate action to indicate that he wants to include the original sum in the amount he pays for the charge for use,
- (b) a further separate action for each permitted amount in addition to the original sum that he wants to include in that amount, and
- (c) a further separate action to pay the total amount as the charge for use.

(10) In paragraph (9), “the original sum” means the amount referred to in paragraph (6)(a).