
EXPLANATORY NOTE

(This note is not part of the Order)

This Order, made under section 172(11)(a) of the Gambling Act 2005 (“the Act”), amends sections 172(1) and (7) of the Act for the purpose of varying the potential number of Category B gaming machines that may be authorised to be made available for use in adult gaming centres and bingo premises.

Article 2 amends section 172(1)(a) of the Act so as to allow the number of Category B gaming machines made available for use under an adult gaming centre premises licence to be up to 20 per cent of the total number of gaming machines available for use on the premises.

Article 3 amends section 172(7)(a) of the Act so as to allow the number of Category B gaming machines made available for use under a bingo premises licence to be up to 20 per cent of the total number of gaming machines available for use on the premises.

Article 4 ensures that the provisions in articles 2 and 3 do not result in a reduction in the entitlement to Category B gaming machines for adult gaming centres and bingo premises that were licensed before the date that this Order comes into force. Prior to this Order, the entitlement to Category B gaming machines was for up to four such machines in an adult gaming centre and up to eight such machines in bingo premises.

Article 5 ensures that, for adult gaming centre premises licences and bingo premises licences granted on or after the date that this Order comes into force but before 1 April 2014, the provisions in articles 2 and 3 do not result a lesser entitlement to Category B gaming machines than would have been applicable immediately before the date that this Order comes into force. From 1 April 2014 onwards, the entitlement to Category B gaming machines for adult gaming centres and bingo premises to which this article applies shall be as set out in articles 2 and 3 respectively.

The Categories of Gaming Machine Regulations 2007 ([S.I.2007/2158](#)) specify, in regulation 6, that the references to a Category B gaming machine in sections 172(1)(a) and 172(7)(a) of the 2005 Act are to be treated as referring to sub-categories B3 or B4.

A full regulatory impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available from the website of the Department for Culture, Media and Sport at www.culture.gov.uk and is annexed to the Explanatory Memorandum which is available alongside the instrument on www.legislation.gov.uk.