

Chapter 1: Summary of proposals

A single Gambling Act

- All gambling legislation (except that on the National Lottery) will be consolidated into a single, comprehensive Act of Parliament. The Betting, Gaming and Lotteries Act 1963, the Gaming Act 1968 and the Lotteries and Amusements Act 1976 will be repealed. The new Gambling Act will cover all of Great Britain (and where it amends the National Lottery Acts and on chain gifting, Northern Ireland too).
- The draft Bill does not yet include provision for arrangements in Scotland, or the powers of the Scottish Ministers. The Government will publish provisions on this as soon as possible.

A new regulator

- A new national regulator, the Gambling Commission, will regulate commercial gambling.
- The Commission will replace the Gaming Board, and will be a non-departmental public body.
- The Commissioners will be appointed by the Secretary of State, but in the exercise of their functions will be independent of the Government.

Licensing objectives

- The Commission will exercise its functions under the Act in pursuit of its licensing objectives. These are:
 - Preventing gambling from being a source of crime, being associated with crime or being used to support crime;
 - Ensuring that gambling is conducted in a fair and open way, and;
 - Protecting children and other vulnerable persons from being harmed or exploited by gambling.

Licensing gambling

- The Commission will issue operating licences for commercial gambling. It will also issue personal licences to individuals performing specified functions.
- It will license betting, bingo, casinos, adult gaming centre operators, gaming machine manufacturers and suppliers, certain lottery operators and managers, pools promoters and those offering gambling products through remote technologies like the Internet.
- It will not license the National Lottery.

Ensuring high standards

- The Commission will assess the integrity, financial standing and competence of applicants before granting an operating licence.

- It will have access to criminal records and relevant information held by other statutory bodies; it will also co-operate with foreign gambling regulators.
- The Commission will have power to attach conditions to licences. It will also issue codes of practice that may explain ways in which conditions might be satisfied.
- It will monitor compliance with licence conditions and will have powers to review, amend and revoke licences. It will also have powers to impose unlimited financial penalties on licensees.
- There will be a full right of appeal against Gambling Commission decisions.

Keeping gambling crime free

- The Commission will enforce the law on gambling.
- It will investigate offences under the Act and will have powers of entry, seizure and search to assist these investigations. Commission staff will also have power to use reasonable force.
- The Commission will have power to initiate public prosecutions, with direct access to the Crown Prosecution Service.
- The Bill proposes a modernised set of gambling offences, including a revised offence of cheating.
- The statutory bar on enforcing gambling debts will be removed.

Licensing gambling premises

- Local licensing authorities will license gambling premises. They too will be required to pursue the three licensing objectives.
- The Gambling Commission will issue guidance to local authorities on the exercise of their powers under the Act. Authorities will be required to have regard to this guidance.
- The Secretary of State will set premises licence fees. The Scottish Executive will set fees in Scotland.
- There will be provision for temporary use notices, to allow gambling to take place for limited periods in otherwise unlicensed premises.

Where gambling can take place

- Regional Planning Bodies (in England and Wales) will plan for leisure developments of regional significance, including the largest casinos, to identify suitable locations with their region that would maximise their contribution to tourism and economic development.
- Licensed operators will also be able to apply to locate gambling premises in any licensing authority area. They will no longer have to prove unmet demand in their chosen location, or ensure that it is within a permitted area designated in secondary legislation.

Protecting children and the vulnerable

- Operating licence conditions will require operators to make gambling products available in a manner that is socially responsible. The Gambling Commission will issue codes of practice on social responsibility describing ways in which operators may ensure such provision.
- Prohibitions on the advertising of lawful gambling will be lifted, but all advertising will be subject to new rules protecting children and the vulnerable.
- No under 18s will be permitted to gamble, except on the National Lottery and football pools (where the minimum age will be 16) and gaming machines with the lowest stakes (where there is no minimum age specified).
- No under 18s will be permitted to enter gambling premises, except in relation to betting tracks, bingo premises, alcohol licensed premises and family entertainment centres.
- Some employment of under 18s in gambling premises will be permitted, but no one under 18 will be allowed to take any part in the conduct of gambling, except in relation to the sale of lottery tickets and football pools coupons.
- It is to be a criminal offence for an adult to gamble with a child or young person, allow them access to over 18 gambling premises or to employ children in a way contrary to the provisions of the Act.
- The Bill includes reserve powers for a statutory levy on gambling operators to contribute to a charitable trust funding research, prevention and treatment programmes for problem gambling. These powers will be used if the gambling industry does not contribute sufficient funds to its own charitable trust.

The new regime

Casinos

- Casinos will be permitted to allow access to the public, and will no longer be required to be private clubs with a statutory interval between membership and play.
- Casinos will be allowed to apply to offer any kind of legal gambling, including betting and bingo.
- Casinos will be permitted to provide unlimited prize gaming machines. These machines may be linked within individual premises (to allow for larger pooled prizes) but not between premises. Casinos will not be permitted to provide only gaming machines.
- No new casino will be licensed with a table gaming area smaller than 5,000 sq ft. Casinos with a table gaming area of over 10,000 sq ft will be in a separate licensing category.
- Casinos in the small category (5,000-10,000 sq ft of table games) will be permitted no more than three gaming machines for each table game. There will be no limit on the number of gaming machines permitted in larger casinos, as long as more than 40 table games are also provided.

Gaming machines

- There will be a new licensing framework for gaming machines – most categories of gaming machines will be for adults only, and confined to places where access can be controlled effectively. Children will only be permitted to use amusement machines with the lowest stakes and prizes.
- Betting offices, bingo premises and betting tracks will be permitted to house a limited number of 'category B' gaming machines (with prizes up to £500).

Betting

- Betting tracks will be permitted to offer betting on non-race days, although they may not admit under 18s to betting areas on such occasions. The prohibition on racing on Christmas Day and Good Friday will be lifted.
- For a period of five years, betting operators should continue to pay no more than five times the public admission price to operate in the area of horse racecourses and greyhound tracks previously designated as the betting area. Other areas of the betting track will be subject to commercial arrangements from the outset.
- Betting exchanges will be licensed as betting intermediaries. There will be no requirement for the users of betting exchanges to be licensed.

Remote gambling

- Remote gaming (e.g. on the Internet, interactive TV and mobile phones) will be licensed in Great Britain for the first time.

Bingo

- Bingo premises, like casinos, will no longer have to operate as members' clubs.
- The Bill removes limits on prizes for linked or multiple bingo, and permits the holder of a standard operating licence for bingo to offer such games. Bingo premises and casinos licensed to provide bingo will be permitted to provide bingo 'rollovers'.
- Pubs and clubs will continue to be permitted to provide bingo. An operating licence will be required where bingo games have stakes or prizes worth more than £1,000 over a period of seven days.

Lotteries and prize competitions

- The Bill preserves the non-commercial status of lotteries. For the first time, there will be a statutory definition of a lottery.
- The Bill will allow for a new category of lawful lottery that will permit the occupier of any business premises to promote a lottery for the benefit of customers.
- Lotteries run by societies and local authorities will be permitted to operate 'rollovers'.

- The Bill will prohibit chain-gifting schemes.
- The law on prize competitions will be updated.

The National Lottery

- The National Lottery Commission will continue to license the National Lottery. It will encourage competition by having the ability to offer a range of licences to run different parts of the Lottery and move away from a single major licence competition every seven years.