

Gambling Act 2005

Gaming Machine Permits Code of Practice

- Club Gaming Permits and Club Machine Permits
- Alcohol Licensed Premises Permits and Permissions

Introduction

- i) This is the Gambling Commission's Code of Practice issued under section 24 Gambling Act 2005 (the Act) relating to provision of facilities for gambling in accordance with club gaming, club machine and licensed premises gaming machine permits. This includes:
 - Registrations under Parts II and III Gaming Act 1968 which, under transitional provisions, are treated as club gaming and club machine permits respectively; and
 - Alcohol licensed premises gaming machine permits (formerly s34 1968 Act permits)
- ii) The Code will come into force on 1 September 2007.
- iii) Those items marked in bold and shaded are the provisions which are a condition of the permit and must be complied with.

Section A: Location and operation of machines

All permit holders

Compliance with these provisions is a condition of your permit, and failure to do so could result in revocation of the permit.¹

- 1) All gaming machines situated on the premises must be located in a place within the premises so that their use can be supervised, either by staff whose duties include such supervision (including bar or floor staff) or by other means.**
Permit holders must have in place arrangements for such supervision.
- 2) All gaming machines situated on the premises shall be located in a place that requires a customer who wishes to use any ATM made available on the premises to cease gambling at the gaming machine in order to do so. 'ATM' means a machine located on the premises, which enables a person using it to obtain cash by use of a credit or debit card.**

¹Compliance with these provisions is a condition of the relevant permit as a result of the Gambling Act 2005: section 271 for Club Gaming Permits, section 273 for Club Machine Permits, section 282 for alcohol licensed premises using their automatic machine permissions and section 283 for licensed premises Gaming Machine Permits and alcohol licensed premises Gaming Machine Permits.

Section B: Access to gambling by children and young persons

All permit holders

This section sets out the best practice which the Gambling Commission considers should be implemented by permit-holders, compliance with this provision is not a condition of your permit.

- 3) Permit holders should be put into effect procedures intended to prevent underage gambling. This should include procedures for:
 - Checking the age of apparently underage customers; and
 - Refusing access to anyone who appears to be underage, and who tries to use category B or C gaming machines and can not produce an acceptable form of identification.
- 4) Permit holders should all take all reasonable steps to ensure that all relevant employees understand their responsibilities for preventing underage gambling.
- 5) Permit holders should only accept identification which:
 - Contains a photograph from which the individual can be identified;
 - Is valid; and
 - Is legible and has no visible signs of tampering or reproduction.

(The Commission considers acceptable forms of identification to include any identification carrying the PASS logo (e.g. Citizencard, Validate and the Government's own Connexions card); driving licence (including a provisional licence) with photocard; and passport).

- 6) Procedures should be in place for dealing with cases where a child or young person repeatedly attempts to gamble on category B or C machines, including oral warnings, reporting the offence to the Gambling Commission and the police, and making available information on problem gaming.

Section C: Self exclusion

This section sets out the best practice which the Gambling Commission considers should be implemented by permit-holders, compliance with this provision is not a condition of your permit.

Club gaming permit and club machine permit holders only

- 7) Permit holders should put in place procedures for self-exclusion and take all reasonable steps to refuse service or to otherwise prevent an individual who has entered a self-exclusion agreement from participating in gambling.
- 8) Permit holders should implement procedures designed to ensure that an individual who has self-excluded can not gain access to gambling; this includes:
 - A register of those excluded with appropriate records (name, address, other details, and or any membership or account details that may be held by the operator);
 - Photo identification (where available and in particular where enforcement of the system may depend on photographic ID), and a signature;
 - Staff training to ensure that relevant staff are able to enforce the systems; and
 - The removal of those self-excluded persons found in the gambling area or attempting to gamble from the premises.

- 9) Self-exclusion procedures should require individuals to take positive action in order to self-exclude. This can be a signature on a self-exclusion form.
- 10) Before an individual self-excludes, permit holders should provide or make available sufficient information about what the consequences of self-exclusion are. Customers should be given the opportunity to discuss self-exclusion in private, where possible.
- 11) Permit holders should take all reasonable steps to ensure that:
 - The self-exclusion period is a minimum of six months and give customers the option of extending this to a total of at least five years;
 - A customer who has decided to enter a self-exclusion agreement is given the opportunity to do so immediately without any cooling off period. However, if the customer wishes to consider the self-exclusion further (for example to discuss with problem gambling groups) the customer may return at a later date to enter into self-exclusion;
 - At the end of the period chosen by the customer (and at least six months later), maintain the self-exclusion in place, unless the customer takes positive action in order to gamble again. No marketing material may be sent to the individual unless that has positive action in order to gamble again, and has agreed to accept such material; and
 - Where a customer chooses not to renew, and makes a positive request to begin gambling again, give the customer 1 day to cool off before being allowed access to the gambling facilities.
- 12) Please note that the Commission does not require the permit-holder to carry out an assessment or make any judgement of whether the individual should have access to gambling. The requirement to take positive action in person or over the phone is purely to:
 - a) Check that the customer has considered the decision to access gambling again and allow them to consider the implications; and
 - b) Implement the one day cooling-off period and explain why this has been put in place.

Gambling Commission June 2007

The **Gambling Commission** regulates gambling in the public interest. It does so by keeping crime out of gambling, by ensuring that gambling is conducted fairly and openly, and by protecting children and vulnerable people from being harmed or exploited by gambling. The Commission also provides independent advice to government on gambling in Britain. For further information or to register your interest in the Commission please visit the website at: www.gamblingcommission.gov.uk.

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