STATUTORY INSTRUMENTS

2015 No. 121

BETTING, GAMING AND LOTTERIES

The Gaming Machine (Circumstances of Use) (Amendment) Regulations 2015

Made - - - -	*2nd February 2015*
Laid before Parliament	*4th February 2015*
Coming into force - -	*6th April 2015*

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 240 and 355(1) of the Gambling Act 2005(**1**).

Title and commencement

1. The title of these Regulations is the Gaming Machine (Circumstances of Use) (Amendment) Regulations 2015 and they come into force on 6th April 2015.

Amendment of the Gaming Machine (Circumstances of Use) Regulations 2007

2.—(1) The Gaming Machine (Circumstances of Use) Regulations 2007(**2**) are amended as follows.

(2) In regulation 7(1) (payment limits), for "regulation 9" substitute "regulations 9 and 11A".

(3) In regulation 9(1) (committed payment limits), for "regulation 11" substitute "regulations 11 and 11A".

(4) In regulation 11(1) (special provision for Category A and B2 machines)—

(a) renumber paragraph (1) as paragraph (1A); and

(b) before renumbered paragraph (1A) insert—

"(1) This regulation is subject to regulation 11A.".

(5) After regulation 11 insert—

(**1**) 2005 c. 19.
(**2**) S.I. 2007/2319.

"**Additional special provision for Category B2 machines in certain circumstances**

11A.—(1) Subject to the following provisions of this regulation, an individual must not be able to pay more than £50 for a charge for the use of a Category B2 gaming machine which is made available for use other than in a casino.

(2) The prohibition in paragraph (1) does not apply where each payment made in respect of the use of such a machine satisfies—

(a) the identification condition in paragraph (3);

(b) the supervision condition in paragraph (5); or

(c) the proceeds condition in paragraph (6).

(3) The identification condition is that a payment made by an individual in respect of the use of the machine must be—

(a) where the individual has identified himself or herself to the authorised person on whose behalf that machine is made available for use by—

(i) inserting into that machine a qualifying document or object, or

(ii) inputting into that machine a customer reference

issued to that individual by or on behalf of that authorised person, a payment of money (whether made before or after the individual has so identified himself or herself); or

(b) a payment of money's worth made by means of a qualifying document or object issued to that individual by or on behalf of the authorised person on whose behalf that machine is made available for use.

(4) In paragraph (3)—

"customer reference" means a unique combination of letters, numbers or both issued to an individual after verification of his or her home address, e-mail address or telephone number on the basis of documents, data or information obtained from a reliable source; and

"qualifying document or object" means a document or object issued to an individual after verification of his or her home address, e-mail address or telephone number on the basis of documents, data or information obtained from a reliable source, and does not include a document or object—

(a) collected as a prize from use of a gaming machine; or

(b) delivered by a gaming machine as a means of returning an amount held to the credit of the person using the machine.

(5) The supervision condition is that a payment made by an individual in respect of the use of the machine must be a payment of money or money's worth which—

(a) is processed prior to the first occasion on which that individual pays more than £50 for a charge for the use of that machine in a particular session; or

(b) is processed or approved after that first occasion

by an individual who is physically located on the same premises as that machine and is acting in the course of a business carried on by the authorised person on whose behalf that machine is made available for use.

(6) The proceeds condition is that a payment made by an individual in respect of the use of the machine must be—

(a) a payment of money's worth made by applying a money prize won as a result of one or more payments made by that individual in respect of the use of that machine of