

GG05



**GUIDANCE IN RESPECT OF
LICENSED PREMISES GAMING
MACHINE PERMIT**

(i.e. for greater than 2 machines)

1. This guidance is in respect of **conversion of an existing Section 34** gaming machine permit under the Gaming Act 1968, or for a **new application, variation or transfer** of an alcohol licensed premises gaming machine permit under the Gambling Act 2005.
2. The premises must be licensed under the Licensing Act 2003 to sell alcohol for consumption on the premises, without the requirement that alcohol is served only with food and there must be a bar for serving alcohol to customers on the premises.
3. The gaming machines must be located on these licensed premises.
4. A 'Premises Licence holder' is a person holding a Premises Licence under the Licensing Act 2003.
5. There is no statutory limit to the number of machines which may be applied for although the licensing authority has some discretion in this regard. It should also be noted that the licensing authority can cancel the permit or vary the number of machines should the premises be mainly used for making gaming machines available for use on the premises (Schedule 13 paragraph 16 Gambling Act 2005). You may therefore wish to contact the licensing authority to ask whether there is a local policy as regards applications and whether application for certain numbers of machines are decided via a hearing of local councillors. The category and number of machines permitted will be shown on your permit.
6. The permit's duration is indefinite as it is linked to the Licensing Act 2003 Premises Licence. There is a first annual fee payable within 30 days of grant and an annual fee payable after that before each anniversary of the date of issue of the permit. Failure to pay the annual fee may result in the cancellation of the permit. The annual fee is £50.
7. Sections 282 and 283, as well as SI 2007/1832 & 1833 of the Gambling Act 2005 provide for two types of gaming machines which can be located in alcohol licensed premises. These are:
 - Category C: Maximum stake = 50p / Maximum prize = £35
 - Category D: Maximum stake = 10p or 30p non-monetary / Maximum prize = £5 cash or £8 non-monetary
8. **All alcohol licensed premises which provide gaming machines for use on the premises, must comply with any relevant Code of Practice issued by the Gambling Commission under Section 24 of the Gambling Act 2005.** The Gaming Machine Code of Practice for Alcohol licensed premises permits and permissions is available via the Gambling Commission's website at: <http://www.gamblingcommission.gov.uk/> Should you be unclear as to the provisions of the code of practice please contact the Gambling Commission or the council's Licensing Section.