

## GAMBLING ACT 2005

### SECONDARY LEGISLATION IMPLEMENTATION PLAN

#### LIST OF STATUTORY INSTRUMENTS

When implemented, the Gambling Act 2005 will replace most existing gambling law. It will extend to the whole of Great Britain, but not generally to Northern Ireland. It puts in place an improved, more comprehensive structure of gambling regulation, and creates a new independent regulatory body, the Gambling Commission.

The Act contains a large number of subordinate legislation making powers. These are mainly to be exercised by the Secretary of State, but powers are also conferred on the Scottish Ministers. The following table presents a timetable for the development and consideration of the necessary statutory instruments to be made by the Secretary of State (including 2 instruments to be made by the Lord Chancellor with respect to the Gambling Appeals Tribunal). Instruments to be made by the Scottish Ministers are subject to a separate timetable to be devised by the Scottish Executive.

The timetable sets out our current plans. It indicates which subordinate legislation making powers we currently expect to be exercised, and which powers we expect to be grouped in single statutory instruments (with Affirmative instruments highlighted in bold). The titles given for statutory instruments are not final but indicative. As circumstances change, it is also possible that different powers may need to be exercised and that they may be grouped differently.

DCMS will initiate a period of consultation for the statutory instruments as indicated, and the timetable is shown in chronological order of those dates. Every attempt will be made to adhere to the timings shown. As plans develop, we will endeavour to ensure that all with an interest are well informed of any changes.

The target for full implementation of the Act is 1 September 2007. But in accordance with DCMS's proposed transitional arrangements certain provisions of the Act will come into force before that date, but only for the purpose of enabling advance applications to be made for licences and permits under the Act. Where a date before 1 September 2007 is specified as the coming into force date for a statutory instrument it is for these purposes. Until 1 September 2007 the existing legislation will continue to have effect for the purpose of regulating gambling.

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SECONDARY LEGISLATION IMPLEMENTATION PLAN TIMETABLE – LIST OF STATUTORY INSTRUMENTS

INSTRUMENT	PROVISIONS UNDER WHICH POWERS TO BE EXERCISED	DESCRIPTION	CONSULTATION START DATE (IF APPROPRIATE)	CONSULTATION END DATE	SI LAYING DATE	IN FORCE DATE
<i>Gambling (Licensing Authority Policy Statement) Regulations</i>	349(4)	To set out the form of, and procedure, for local authorities' 3 year licensing statements.	24 November 2005	24 February 2006	March 2006	31 March 2006
<i>Gambling (Licensing Authority Policy Statement) (Appointed Day) Order</i>	349(6)	To set date by which licensing authorities must have made their 3 year policy statements.	N/A	N/A	March 2006	31 March 2006
<i>Gambling (Transitional Provisions) Order</i>	Various	Transitional Arrangements for existing operators under existing legislation.	February 2006	3 June 2006	June 2006	1 / 31 January / 1 September 2007 variously
<i>Gambling (Categories of Casino) Regulations (Affirmative)</i>	7(5), (6), and (7)	To define the following categories of casino: regional, large, small, or below the minimum size for a licensed casino.	May 2006	August 2006	October 2006	1 January 2007
<i>Gambling (Categories of Gaming Machine) Regulations (Affirmative)</i>	236	To define the four classes of gaming machine (A - D).	May 2006	August 2006	October 2006	1 January 2007
<i>Gambling (Premises Licences) (Mandatory and Default Conditions) Regulations (Affirmative)</i>	167, 168 and 174(6)	To specify mandatory and default conditions for premises licences. This will include conditions imposing limits on automated gaming tables.	May 2006	August 2006	October 2006	31 January 2007
<i>Gambling (Operating Licences) (Fees) Regulations</i>	69(2)(g), 100, 103(2) and 107(2)(a)	To prescribe fees for operating licences.	May 2006	August 2006	October 2006	1 January 2007
<i>Gambling (Personal Licences) Regulations</i>	128(5)	Modification to the provisions of Part 5 (Operating Licences) as they apply to personal licences.	May 2006	August 2006	October 2006	1 January 2007
<i>Gambling (Personal Licences) (Fees) Regulations</i>	132	To prescribe fees for personal licences.	May 2006	August 2006	October 2006	1 January 2007

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<i>Gambling (Relevant Offences Amendment) Order</i>	Sch. 7, para. 23	Technical amendment to Schedule 7 (Relevant Offences) necessary in light of changes to Home Office legislation.	N/A	N/A	October 2006	1 January 2007
<i>Gambling (Areas within Regional Casinos) Regulations</i>	47(3) and 55(3)	Regulations for distinguishing between parts of regional casinos and for determining when a part of a casino is to be treated as being used for any purpose	June 2006	September 2006	June 2007	1 September 2007
<i>Gambling (Definition of Gaming Table for Gaming Machine ratio) Regulations</i>	172(6)	To define 'gaming table' for the purposes of the machine to gaming table ratio in subsections (3) to (5) of section 172.	June 2006	September 2006	November 2006	31 January 2007
<i>Gambling (Definition of Small-scale Operator) Regulations</i>	129(2)	To define small scale operator.	June / July 2006	August / September 2006	October 2006	1 January 2007
<i>Gambling Appeals Tribunal Rules</i>	146, Sch. 8, para. 9(2) and Sch. 8, para. 14	Rules with respect to rights of appeal to Gambling Appeals Tribunal, and rules of procedure and practice for appeals to the Tribunal. To be made by the Lord Chancellor.	July 2006	September 2006	November 2006	1 January 2007
<i>Gambling Appeals Tribunal (Fees) Regulations</i>	147	To prescribe fees for bringing an appeal to the Gambling Appeals Tribunal. To be made by the Lord Chancellor.	July 2006	September 2006	November 2006	1 January 2007
<i>Gambling (Premises Licences) (Fees) Regulations</i>	159, 184 (and 212), 186(3), 187(4) and 190(2)	To prescribe the fee for premises licence applications (and other types of application under Part 8).	July 2006	September 2006	November 2006	31 January 2007
<i>Gambling (Premises Licences) Regulations</i>	151, 156, 159, 160, 161, 164, 165, 186, 187(4), 189(4), 196(3) and 204	To prescribe form and content of premises licences; the form and manner of premises licence applications; and other matters relating to applications under Part 8.	July 2006	September 2006	November 2006	31 January 2007

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<i>Gambling (Gaming Machine) Regulations</i>	240	Regulations controlling the operation of gaming machines.	July 2006	October 2006	November 2006	1 January 2007
<i>Gambling (Family Entertainment Centre Gaming Machine Permits) Regulations</i>	Sch. 10, paras. 5, 11(1), 11(2), 21 and 23	To prescribe various fees relating to FEC permits; to prescribe the form of the permit; and to make provision about the register to be maintained by the licensing authority.	July 2006	October 2006	November 2006	31 January 2007
<i>Gambling (Prize Gaming Permits) Regulations</i>	Sch. 14, paras. 6(e), 12(1), 12(2), 21(2) and 23	To prescribe various fees relating to prize gaming permits; to prescribe the form of the permit; and to make provision about the register to be maintained by the licensing authority.	July 2006	October 2006	November 2006	31 January 2007
<i>Gambling (Gaming Machine) (Definitions) Regulations</i>	235(3)(f) and (5)	Definition of "domestic" and "dual use computer"; and power to make provision for a single piece of apparatus to constitute more than one gaming machine.	August 2006	November 2006	December 2006	1 January 2007
<i>Gambling (Limits on Prize Gaming) Regulations</i>	293(2) and (4)	To prescribe conditions for prize gaming.	August 2006	November 2006	December 2006	1 September 2007
<i>Gambling (Inspection of Premises) Regulations</i>	317(2) and (4) and 322	To govern how documents and other things supplied/ removed under inspection powers must be treated; and to set out procedures to be followed by those exercising inspection powers, including the information to be provided.	August 2006	November 2006	December 2006	31 January 2007
<i>Gambling (Limits on Non-commercial Equal-chance Gaming) Regulations</i>	300(4) and (5)	To prescribe conditions for non-commercial equal-chance gaming.	September 2006	December 2006	June 2007	1 September 2007
<i>Gambling (Gaming Clubs) Regulations</i>	266(2) and 267(2)	To prescribe types of gaming clubs which are to fall within the definitions of "members' club" and "commercial club" for the purposes of Part 12.	September 2006	December 2006	March 2007	1 June 2007

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<i>Gambling (Limits on Exempt Gaming in Clubs) Regulations</i>	269(2) and (4)	Power to specify conditions for exempt gaming in clubs.	September 2006	December 2006	March 2007	1 September 2007
<i>Gambling (Club Gaming Permits) (Authorised Gaming) Regulations</i>	271(3)	Power to specify types of unequal chance gaming authorised by club gaming permit.	September 2006	December 2006	March 2007	1 June 2007
<i>Gambling (Club Gaming and Club Gaming Machine Permits) (Fast-track Procedure) Regulations</i>	Sch. 12, para. 10(3) and (4)	Power to make provisions with respect to the fast track procedure for applying for club gaming and machine permits.	September 2006	December 2006	March 2007	1 June 2007
<i>Gambling (Club Gaming and Club Gaming Machine Permits) Regulations</i>	Sch. 12, paras. 2, 3(1), 4, 11(1), 14, 15(2), 16(2), 21(2), and 26	To prescribe various matters with respect to applications for club gaming and machine permits; to prescribe the form of the permits; to prescribe various fees and other matters	September 2006	December 2006	March 2007	1 June 2007
<i>Gambling (Limits on Exempt Gaming in Alcohol Licensed Premises) Regulations</i>	279(2)	Power to specify conditions for exempt gaming in alcohol licensed premises.	September 2006	December 2006	March 2007	1 September 2007
<i>Gambling (Gaming Machines in Alcohol Licensed Premises) (Notification Fee) Regulations</i>	282(2)(b) and (5)	To prescribe the notification fee for an automatic entitlement to two gaming machines in alcohol licensed premises.	September 2006	December 2006	March 2007	1 June 2007
<i>Gambling (Licensed Premises Gaming Machine Permits) Regulations</i>	Sch. 13, paras. 2(e), 7(1), 7(2), 9, 11(2), 16(2)(d) and 22	To prescribe the form of licensed premises gaming machine permits; to prescribe the application fee and various other fees in connection with the permits; to prescribe other matters relating to the permits.	September 2006	December 2006	March 2007	1 June 2007

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<i>Gambling (Inviting Applications for casinos Premises Licences) Regulation</i>	Sch. 9, para. 2	Regulations concerning the publication of invitations for competing casino applications and the timing of responses.	December 2006	March 2007	April 2007	1 June 2007
<i>Gambling (Casino Premises) (Provisional Statement) Regulations</i>	Sch. 9, para. 10	To prescribe the procedure to be followed for extending the period of a provisional statement (where issued following a 2 stage casino competition).	December 2006	March 2007	April 2007	1 June 2007
<i>Gambling (Premises Licences) (Review) Regulations</i>	197, 200, and 203	To prescribe the form and manner for applications to a licensing authority for a review of a premises licence; to prescribe the form and manner of a notice to be given by the licensing authority when initiating a review; and to prescribe the form of the notice of the authority's decision on a review	December 2006	March 2007	June 2007	1 September 2007
<i>Gambling (Temporary Use Notice) (Description of Activities)</i>	215	To prescribe the activities for which a temporary use notice may be sought.	January 2007	March 2007	June 2007	1 September 2007
<i>Gambling (Temporary Use Notice) Regulations</i>	216, 219, 224 and 227	To prescribe the form and content of a temporary use notice, and counter-notice, and to prescribe the fee for a temporary use notice.	January 2007	March 2007	June 2007	1 September 2007
<i>Gambling (Lottery Ticket Vending Machine) Order (Affirmative)</i>	235(2)(d)	<b>To set out the minimum time interval between announcement of results for a lottery ticket vending machine to ensure that it is not a gaming machine.</b>	January 2007	March 2007	April 2007	1 September 2007
<i>Gambling (Exempt Lotteries) Regulations</i>	Sch. 11, paras. 3, 4, 42, 44, 46 and 54	To prescribe various matters relating to exempt lotteries.	January 2007	March 2007	April 2007	1 September 2007
<i>Gambling (Single-machine Permits) (Fees) Regulations</i>	250(3)(e)	To prescribe the fee for a single-machine permit.	March 2007	June 2007	July 2007	1 September 2007
<i>Gambling (Casino Areas) Order (Affirmative)</i>	175(4)	<b>To determine which local authorities may issue casino premises licences for the 17 new casinos.</b>	TBC	TBC	March 2007	1 June 2007

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<i>Foreign Gambling (Designation of Non-EEA States) Regulations</i>	331(4)	Power to specify a country or place to be treated as if it were an EEA State for purposes of provision prohibiting the advertising of foreign (ie non-EEA) gambling.	TBC	TBC	TBC	1 September 2007
<i>Gambling (Hearings) Regulations</i>	154(5), 232, 284(3), Sch. 12, para. 28	To prescribe the procedure to be followed by licensing authorities when holding hearings in relation to various permissions under the Act. May be done in several parts.	TBC	TBC	TBC	31 January 2007 (154(5)), 1 June 2007 (284(3), Sch 12), 1 September 2007 (232)
<i>Gambling (Responsible Authorities) Regulations</i>	157(j)	To prescribe a person responsible for vulnerable adults and to deal with fire authorities in Scotland.	TBC	TBC	TBC	31 January 2007
<i>Gambling (Exclusion of children from Track Areas) Order</i>	182(4)	To prescribe other tracks in respect of which children may access betting areas.	TBC	TBC	TBC	31 January 2007