

chapter thirty seven

Summary of Recommendations

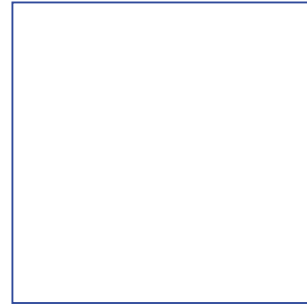
Regulation introduction

1. We recommend that a new single regulatory authority (Gambling Commission) should license all gambling operators and key workers. (18.13)
2. We recommend that the licensing of premises should remain a local decision, but that responsibility should transfer from magistrates to local authorities. (18.21)
3. We recommend that future legislation should be in the form of an enabling act which delegates the detailed provisions to subordinate regulation and to codes issued by the Gambling Commission. (18.23)

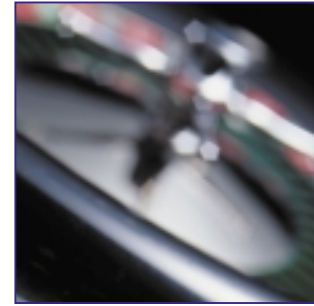
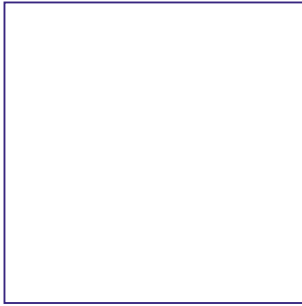
Licensing of individuals and corporate bodies

4. We recommend that provisions on the disclosure of criminal records are retained in any new legislation (and extended to include betting) and that the Gambling Commission should be a "registered body" under the Police Act 1997 and so authorised to receive information arising from enhanced disclosures. (19.6)
5. We recommend that the Gambling Commission should make comprehensive financial checks on those persons who operate gambling businesses, both to keep out organised crime and to ensure that potential liabilities can be met. This is particularly important in the case of casino gaming, bingo and betting, where the liabilities may be considerable. (19.8)
6. We recommend that senior executives and key employees are interviewed to ensure that they have the knowledge, and are otherwise competent, to carry out their functions. In practice this will have the effect of extending the Gaming Board's current procedures to applicants for bookmakers' permits. (19.10)
7. We recommend that the Gambling Commission should have the ability to interview on entry and, in addition, to make ad hoc enquiries to confirm that all those licensed or registered to work in the gambling industry are competent to carry out the task for which they are licensed/registered, and to take action if they are not. (19.11)
8. We recommend that there should be a formal duty on gambling operators to ensure that appropriate checks are made on employees who are involved in the gambling, but are not otherwise regulated by the Gambling Commission. (19.12)

9. We recommend that gateways are established to ensure that a free exchange of information can take place, both for licensing and investigative purposes. (19.13)
10. We recommend that the licensing procedure should include provisions relating to socially responsible gambling. At the highest level, this might encompass details of the company's policy statement and training programme, and on an individual basis it should test the applicant's awareness of their responsibilities arising from those programmes. (19.16)
11. We recommend that personal licences should be renewable at intervals to be determined by the Gambling Commission. (19.17)
12. We recommend that the number of casino certificates of approval should be reduced from five to three, and that the existing certificates for dealers, inspectors and supervisors should be amalgamated. (19.26)
13. We recommend that employers should be required to obtain a certificate from the Criminal Records Bureau each time a person is promoted and there should also be a requirement (on the employer) to notify the Gambling Commission about the change in the individual's status and to send it a copy of the certificate. (19.27)
14. We recommend that the certificate of approval should be valid throughout Great Britain, subject only to a requirement that an employer should require an up-to-date certificate from the Criminal Records Bureau when taking on someone who is transferring from another employer. There should be a requirement (on the employer) to notify the Gambling Commission about the change of employment and send it a copy of the certificate. (19.28)
15. As with casinos, we recommend that certificates of consent for bingo should not be related to particular premises, but should be required by the local authority before an application in respect of a premises licence is entertained. (19.30)
16. We recommend that bingo managers should continue to apply for a certificate of approval; that they should be interviewed; and that the certificates should be portable between companies in Great Britain (subject to the requirement that the new employer should seek an up-to-date certificate from the Criminal Records Bureau and should notify the Gambling Commission of the change of employment and send it a copy of the certificate). (19.32)



17. We recommend that the Gambling Commission should regulate all bookmakers who, as with other gambling operators, should undergo a fit and proper test and be investigated in relation to their competence and knowledge as well as honesty and financial probity. (19.35)
 18. We recommend that the licensing of betting shop managers should be at a similar level to casino dealers. (19.40)
 19. We recommend that bookmakers should be required to require certificates from the Criminal Records Bureau for other key staff and that these may be examined by the Gambling Commission. (19.40)
 20. We recommend that betting brokers should be licensed and regulated in the same way as bookmakers. (19.42)
 21. We recommend that the Gambling Commission should take over the NJPC's duties of approving bookmakers who operate on-course, though this may in practice not require a significantly different approach from the licensing of off-course bookmakers. (19.46)
 22. We recommend that bookmakers and their representatives working at greyhound tracks and point-to-points should be licensed and regulated in the same way as bookmakers on racecourses. (19.47)
 23. As with other employers, we recommend that there should be a duty on the bookmaker to ensure that he is employing staff on the racecourse, greyhound track or at the point-to-point who are fit and proper to be employed in duties related to betting. (19.48)
 24. We recommend that the Gambling Commission should license public tic-tacs. (19.50)
 25. We recommend that the Gambling Commission should be responsible for issuing certificates of approval to the operators of horse racecourses, point-to-points and greyhound tracks to authorise them to allow betting on their premises. (19.52)
 26. We recommend that the Gambling Commission should license track operators, but we do not see the need for such tracks also to be licensed for betting by the local authority. (19.53)
 27. We recommend that the Tote and its employees should be licensed by the Gambling Commission in the same way as other bookmakers and that its licence should, in addition, reflect the special status it enjoys as an exclusive provider of pool betting. (19.55)
 28. We recommend that External Lottery Managers should be licensed by the Gambling Commission. (19.56)
 29. We recommend that societies and local authorities who wish to run lotteries should have to register with the Gambling Commission and provide evidence that they are what they profess to be. The Gambling Commission should require promoters to provide a certificate from the Criminal Records Bureau, should make random checks to ensure that lotteries are being conducted legally, and should require returns to be made in respect of lotteries above a certain size. (19.57)
 30. In the case of amusement arcades, we recommend that the operator should be licensed by the Gambling Commission and should be liable to enhanced criminal records checks. (19.58)
 31. If a family entertainment centre includes a restricted area containing machines to be played only by adults, we recommend that the operator should be required to register in the same way as someone operating an amusement arcade dedicated only to over 18s. (19.60)
 32. We recommend that the Gambling Commission should license all those who sell, supply or maintain gaming machines (except low stake/low prize machines). (19.62)
 33. We recommend that pools operators are subject to licensing by the Gambling Commission. (19.64)
 34. We recommend that there should be a statutory right of appeal against licensing decisions by the Gambling Commission. The appeal should provide an opportunity for mistakes in law to be put right rather than for the case to be reviewed from scratch and for the review body to substitute its own judgement for that of the Gambling Commission. (19.66)
 35. We recommend that a Gambling Appeals Tribunal should be established. (19.70)
- ### Licensing of premises: general issues
36. We recommend that permitted areas should be abolished. (20.10)
 37. We recommend that the Gambling Commission should set a minimum size for a casino. To begin with, the size should be larger than the smallest casinos currently operating - say 2,000 square feet (185.8 square metres) for the gaming floor devoted to table games - with an exemption for existing casinos. (20.11)
 38. We recommend that the demand criterion should be abolished for both casinos and bingo clubs. (20.28)



39. We recommend that the demand test should be abolished for betting shops. (20.31)

Licensing of premises: role of the local authority

40. We recommend that the Gambling Commission should circulate procedural rules to deal with issues of the kind mentioned in the Liquor Licensing White paper. (21.4)
41. The Gambling Commission should also issue guidance, which local authorities should be obliged to follow, for example, on the minimum floor space for gambling areas in casinos. (21.5)
42. We recommend that the local authority should ensure that gambling is the primary purpose of premises licensed for gambling. (21.7)
43. Although the power may be rarely used, we recommend that local authorities should have the power to institute a blanket ban on all, or particular types of, gambling premises in a specified area. (21.9)
44. We recommend that, unless a local authority has determined that the number of gaming premises of a particular type in its area should be nil, each application for a licence should be considered on its own merits. The authority should have regard to the existing gambling provision, but that should not by itself be a valid reason for refusal. (21.11)
45. We recommend that in determining whether the location for gambling premises is appropriate the local authority should have regard to the general character of the locality and the use to which buildings nearby are put. In addition, the Gambling Commission should be able to offer more specific advice on how this provision may be interpreted and local authorities should be obliged to take any such advice into account. (21.13)
46. We recommend that opening hours should be regulated as one of the conditions of the premises' licence. (21.14)
47. We recommend that appeals against decisions made on the licensing of gambling premises should be dealt with in the same way as planning appeals. (21.21)

Gambling activities: common issues

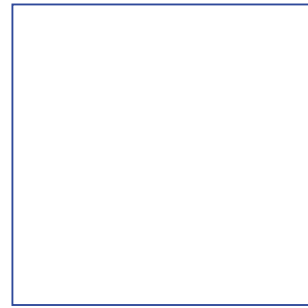
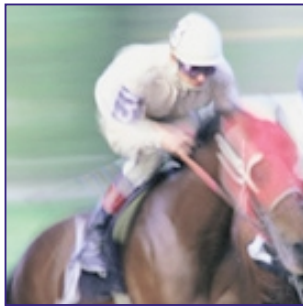
48. We recommend that the 24-hour rule should be abolished. (22.5)
49. We recommend that the statutory membership requirement for casinos and bingo clubs should be

abolished, but there should be a statutory requirement on casinos to require positive identification of all those who enter the casino. (22.7)

50. With two limited exceptions, we recommend that there should be a minimum age of 18 for all gambling. (22.11)
51. We recommend that the minimum age for working in a gambling establishment or otherwise being approved to work in the gambling industry should be 18, with the exception that lottery chances may be sold by 16 and 17 year olds. (22.16)
52. We recommend that advertising of gambling products and premises should be permitted, subject to an advertising code of practice to be issued by the Gambling Commission. Breach of the code may be subject to enforcement action by the Commission up to and including the revocation of a licence. (22.24)
53. We recommend that the Gambling Commission should monitor the impact of relaxing the restrictions on advertising and, if it seems appropriate in the light of that monitoring, it should have the power to require a warning of the kind mentioned above to be displayed on advertisements. (22.25)
54. With the exception of direct use in gaming machines, we recommend that credit cards should be permitted for gambling. (22.35)
55. We recommend that the location of ATMs should be required to be such that players have to take a break from gambling to obtain more funds. The Gambling Commission should issue guidelines setting out the restrictions on where ATMs may be situated. (22.36)
56. We recommend that money laundering compliance measures should be extended to betting. (22.41)
57. We recommend that the maximum number of gaming machines in a casino is determined by the number of gaming tables that are available for play. We suggest that the maximum should be determined by a ratio of eight machines to each table, but that where the number of tables exceeds eighty there should be no maximum on the number of gaming machines. (22.47)

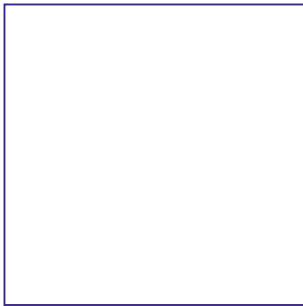
Gaming machines

58. We recommend that gaming machines should be banned from premises other than those on which they are specifically permitted pursuant to our other recommendations. (23.12)
59. We recommend that the provisions in section 33 of the 1968 Act that allow machines at exempt



entertainments should be repealed and not replicated in new legislation. (23.13)

60. We recommend that further research should be commissioned to examine the impact of machine gaming by children and that the government should formally review the position in five years time to determine whether any such gaming by under 18s should continue to be permitted, or whether Great Britain should come into line with other jurisdictions and ban it. (23.19)
61. We recommend that "coin in/coin out machines" in family entertainment centres (outside any restricted area) should have a maximum stake of ten pence. (23.25)
62. We recommend that low stake/ low prize machines should be limited to cash prizes only. (23.26)
63. We do not recommend that the prize limit on low stake/low prize machines should be reduced, but we do recommend that it should be frozen, together with the level of the stake, at £5 and ten pence respectively. (23.27)
64. We accept that machines such as cranes should not fall in the category of gaming machines and we recommend that the legislation should make that clear. (23.28)
65. We consider that in the strictly regulated environment of a casino, slot machines with unlimited stakes and prizes should be permitted. The legislation should make it clear that under 18s may not play casino slot machines. (23.31)
66. We recommend that the maximum prize for jackpot machines should be £500 in all premises in which they are installed. (23.34)
67. We recommend that the maximum stake for jackpot machines should remain at 50 pence, but that it should be increased to £1 when our proposals are implemented. (23.35)
68. We recommend that betting shops should be permitted to have jackpot machines. (23.36)
69. We recommend that the legislation should make it clear that under 18s may not play jackpot machines, wherever located. (23.37)
70. We recommend that jackpot machines should be removed from private clubs. Such machines should be restricted to gambling specific premises. Private clubs should have the same entitlement to all-cash machines as pubs and other premises licensed for the on-sale of alcohol. (23.38)
71. Subject to minimum space restrictions, we recommend that no more than four jackpot machines should be permitted in any bingo hall or betting shop. (23.39)
72. We recommend that the maximum stake for an all-cash machine should be fifty pence and that the maximum prize should be £25. (23.40)
73. We recommend that subject to any limits imposed by local authorities, bingo halls should be permitted to have all-cash machines in addition to a maximum of four jackpot machines. (23.41)
74. We recommend that betting shops should not be permitted to have all-cash machines in addition to a maximum of four jackpot machines. (23.42)
75. We recommend that up to two machines should be permitted in premises as an adjunct of a liquor on-licence. There should be an exception in favour of those premises which at the date of publication of this report carry an entitlement to more than two machines. (23.47)
76. We recommend that the legislation should be explicit that under 18s may not play on all-cash machines, wherever they are located, and that this restriction must be enforced by the operator. Failure to observe this requirement should be a ground for revocation of, or refusal to renew, a licence. (23.48)
77. We recommend that the Gambling Commission should set out guidelines for the delineation and supervision of restricted areas in arcades to ensure that a consistent standard operates across the industry. Subject to industry consultation, we suggest that by itself CCTV should not be a sufficient control. (23.50)
78. We recommend that local authorities should set the limit on the number of machines that an arcade may have, in tandem with considerations about the size of the arcade that may be determined in the planning process. (23.51)
79. We recommend that travelling showmen's pleasure fairs should be permitted to have, what we have termed, low stake/low prize machines and that the machines should be exempt from regulation provided that the machines should continue to be subject to the criteria relevant to such fairs currently contained in the 1968 Act. (23.53)
80. We recommend that the maximum stakes and prizes for jackpot machines and all-cash AWP's should be increased only in line with inflation, as and when agreed with the Gambling Commission. (23.54)



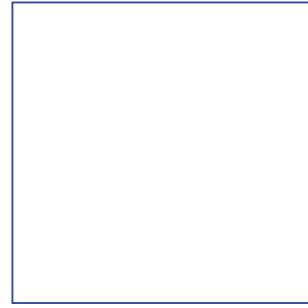
81. We recommend that the proposals contained in the Home Office consultation paper "Gaming machines: Methods of Payment" should be implemented, but the use of methods of payment should be monitored by the Gambling Commission to ensure that winnings and change can always be easily redeemed, so as not to encourage extended play. (23.62)
82. We recommend that casino slot machines with unlimited stakes and prizes should be required to be random and that the display of results must be random. (23.63)
83. We recommend that casino slot machines only may be linked to provide bigger prizes. (23.68)
84. We recommend that multiple staking should be permitted on all-cash and jackpot machines (subject to the normal maximum stake and prize for each game) and on casino slot machines with unlimited stakes and prizes. (23.71)
85. We recommend that multiple-line staking should be permitted on all-cash and jackpot machines (subject to the normal maximum stake and prize for each game) and on casino slot machines, subject to such machines operating on the random basis described in paragraph 23.63. (23.72)
86. We recommend that electronic roulette and any other similar machines should be caught by the definition of gaming machines in new legislation, and that the Gambling Commission should have discretion to determine the legal status of any new machines that may be developed. (23.73)
87. We recommend that on multi-player machines, each playing position should count as a machine. (23.74)
88. We recommend that the Gambling Commission should have powers of machine testing sufficient to satisfy it that the machines are fair and otherwise comply with regulations. The Gambling Commission should consult the industry before determining the appropriate level of testing. (23.76)
89. We recommend that profit sharing on machines should be permitted. (23.78)
91. We recommend that gaming remotely on the outcome of "live gaming" should not be prohibited. (24.9)
92. We recommend that the Gambling Commission should set out guidance on the standards required for table games and should maintain a list of games that have been approved for play in Great Britain. Games may be added to, or removed from, the list at the Gambling Commission's discretion. (24.14)
93. We recommend that casinos should be permitted to offer live entertainment. (24.17)
94. We recommend that the current restrictions on alcohol on the gaming floor should be lifted. (24.19)
95. We recommend that tipping of gaming staff should not be prohibited. (24.23)
96. We recommend that no more inducements than are currently available should be permitted. The Gambling Commission should issue guidance on what inducements are acceptable. (24.28)

Bingo

97. We recommend that any new games should be approved by the Gambling Commission. The Gambling Commission should also be able to intervene where games which are currently approved are so altered as to change their nature to become harder in their operation. (25.8)
98. We recommend that there should be no statutory limits on the stakes and prizes in bingo games. (25.12)
99. We recommend that there should be no restriction on the frequency of multiple bingo games. (25.13)
100. We recommend that rollovers should be permitted. (25.14)
101. We recommend that where the size of prizes for equal chance gaming (such as bingo) in pubs or clubs is beyond a limit of £1,000 per week, it should be regulated by the Gambling Commission in the same way as other commercial bingo. (25.18)

Betting

90. We recommend that the Gambling Commission should issue a list of the documents that are acceptable as positive proof of identity and should specify the details that should be recorded by the casino and for what period they should be retained. (24.7)
102. We recommend that betting shops should be able to offer any food as well as any non-alcoholic drinks. (26.5)
103. We recommend that betting on the UK National Lottery should be permitted. (26.8)
104. We recommend that bookmaking should continue to be permitted on tracks on not more than seven days in any



12 months without the operator being required to seek a licence from the Gambling Commission or local authority. Seven days notice of the betting should be given to the police. (26.9)

- 105. We recommend that the rules restricting charges for the entry of bookmakers to racecourses or dog tracks should be abolished. (26.14)
- 106. We recommend that there should be off-course access to greyhound totalisators. (26.19)
- 107. We recommend that bookmakers' rules, and specifically the rules relating to the completion of betting slips should be clearly displayed. The Gambling Commission should have the power to scrutinise bookmakers' terms and conditions to ensure that they are fair and reasonable. (26.21)
- 108. We recommend that all gambling debts should be legally enforceable. (26.25)
- 109. We recommend that the Gambling Commission should work closely with the Jockey Club, and others, to ensure that betting is conducted in a fair manner and that there is not unfair access to information. (26.39)

Spread betting

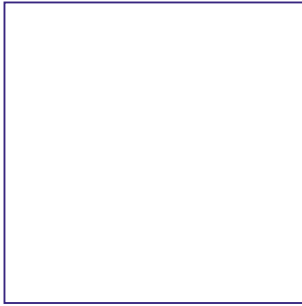
- 110. We recommend that spread betting continues to be regulated by the Financial Services Authority, at least until the Gambling Commission is well-established when the issue should be reviewed. (27.8)

Lotteries

- 111. We recommend that the ban on money prizes for small lotteries should be removed. (28.10)
- 112. We recommend that legislation should make it clear that private lotteries should not be run for private or commercial gain. (28.12)
- 113. We recommend that "good causes" should be interpreted so as not to exclude the purposes currently set out in the 1976 Act. (28.16)
- 114. We recommend that legislation should provide for the continuation of local authority lotteries, which should be registered with the Gambling Commission. (28.19)
- 115. We recommend that legislation should continue to provide for the regulation of External Lottery Managers by the Gambling Commission. (28.20)
- 116. We recommend that all societies wishing to promote societies' lotteries should register with the Gambling

Commission, whatever the size of the proposed lottery. (28.22)

- 117. We recommend that the limits on expenses and prizes as a percentage of proceeds should be removed, subject to an overriding requirement that no less than 20% of proceeds must go to the good cause. (28.28)
- 118. We recommend that the limits on the size of prizes and the maximum annual proceeds should be removed for societies' lotteries. (28.29)
- 119. We recommend that restrictions on the size of the stake in societies' lotteries should be removed, subject to the overriding principle that the price of every chance in the same lottery should be the same. (28.31)
- 120. We recommend that rollovers should be permitted for societies' lotteries. (28.32)
- 121. We recommend that societies' lotteries should be able to promote and sell chances throughout the same territory as the National Lottery. (28.34)
- 122. We recommend that societies' lotteries should not be promoted or sold outside the United Kingdom (with the exception of British Forces) and, that the law should continue to prohibit the promotion of overseas lotteries here. (28.35)
- 123. We recommend that the frequency of on-line draws should be restricted to one a day in any particular premises. (28.43)
- 124. In the light of the proposed controls on the frequency of draws, we agree that it is not necessary to restrict the premises in which on-line terminals for the sale of individual chances may be provided. (28.44)
- 125. We recommend that the selling of individual lottery chances by machine or on-line (as opposed to what amounts to gaming for good causes) should be permitted, subject to regulation by the Gambling Commission. (28.51)
- 126. We recommend that the Gambling Commission should approve interactive lottery games in the same way as other virtual gaming and should approve lottery gaming machines, with the proviso that they should be permitted only in premises where gaming machines may be sited, and are instead of not in addition to any entitlement to such machines. (28.52)
- 127. We recommend that commercial lotteries should not be permitted. (28.55)
- 128. We recommend that the New Zealand model should be adopted here, for what we would prefer to call



promotional draws or competitions, rather than lotteries. (28.61)

129. We recommend that the cost of premium-rate competitions should be minimal, possibly linking the maximum cost to no more than twice the cost of a first class stamp. (28.63)
130. We recommend that there should be a category of prize competition that involves “the exercise of a substantial degree of skill”, which may at some point in the competition involve a draw. (28.65)
131. We recommend that the restrictions in section 14(1)(a) of the 1976 Act should be removed. (28.66)
132. We recommend that prize draws that are run only for commercial profit should be prohibited. (28.69)

Pool competitions

133. We recommend that pool competitions on any sport should be permitted to operate through retail premises, rather than be restricted to four association football matches. (29.3)
134. We recommend that on-line pools entries should be permitted. (29.4)
135. We recommend that pools competitions be allowed to offer unlimited rollovers. (29.5)
136. We recommend that retail outlets should be permitted to pay out winnings to a similar level as National Lottery retailers. (29.7)

On-line gambling

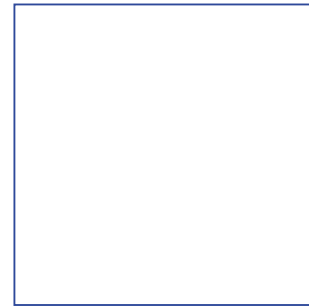
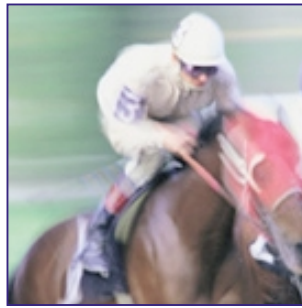
137. We recommend that an on-line gambling operator seeking a licence from the Gambling Commission should, at the minimum:
 - be registered as a British company
 - locate its server in Great Britain and
 - use a UK web address for its gambling site. (30.20)
138. We recommend that on-line betting (including pools and lotteries) should be permitted on “real-time events” taking place off-line. (30.27)
139. We recommend that on-line gaming should be permitted. (30.28)
140. We recommend that on-line gaming software systems are tested and inspected by the Gambling Commission and that the software should operate on a random basis. (30.29)

141. We recommend that the Gambling Commission should set the parameters for the development on-line games. (30.30)
142. We recommend that punters are made aware of the game rules and terms and conditions of play on on-line gaming sites before play commences. (30.31)
143. We recommend that all punters who register to play on-line should be properly identified before they are permitted to play. The Gambling Commission should issue guidelines to ensure that identification standards are comparable with those of off-line casinos. (30.32)
144. We recommend that on-line operators should make any payments only to the debit or credit card used to make deposits into the punter’s account, or by cheque to the punter. (30.33)
145. We recommend that any prizes won by minors should be forfeited. (30.34)
146. We recommend that on-line operators should be required to set up facilities that enable players to set maximum stakes and limits, and to self-ban. (30.35)
147. We recommend that on-line operators set up clocks and counting systems that are displayed on the screen at regular intervals. (30.36)
148. We recommend that on-line gambling sites provide information about problem gambling treatment and services, and links direct to those services. (30.37)
149. We recommend that the Gambling Commission establishes a portal on its website, listing licensed on-line gambling providers. In addition, regulated sites should display the Gambling Commission’s kitemark. It should be an offence for an operator to claim falsely that a site is licensed by the Gambling Commission, or to make unauthorised use of the kitemark. (30.40)
150. We recommend that only on-line gambling sites that are licensed by the Gambling Commission should be permitted to advertise in Great Britain. (30.41)

151. We recommend that the Gambling Commission should have the power to take action in relation to premises, not licensed as gambling premises, in which terminals or other facilities are supplied primarily for accessing on-line gaming or on-line betting services. (30.43)

Clubs

152. We recommend that the Gambling Commission should have the power to inspect clubs where gaming is carried out. (31.9)

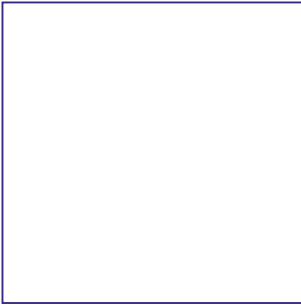


Researching, limiting and treating problem gambling

153. We recommend that research is carried out to monitor the effect on problem gambling of changes in regulation. (32.21)
154. We recommend that the Gambling Commission should have a duty to respond to findings concerning changes in problem gambling. In the light of those findings, it should make appropriate adjustments to the regulations it governs, and should advise the Government on other changes that are necessary but are outside its control. (32.22)
155. We recommend that research is carried out to understand the nature of normal, responsible, gambling behaviour; and research is carried out to understand the development of, and risk factors for, problem gambling. (32.23)
156. We recommend that research is undertaken to evaluate which forms of treatment for problem gambling are the most effective. Such research should include the development of treatment programmes and should build on existing knowledge. (32.24)
157. We recommend that the Gambling Commission should issue formal codes of social responsibility to which operators should adhere as a condition of the licence. (32.25)
158. We recommend that increased funding should be made available by the NHS for the treatment of problem gambling; that problem gambling should be recognised as a health problem by the Department of Health; and that Health Authorities should develop strategies for dealing with problem gambling. (32.26)
159. We recommend that the industry should set up a voluntarily funded Gambling Trust. We recommend that the government should reserve powers to impose a statutory levy, possibly linked to gross profit, if such a Trust is not established or subsequently ceases to operate. (32.31)

Powers and functions of the Gambling Commission

160. We recommend that the Gambling Commission should be empowered to share and receive information with all relevant law enforcement and regulatory bodies. (33.6)
161. We recommend that the Gambling Commission should be able to exchange information with, and make enquiries (on a reciprocal basis) on behalf of, gambling regulators in other jurisdictions. (33.7)
162. We recommend that the Gambling Commission should be able to make criminal records checks on individuals at periodic intervals or when concerns arise. (33.8)
163. We recommend that the Gambling Commission should develop techniques for assessing risk and target its resources appropriately. (33.14)
164. We recommend that the Gambling Commission should take steps to ensure that the public, and in particular punters, are made aware of its role and responsibilities. (33.15)
165. We recommend that the Gambling Commission should have powers to commence a prosecution – that is, to apply for a summons at the magistrates court or charge, if the police had arrested the offender, and to prepare a prosecution file – before passing the case on to the CPS to conduct the prosecution. (33.18)
166. We recommend that (a specified category of) Gambling Commission staff should have powers of entry, seizure and search. (33.19)
167. We endorse the Rothschild Commission's eagerness to accommodate particular types of illegal gambling in order to bring the activity within the law. (33.21)
168. We recommend that the Gambling Commission should have the responsibility to detect and prosecute illegal gambling together with the necessary powers of entry and seizure. (33.23)
169. We recommend that the Gambling Commission and the courts should engage in a dialogue to ensure the proper and effective use of prosecution. (33.27)
170. We recommend that the courts should have the power to close down premises used for illegal gambling. (33.28)
171. We recommend that the Gambling Commission should, as the lowest sanction, adopt a system of formal cautions. The caution (allowing time for it to be "spent") could be cited subsequently if higher sanctions are employed, up to and including prosecution. (33.30)
172. We recommend that the Gambling Commission should develop a system of endorsements, which if breaches persisted could lead up to removal of a licence. (33.31)
173. We recommend that the Gambling Commission should be empowered to impose financial penalties on regulated persons who fail to comply with the requirements of gambling legislation. (33.34)



174. We recommend that the Gambling Appeals Tribunal should determine appeals against penalties imposed by the Gambling Commission for disciplinary matters. (33.35)

Funding the Gambling Commission

175. We recommend that the Gambling Commission should be operated on a net running cost basis. (34.15)

176. We recommend that the Gambling Commission should have responsibility for regulating gambling throughout Great Britain. Fees should be set centrally and not devolved to Scotland. (34.16)