STATUTORY INSTRUMENTS

1999 No. 2136

DEREGULATION

The Deregulation (Casinos) Order 1999

Made - - - -	*27th July 1999*
Coming into force	*24th August 1999*

Whereas:

(a) the Secretary of State is of the opinion that certain provisions of the Gaming Act 1968**(a)** and which are the subject of this Order impose burdens affecting persons in the carrying on of a trade, business, profession or otherwise and that by amending or repealing the provisions concerned and by making certain other provision it is possible to remove or reduce the burdens without removing any necessary protection;

(b) he has consulted such organisations as appear to him to be representative of interests substantially affected by his proposals and such other persons as he considers appropriate;

(c) it appears to the Secretary of State that it is appropriate, following that consultation, to proceed with the making of this Order;

(d) a document setting out the Secretary of State's proposals has been laid before Parliament as required by section 3 of the Deregulation and Contracting Out Act 1994**(b)** and the period for Parliamentary consideration under section 4 of that Act has expired;

(e) the Secretary of State has had regard to the representations made during that period;

(f) a draft of this Order has been laid before Parliament with a statement giving details of those representations;

(g) a draft of this Order has been approved by resolution of each House of Parliament:

Now, therefore, the Secretary of State, in exercise of the powers conferred on him by section 1 of the Deregulation and Contracting Out Act 1994, hereby makes the following Order:

Citation, commencement and extent

1.—(1) This Order may be cited as the Deregulation (Casinos) Order 1999 and shall come into force 28 days after the day on which it is made.

(2) This Order does not extend to Northern Ireland.

Interpretation

2. In this Order "the 1968 Act" means the Gaming Act 1968.

Eligibility to take part in gaming

3. In section 12 of the 1968 Act (persons who may participate in gaming), for subsection (3) there shall be substituted–

(a) 1968 c. 65.
(b) 1994 c. 40.

"(3) For the purposes of subsection (2) of this section a member of the club specified in the licence is eligible to take part in the gaming at any particular time if–

(a) he was admitted to membership of the club in pursuance of an application in writing–

(i) made by him in person on the premises, or

(ii) sent by him to those premises,

and at that time at least twenty-four hours have elapsed since his application was made or received there; or

(b) since becoming a member, he has given notice in writing in person on the premises of his intention to take part in gaming on the premises–

(i) to the holder of the licence, or

(ii) to a person acting on behalf of the holder of the licence,

and at that time at least twenty-four hours have elapsed since he gave that notice; or

(c) since becoming a member, he has sent notice in writing of his intention to take part in gaming on those premises to the holder of the licence, and at that time at least twenty-four hours have elapsed since the notice was received there.".

Amendments consequential on article 3 above

4.—(1) In section 20 of the 1968 Act (special provisions as to bingo clubs), for subsection (5) there shall be substituted–

"(5) In relation to any club to which this section applies, section 12(3) of this Act shall have effect as if for the words from "if" to the end there were substituted the words "if at that time at least twenty-four hours have elapsed since he applied for membership of the club.".".

(2) In section 47 of the 1968 Act (service of documents) for the words "except a notice under section 12(3)(b)" there shall be substituted the words "except an application or notice under section 12(3)".

(3) Article 5 of the Deregulation (Casinos) Order 1997**(a)** (which amended sections 12(3) and 20(5) of the 1968 Act) is hereby revoked.

Use of machines by virtue of licence

5. In section 31(2)(c) of the 1968 Act (maximum number of machines which may be made available for gaming)**(b)**, for the word "six" there shall be substituted the word "ten".

Restrictions on advertisements relating to gaming

6. In section 42 of the 1968 Act (restrictions on advertisements relating to gaming)**(c)**–

(a) after subsection (3) there shall be inserted–

"(3D) Subsection (1) of this section does not apply to the publication of an advertisement relating to premises, other than bingo club premises, in respect of which a licence under this Act is for the time being in force if–

(a) the advertisement is contained in a publication which is not published wholly or mainly for the purpose of promoting premises on which gaming takes place or is to take place; and

(b) the advertisement contains no more than–

(i) the name, logo, address, telephone and facsimile numbers of the premises; and

(ii) factual written information about the facilities provided on the premises, the ownership of the premises, the persons who may be admitted to the premises and the method by which such persons may become eligible to take part in gaming on the premises.";

(a) S.I. 1997/950.

(b) Subsection (2) was substituted by article 5 of the Deregulation (Gaming Machines and Betting Office Facilities) Order 1996 (S.I. 1996/1359).

(c) As amended by the Bingo Act 1992 (c. 10) and the Deregulation (Betting and Bingo Advertising etc.) Order 1997 (S.I. 1997/1074).

(b) in subsection (8), after the definition of "advertisement" there shall be inserted the following–

" "bingo club premises" has the meaning given by section 20(1) of this Act;".

Home Office
27th July 1999

George Howarth
Parliamentary Under-Secretary of State

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is made under section 1 of the Deregulation and Contracting Out Act 1994. It reduces burdens on business by amending the Gaming Act 1968 to allow:

— members of casino clubs to participate in gaming without having personally attended the premises on which the gaming is to take place at least 24 hours in advance, as long as a written application for membership or a written notice of intention to take part in gaming has been received at the premises at least 24 hours in advance;

— ten instead of six jackpot machines to be made available for gaming in a casino;

— the publication of advertisements containing limited factual information about casino premises on which gaming takes place or is to take place.

£1.50

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