STATUTORY INSTRUMENTS

2025 No. 734

BETTING, GAMING AND LOTTERIES

The Gambling Act 2005 (Commencement No. 6 and Transitional Provisions) (Amendment) Order 2025

Made - - - -	*25th June 2025*
Laid before Parliament	*1st July 2025*
Coming into force - -	*22nd July 2025*

The Secretary of State makes this Order in exercise of the powers conferred by section 355(1) of, and paragraphs 9 and 11 of Schedule 18 to, the Gambling Act 2005(**a**).

Citation, commencement and extent

1. This Order—

(a) may be cited as the Gambling Act 2005 (Commencement No. 6 and Transitional Provisions) (Amendment) Order 2025;

(b) comes into force on 22nd July 2025;

(c) extends to England and Wales and Scotland.

Amendments to the Gambling Act 2005 (Commencement No. 6 and Transitional Provisions) Order 2006

2.—(1) Paragraph 65 of Schedule 4 to the Gambling Act 2005 (Commencement No. 6 and Transitional Provisions) Order 2006(**b**) (application of the Gambling Act 2005 to casino premises licences granted on a conversion application) is amended as follows.

(2) In sub-paragraph (6)—

(a) in the words before paragraph (a), for "either" substitute "to do any of the following";

(b) before paragraph (a) insert—

"(za) if the premises are situated in England and Wales, to make gaming machines available for use on the premises provided that the requirements set out in sub-paragraph (6A) are met;";

(c) omit "or" after paragraph (a).

(3) After sub-paragraph (6) insert—

(**a**) 2005 c. 19; section 355(1) was amended by section 52(5)(a) of the Scotland Act 2016 (c. 11) and by section 58(2)(a) of the Wales Act 2017 (c. 4).

(**b**) S.I. 2006/3272 (C. 119), to which there are amendments not relevant to this Order.

"(6A) The requirements referred to in sub-paragraph (6)(za) are that—

(a) the premises contain a gambling area, the floor area of which is no less than 280m²,

(b) each gaming machine is of Category B, C or D,

(c) the number of gaming machines—

(i) is not more than 5 times the number of gaming tables used in the casino, and

(ii) is not more than 80, and

(d) the first and the second conditions are met in relation to the premises.

(6B) For the purposes of sub-paragraph (6A)(c)(i), a gaming table is to be treated as being used in a casino at a particular time only if it is—

(a) being used to play a casino game(**a**) at that time, or

(b) available at that time to be used for that purpose.

(6C) The first condition is that for the holder of a converted casino premises licence to make (subject to sub-paragraph (6E)) up to the number of gaming machines specified in the first column of the following table available for use on the premises, the floor area of the gambling area of the premises must be no less than the minimum gambling area specified in the corresponding entry in the second column of that table.

Maximum number of gaming machines	Minimum gambling area (m²)
80	500
75	480
70	460
65	440
60	420
55	400
50	380
45	360
40	340
35	320
30	300
25	280

(6D) In determining the floor area of the gambling area for the purposes of sub-paragraphs (6A)(a) and (6C), all areas in which facilities for gambling are provided on the premises are to be taken into account.

(6E) The second condition is that, where premises in respect of which the licence has effect are connected to other premises in respect of which another converted casino premises

(**a**) "Casino game" is defined in section 7(2) of the Gambling Act 2005.

licence has effect, no more than 80 gaming machines may be made available for use in total across all of those premises (taken together).

(6F) For the purposes of sub-paragraph (6E), premises in respect of which a converted casino premises licence has effect are connected to other such premises if both premises are situated at the same location or immediately adjacent to each other, except where customers can only move from one to the other by—

(a) leaving premises in respect of which one of the converted casino premises licences has effect, and

(b) travelling to the other premises through an area which is not controlled—

(i) by or on behalf of the holder of a licence issued under Part 8 of, or a permit issued under Schedule 10, 12 or 13 to, the 2005 Act, or

(ii) by any other person who permits the holder of a licence issued under Part 8 of, or a permit issued under Schedule 10, 12 or 13 to, the 2005 Act—

(aa) to use that area (whether or not any other person is also permitted to use that area), and

(bb) to exclude any person from that area.

(6G) Where by virtue of sub-paragraph (6)(za) gaming machines are made available for use on premises in respect of which a converted casino premises licence has effect, the licence ceases to authorise its holder to make gaming machines available for use on the premises in accordance with sub-paragraph (6)(a) or (b).".

(4) In sub-paragraph (9), for the words "to a converted casino premises licence to which this paragraph applies" substitute—

"to—

(a) a converted casino premises licence to which this paragraph applies which relates to premises in Scotland;

(b) a converted casino premises licence to which this paragraph applies which relates to premises in England and Wales, in so far as that provision authorises bingo.".

(5) After sub-paragraph (13) insert—

"(14) In this paragraph—

"gambling area", in relation to premises, means those areas of the premises that are indicated on the plan as areas in which facilities for gambling may be provided;

"gaming table" means an apparatus that is designed or adapted to enable individuals to play a real game of chance(**a**) where the design or adaptation is such that the apparatus is required to be controlled or operated by an individual employed or concerned in arranging for others to play the game;

"plan" means the plan of the premises that forms part of the converted casino premises licence by virtue of section 151(1)(g) of the 2005 Act (see sub-paragraph (3) above).".

(**a**) "Game of chance" is defined in section 6(2) of the Gambling Act 2005. By section 353(1) of that Act, "real", in relation to a game, event or process, is defined as "non-virtual"; the meaning of "virtual" is explained in section 353(3) of that Act.

Review

3.—(1) The Secretary of State must from time to time—

(a) carry out a review of the regulatory provision contained in this Order, and

(b) publish a report setting out the conclusions of each such review.

(2) The first report must be published before the end of the period of five years beginning with the date on which this Order comes into force.

(3) Subsequent reports must be published thereafter at intervals not exceeding five years.

(4) A report published under this article must, in particular—

(a) set out the objectives intended to be achieved by the regulatory provision referred to in paragraph (1)(a),

(b) assess the extent to which those objectives are achieved,

(c) assess whether those objectives remain appropriate, and

(d) if those objectives remain appropriate, assess the extent to which they could be achieved in another way which involves less onerous regulatory provision.

(5) In this article, "regulatory provision" has the same meaning as in sections 28 to 32 of the Small Business, Enterprise and Employment Act 2015(**a**) (see section 32 of that Act).

Twycross
Parliamentary Under Secretary of State
Department for Culture, Media and Sport

25th June 2025

(**a**) 2015 c. 26. Section 28(4) was amended by paragraphs 7 and 11 of Schedule 3 to the Advanced Research and Invention Agency Act 2022 (c. 4). Section 29(5) was amended by section 18(2) and (3) of the Retained EU Law (Revocation and Reform) Act 2023 (c. 28). Section 30(3) was amended by section 19 of the Enterprise Act 2016 (c. 12) and paragraph 36 of Part 2 of Schedule 8 to the European Union (Withdrawal) Act 2018 (c. 16).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends paragraph 65 of Schedule 4 to the Gambling Act 2005 (Commencement No. 6 and Transitional Provisions) Order 2006 (S.I. 2006/3272 (C. 119)) ("the 2006 Order") to make changes to the gambling entitlements authorised by a converted casino premises licence (the type of licence granted to persons who were already operating casinos when the Gambling Act 2005 came into force).

The amendments made by paragraphs (2), (3) and (5) of article 2 enable the holder of a converted casino premises licence relating to premises in England and Wales to make up to 80 gaming machines (including Category B gaming machines) available for use, where:

- the gambling area in that casino is no less than 280m²,
- the gaming machines are of Category B, C or D (see S.I. 2007/2158, amended by S.I. 2009/1502, 2011/1711, 2014/45 and 2018/1402), and
- the number of gaming machines made available for use on the premises does not exceed five times the number of gaming tables also in use (see new sub-paragraph (6B) of paragraph 65 of Schedule 4) on the premises at any time.

In addition, new sub-paragraphs (6E) and (6F) of paragraph 65 of Schedule 4 to the 2006 Order describe when two or more casinos at the same location or immediately adjacent to each other, each authorised by a converted casino premises licence, are to be treated as connected so that the maximum number of gaming machines that may be made available for use in total across all of those casinos (taken together) is limited to 80.

New sub-paragraph (6G) of paragraph 65 of Schedule 4 to the 2006 Order provides that as soon as gaming machines are made available in a casino under a converted casino premises licence in accordance with new sub-paragraph (6)(za) of paragraph 65, that licence ceases to entitle the holder to make gaming machines available for use on the premises in accordance with sub-paragraph (6)(a) or (b) of paragraph 65.

By paragraph (4) of article 2, a converted casino premises licence also allows betting in casinos covered by a converted casino premises licence in England and Wales.

Paragraph (5) of article 2 creates definitions to support the amendments to paragraph 65 of Schedule 4 to the 2006 Order. In particular, the definition of "gaming table" (which is relevant to the gaming machine to gaming table ratio) matches that for section 172(3) to (5) of the Gambling Act 2005, as set out in the Gambling Act 2005 (Gaming Tables in Casinos) (Definitions) Regulations 2009 (S.I. 2009/1970, as amended by S.I. 2025/503).

Article 3 requires the Secretary of State to carry out a review of the amendments to the 2006 Order made by this Order, and to publish a report setting out the conclusions of the review. The first report must be published before the end of 5 years beginning with the day on which this Order comes into force, and subsequent reports must be published thereafter at intervals not exceeding 5 years.

A full impact assessment of the effect that this instrument will have on the costs of business and the voluntary and public sectors is available from the Department for Culture, Media and Sport, 100 Parliament Street, London SW1A 2BQ. This document is published alongside this instrument and its Explanatory Memorandum on www.legislation.gov.uk. Hard copies of these documents are available from the same postal address.

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