EXPLANATORY MEMORANDUM TO

THE GAMBLING ACT 2005 (COMMENCEMENT NO. 6 AND TRANSITIONAL PROVISIONS) (AMENDMENT) ORDER 2025

2025 No. 734

AND

THE GAMBLING ACT 2005 (PREMISES LICENCES AND PROVISIONAL STATEMENTS) (AMENDMENT) (ENGLAND AND WALES) REGULATIONS 2025

2025 No. 736

1. Introduction

1.1 This explanatory memorandum has been prepared by the Department for Culture, Media and Sport and is laid before Parliament by Command of His Majesty.

1.2 This memorandum contains information for the Joint Committee on Statutory Instruments.

2. Declaration

2.1 Baroness Twycross, Parliamentary Under Secretary of State at the Department for Culture, Media and Sport, confirms that this Explanatory Memorandum meets the required standard.

2.2 Sarah Fox, Deputy Director for Gambling and Lotteries at the Department for Culture, Media and Sport, confirms that this Explanatory Memorandum meets the required standard.

3. Contact

3.1 Millie Dyer at the Department for Culture, Media and Sport (telephone: 07718696918 or email: millie.dyer@dcms.gov.uk) can be contacted with any queries regarding the instrument.

Part One: Explanation, and context, of the Instruments

4. Overview of the Instruments

What does the legislation do?

4.1 These instruments are part of a package of statutory instruments which together make a number of changes to the legislative framework for land-based casinos. The principal focus of this package is on casinos that were already operating when the Gambling Act 2005 came into force, but now make facilities for gambling available under the Gambling Act 2005 by virtue of a converted casino premises licence ("converted casinos").

4.2 The Gambling Act 2005 (Commencement No. 6 and Transitional Provisions) (Amendment) Order 2025 ("the Order") amends paragraph 65 of Schedule 4 to the Gambling Act 2005 (Commencement No. 6 and Transitional Provisions) Order 2006 (S.I. 2006/3272). That provision is concerned with how Part 8 of the Gambling Act

2005 (premises licences) applies to converted casino premises licences. The amendments give converted casinos the option of exercising an extended gaming machine entitlement, provided that specific size requirements are met. The Order also introduces a maximum permitted machine-to-table ratio for these casinos, and restricts what can be considered as a "gaming table" for the purposes of machine-to-table ratio calculations. The Order also permits betting in all converted casinos – something which had been available only to those casinos whose licences originate from the Gambling Act 2005 (referred to in this memorandum as "2005 Act casinos").

4.3 The Gambling Act 2005 (Premises Licences and Provisional Statements) (Amendment) (England and Wales) Regulations 2025 ("the Regulations") update the requisite criteria for casinos applying to vary a premises licence. As a result of the Regulations, where a converted casino premises licence holder elects to exercise the extended gaming entitlement, it will have to vary its premises licence so as to include a table gaming area in its scale plan (as required by section 151(1)(g) of the Gambling Act 2005). This creates a process by which licensing authorities become aware of which casinos in their area are operating under the extended entitlements.

4.4 There is a third instrument connected to these two instruments: the Casinos (Gaming Machines and Mandatory Conditions) Regulations 2025 (S.I. 2025/735, "the Casino Regulations"). The Casino Regulations ensure that a number of strict rules are in place to ensure that customers are offered a balanced variety of gambling and non-gambling opportunities in casinos. The three instruments together form a single package.

Where does the legislation extend to, and apply?

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

4.5 The extent of this instrument (that is, the jurisdiction(s) which the instrument forms part of the law of) is England and Wales and Scotland.

4.6 The territorial application of this instrument (that is, where the instrument produces a practical effect) is England and Wales and Scotland[1].

The Gambling Act 2005 (Premises Licences and Provisional Statements) (Amendment) (England and Wales) Regulations 2025

4.7 The extent of this instrument (that is, the jurisdiction(s) which the instrument forms part of the law of) is England and Wales and Scotland.

4.8 The territorial application of this instrument (that is, where the instrument produces a practical effect) is England and Wales.

5. Policy context

What is being done and why?

5.1 Many of the restrictions that apply to land-based casinos derive from legislation that had not envisaged the rise of online gambling and the unlimited availability of gambling at any time. In light of this, restrictions on product availability in casinos are now less important for protecting customers than factors such as the product design and the quality of monitoring. The changes made by the package of statutory instruments amend the restrictions that apply to some products, giving casinos greater

[1] In practice, the amendments made by the Order apply only to "premises... situated in England and Wales" (article 2(2)(b), with which the amendments in paragraph (3) are associated), and to converted casino premises licences which relate to premises in England and Wales (article 2(4)).

freedom about what they offer customers, alongside strict rules which help to mitigate against the risk of gambling-related harm.

5.2 These instruments modernise the rules that apply to casinos and are intended to help the sector to grow – particularly in light of the difficulties the sector has faced following COVID-19 and the continued growth of the online gambling sector - while still ensuring that appropriate safeguards against gambling-related harm are in place. Access to these greater entitlements is contingent on operators implementing a new range of customer protections introduced by the Casino Regulations that very closely match those currently applicable to 2005 Act casinos.

5.3 The overall package brings the licensing regimes which govern 2005 Act casinos and converted casinos closer together. Primarily, this is achieved by allowing converted casinos the option of having the same gaming machine allowances as small 2005 Act casinos (up to 80 machines), provided they meet the same requirements on size and non-gambling space. For converted casinos that are smaller than a small 2005 Act casino, a sliding scale applies for gaming machine allowances, commensurate with the size of its gambling area. The package also permits betting in all converted casinos, as is currently permitted in all 2005 Act casinos.

5.4 This package of measures delivers an equitable approach to gaming machine entitlements across casinos, so that casinos of the same size can site the same number of gaming machines. The package also supports casinos in meeting consumer demand for gaming machines and potentially reduces the imbalance between casinos in England and Wales and competitors internationally, which are generally allowed to site a much higher number of machines.

What was the previous policy, how is this different?

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

5.5 The previous policy restricted converted casinos to a maximum of 20 gaming machines, if at least one machine was Category B[2], regardless of premises size. This was a comparatively low entitlement compared to venue size and other types of casino, and therefore fewer restrictions were applied to the layout of casinos in terms of table gaming and non-gambling space.

5.6 This instrument enables converted casinos to increase this entitlement to 80 Category B gaming machines, provided the casino meets the same minimum size requirements of a small 2005 Act casino (where the same entitlement to 80 Category B gaming machines applies). This delivers consistency between the different types of casino premises licences. For converted casinos smaller than a small 2005 Act casino, a proportionate entitlement is introduced by this instrument in the form of a 'sliding scale', whereby machine entitlements directly correlate to venue size.

5.7 As the new policy allows certain casinos to increase their machine entitlement above 20 machines, the Government wants to ensure that there are strict requirements in terms of gambling, table gaming and non-gambling areas in these casinos. A separate instrument - the Casinos Regulations - amends the Gambling Act 2005 (Mandatory and Default Conditions) (England and Wales) Regulations 2007 (S.I. 2007/1409) to introduce requirements that must be complied with to access the extended entitlements, in terms of a minimum table gaming area and non-gambling space. As a result, where a casino exercises the extended gaming machine entitlements, there will

[2] Or an unlimited number of Category C and D gaming machines.

be a balanced variety of gambling and non-gambling opportunities in casinos, incentivising customers to take breaks during gambling sessions.

5.8 The Order also stipulates that where a casino is exercising the extended machine entitlement, the number of gaming machines must not be more than five times the number of gaming tables available for use in the casino. This 'ratio' is a new concept for converted casinos but of longstanding application to 2005 Act casinos, and the Order also specifies when a gaming table qualifies for the purposes of this ratio.

5.9 As an example, if a casino with a gambling area of 300m² meets the minimum table gaming and non-gambling area requirements set out in the Mandatory and Default Conditions (in this case, both 150m²), it will be allowed to offer up to 30 gaming machines, provided it ensures that a minimum of six gaming tables are available for use.

5.10 A further protective measure has been included in this Order. Venues have historically held multiple converted casino premises licences within the same footprint, provided individual premises are physically distinct or have some degree of separation. This previously enabled converted casinos to site more than 20 Category B gaming machines in a single physical location across multiple premises. As entitlements are applied on a per premises licence basis, if a venue held two premises licences it could site 40 Category B machines, and with three premises licences 60 Category B machines. This Order prevents casinos that exercise the extended entitlement from siting more than 80 Category B gaming machines across all connected premises, regardless of the number of premises licences held. This mitigates against a scenario whereby connected casinos within the same footprint could site (for example) 160 or 240 gaming machines

5.11 Casinos in England and Wales are not obligated to exercise the extended gaming machine entitlements. None of the changes made to the regulatory framework by the Order or the related instruments prevent a converted casino from carrying on its business exactly as before. However, the Order also includes a measure to permit betting in converted casinos, and therefore converted casinos will be able to offer betting as a product if they wish to do (and have the relevant operating licence), without also needing to exercise the extended entitlement to gaming machines.

The Gambling Act 2005 (Premises Licences and Provisional Statements) (Amendment) (England and Wales) Regulations 2025

5.12 The Gambling Act 2005 (Premises Licences and Provisional Statements) (Amendment) (England and Wales) Regulations 2025 amends the requisite criteria for operators to apply to vary a premises licence. If a converted casino premises licence holder intends to exercise extended gaming entitlements, the amendments enable an application to be made to vary such a licence so as to include a table gaming area in its scale plan. This process also means that licensing authorities are aware of which casinos are able to exercise the extended entitlements.

6. Legislative and legal context

How has the law changed?

6.1 These instruments make amendments to the Gambling Act 2005 (Commencement No. 6 and Transitional Provisions) Order 2006[3] ("the 2006 Order") and the Gambling Act 2005 (Premises Licences and Provisional Statements) Regulations 2007[4].

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

6.2 This Order amends paragraph 65 of Schedule 4 to the Gambling Act 2005 (Commencement No. 6 and Transitional Provisions) Order 2006 to make changes to the gambling entitlements authorised by a converted casino premises licence in England and Wales.

6.3 Article 2 of this Order amends the 2006 Order to enables the holder of a converted casino premises licence in England and Wales to make up to 80 Category B gaming machines available, provided the conditions in paragraph (3) of article 2 are satisfied. The Order includes a table for entitlements, known as the 'sliding scale', which sets out the minimum gambling area requirements that a casino must comply with in order to offer 25 machines or more. For example, if a casino has a gambling area of 280m², it is entitled to offer up to 25 Category B gaming machines, subject to compliance with a range of conditions (see paragraphs 5.7 to 5.10). These include that the gambling area in that casino must be no less than 280m², and that the number of gaming machines cannot exceed five times the number of gaming tables available for use in the casino. The gaming machine allowance increases by five gaming machines for every additional 20m² of gambling area, up to a maximum of 80.

6.4 The Order also makes provision so casinos that are distinct but within the same footprint are treated as connected, so that the maximum number of gaming machines that may be made available across all connected casinos is limited to 80.

6.5 A new paragraph is also added to provide that as soon as gaming machines are made available in a casino under a converted casino premises licence by virtue of the new extended entitlement, that licence ceases to entitle the holder to make gaming machines available for use on the premises in accordance with the other entitlements set out in the 2006 Order.

6.6 The Order also allows betting in casinos covered by a converted casino premises licence in England and Wales - something which is currently prohibited in these casinos.

The Gambling Act 2005 (Premises Licences and Provisional Statements) (Amendment) (England and Wales) Regulations 2025

6.7 These Regulations amend the Gambling Act 2005 (Premises Licences and Provisional Statements) Regulations 2007 to enable the holder of a converted casino premises licence who would like to exercise the extended gaming machine entitlements to apply to its licensing authority to vary its operating licence so as to amend its scale plan to include a table gaming area. The Regulations require such a scale plan to show the location and extent of any part of the premises which will be a table gaming area.

[3] S.I. 2006/3272.
[4] S.I. 2007/459, amended by S.I. 2007/1775.

Why was this approach taken to change the law?

6.8 This is the most direct way to make the desired changes.

7. Consultation

Summary of consultation outcome and methodology

7.1 A consultation on casino reform took place from July to October 2023 in the context of a wider consultation on land-based gambling reform under the previous government[5].

7.2 The relevant section of the consultation received 41 responses from a variety of stakeholders, including gambling operators and trade bodies, local government organisations, campaign groups and academics. Respondents from the land-based gambling industry were supportive of the proposals which remove restrictions on supply, pointing to the unrestricted availability of the same products online. Contrastingly, respondents from local government, campaign groups and academia were more cautious about any measures which could be seen as increasing the supply of gambling opportunities, due to links between rates of gambling participation and gambling-related harm. A summary of the consultation responses on each of the proposals included in these instruments is outlined below:

Sliding scale for gaming machine entitlements

Summary of consultation responses

7.3 A sliding scale was proposed in the consultation which detailed potential requirements across (i) gambling space; (ii) table gaming space; (iii) non-gambling area; and (iv) machine to table ratio. Venues would be required to comply with these requirements in order to increase their gaming machine allowance.

7.4 When asked about the sliding scale requirements, there was a similar level of agreement from the 40 respondents across gambling area, non-gambling area and machine to table ratio requirements, but greater opposition to minimum table gaming area - 63% of respondents were not in favour of the minimum table gaming area requirement. This opposition was primarily from industry stakeholders, who argued that the other space requirements and the imposition of a machine to table ratio would ensure a balance between table gaming, machines and non-gambling space.

7.5 Some respondents were opposed in principle to any increase in the level of gaming machines available in casinos - 46% of those that responded were opposed to the idea of a new regime with greater gaming machine entitlements, pointing to evidence that suggested that Category B machines are the category most commonly associated with gambling-related harm. These respondents also suggested that increasing the availability of gaming machines will not make customers more likely to take breaks, due to the prospect of other customers taking over their machine and claiming their 'perceived winnings'.

Government response

7.6 The Order introduces a permitted number of gaming machines, linked to a venue's gambling area, as detailed in the sliding scale in the consultation document. The table

[5] Government consultation: https://www.gov.uk/government/consultations/measures-relating-to-the-land-based-gambling-sector/measures-relating-to-the-land-based-gambling-sector. Copies of this consultation are available from the Department for Culture, Media and Sport at 100 Parliament Street, London SW1A 2BQ.

gaming area and non-gambling space requirements that were set out in the sliding scale in the consultation document are set out in the wider package of casino reforms.

7.7 In making this proposal, the Government acknowledged some concerns from industry stakeholders about the necessity of a table gaming area requirement. However, in updating the regulatory framework, it was important to ensure that if the preferred setup of a casino changes in future, an appropriate balance of product remains - both in terms of space and product numbers. It is our view that a table gaming area should underpin the concept of a casino which can offer more than 20 Category B gaming machines, where there is not only a clear delineation between gambling areas and non-gambling areas but also a separation between the provision of gaming (casino and equal chance table games) and other gambling such as gaming machines and/or betting. Feedback from engagement with operators also indicated that the sliding scale as proposed would benefit the majority of casinos, with over 80% of casinos estimated to benefit depending on how floor space is reconfigured.

7.8 The Government also acknowledged concerns about an increased availability of machines potentially leading to greater opportunities for gambling-related harm. However, as outlined in the gambling white paper, casinos are required to have appropriate protections in place around player monitoring, and many casinos have adopted a range of measures including monitoring customer expenditure in real time and algorithmic systems that identify customers at risk from playing patterns. Gaming machines must also have suitable characteristics to mitigate against the risk of gambling-related harm, and these characteristics will be in place for any additional gaming machines.

7.9 In determining the specific requirements for converted casinos with extended gaming machine entitlements, the Government sought consistency with requirements for small 2005 Act casinos. As a result, where casinos in England and Wales have an entitlement of 80 Category B gaming machines, they are subject to the same minimum gambling area, table gaming and non-gambling area requirements, regardless of licence type. For venues that are smaller than a small 2005 Act casino, it was deemed preferential to introduce a sliding scale, whereby entitlements are proportionate to venue size. This prevents venues separated by a few m² of gambling space having wildly contrasting entitlements.

Changes to the machine to table ratio

Summary of consultation responses

7.10 Thirty-nine responses were received to these questions in the consultation. More respondents were in favour of a 5:1 ratio than opposed - 58% of those that didn't answer 'I don't know' were in favour of the 5:1 ratio. A notable number of respondents answered 'I don't know' (26%), indicating some level of uncertainty. Those in opposition to a 5:1 ratio preferred a lower ratio such as 3:1, due to a belief that casinos should not become machine-led venues. These respondents would prefer to see table games as the most common activity under a casino licence, highlighting that table games are more likely to lead to breaks in play.

Government response

7.11 The Casino Regulations stipulate a 5:1 machine to table ratio for converted casinos that take up the extended gaming machine entitlement, and the Order amends the current 2:1 ratio requirement for small 2005 Act casinos to the same effect.

7.12 The updated ratio requirements will ensure a balanced offer of gaming products in casinos, bring consistency across the different types of licence, and address issues that have arisen in small 2005 Act casinos from a 2:1 ratio. Any converted casinos that are content to remain on the existing regime will be able to do so and are not required to adjust their product offering.

Size requirements for different casinos

Summary of consultation responses

7.13 This section of the consultation received 43 responses. When asked about the reduction in minimum table gaming area in small 2005 Act casinos from 500sqm to 250sqm, slightly more respondents were in favour of this being applied than opposed. Fifty-two per cent of those who didn't answer 'I don't know' supported the proposal, while 48% were against. Those opposed to the reduction preferred a larger minimum table gaming area requirement in place such as 350sqm.

7.14 With regard to converted casinos currently operating with a gambling area of 1500sqm or more, the strongest preference from respondents was for these venues to be made to reduce their gambling area below 1500sqm.

Government response

7.15 The Order reduces the required minimum table gaming area in small 2005 Act casinos from 500sqm to 250sqm. This is viewed as a more proportionate table gaming area compared to other floor space requirements.

7.16 With regard to casinos that currently operate with a gambling area of 1500sqm or more, these casinos will be permitted to remain open with their current gambling area. The size of a casino's gambling area is determined for these purposes as of 15 May 2025, being the date on which this instrument was laid in draft. Despite respondents indicating a preference for venues to be made to reduce their gambling area, the government has decided not to force the six converted casinos with a gambling area of 1500sqm or more to reduce their footprint. This exemption is tightly drawn to reduce any advantages that these casinos may gain compared to their competitors, and ceases to apply to in relation to any affected converted casino that increases the size of its gambling area or moves premises.

Betting in converted casinos

Summary of consultation responses

7.17 There were 39 responses to this section of the consultation. The wider package of casino reforms proposed that converted casinos should be allowed to offer betting. A sliding scale was proposed for Self-Service Betting Terminals (SSBTs) to offer sports betting - respondents were generally supportive of the scale, but industry stakeholders were keen to highlight that they expect sports betting to have a very small impact on their business and do not intend to site many SSBTs. Some industry stakeholders questioned the necessity of the sliding scale given the numbers of SSBTs where they are currently permitted are low, and this could be seen as adding to an already complex regulatory framework.

Government response

7.18 The Order lifts the prohibition on betting in converted casinos, so that betting is permitted in all casinos. This will enable casinos to meet customer demand and bring Great Britain's casino product offering more in line with international jurisdictions.

7.19 The Order introduces restrictions on betting through a sliding scale of betting positions which sets out the maximum number of positions allowed by reference to the size of the venue's gambling area. The link between gambling space and betting terminals will ensure the electronic offering in a casino does not overwhelm the live table offering.

8. Applicable guidance

8.1 The Gambling Commission intends to publish information on the effect that these instruments will have on the regulatory framework for casino operators and licensing authorities once all the linked instruments have been made.

Part Two: Impact and the Better Regulation Framework

9. Impact Assessment

9.1 A full Impact Assessment is submitted with this memorandum and published alongside the Explanatory Memorandum on the legislation.gov.uk website[6]. This examines the impact of the extended entitlements included in the Order. The Impact Assessment is not applicable to the Regulations.

9.2 The Impact Assessment relates to the package of casino reforms apart from the impact of betting being permitted in all casinos. A separate de minimis impact assessment has been conducted for betting due to the expected impacts being below the threshold required for a full Impact Assessment, as set out in the Regulatory Policy Committee's guidance.

Impact on businesses, charities and voluntary bodies

9.3 The impact on businesses is significant for land-based casino operators. The Government estimates that the full package of casino measures being enacted (excluding permitting betting in converted casinos) will result in an annual increase of between £52-£63 million in gross gambling yield for the land-based casino sector (with a central estimate of £58 million). This is estimated to happen by the third year of these reforms being in place. The sector is estimated to incur one-off transition and implementation costs of between £46-£56 million (central estimate of £51 million) and annual operating costs of between £15-£19 million (central estimate of £17 million).

9.4 The legislation does not impact small or micro businesses. The impacted casinos are all defined as 'large' companies according to HMRC Corporation Tax thresholds as they had annual profits above £1.5m in the 2022/23 financial year.

9.5 There is no, or no significant, impact on the public sector. The Gambling Commission is responsible for enforcing licensing and regulatory requirements on casinos and has confirmed that the measures are not expected to affect its costs. Any additional costs incurred by local authorities to issue and monitor casino licenses should be recouped from casinos through application fees and annual licensing fees.

[6] Copies of the Impact Assessment are also available from the Department for Culture, Media and Sport at 100 Parliament Street, London SW1A 2BQ.

10. Monitoring and review

What is the approach to monitoring and reviewing this legislation?

10.1 DCMS and the Gambling Commission have jointly commissioned a process and impact evaluation to be delivered for the wider gambling white paper measures, including these casino reforms. The evaluation will employ experimental and quasi-experimental designs to evaluate the effectiveness of the casino reforms.

10.2 The Order includes a clause requiring Ministers to review its regulatory provisions every 5 years.

Part Three: Statements and Matters of Particular Interest to Parliament

11. Matters of special interest to Parliament

11.1 These two instruments, which follow the made negative procedure, are linked to another statutory instrument: the Casinos (Gaming Machines and Mandatory Conditions) Regulations 2025 ("the Casino Regulations", S.I. 2025/735), which amend the Gambling Act 2005 and the Gambling Act 2005 (Mandatory and Default Conditions) (England and Wales) Regulations 2007 (S.I. 2007/1409). The Casino Regulations were required to be laid in draft and have been approved by both Houses.

11.2 Taken together, the linked instruments make a number of changes to the way in which land-based casinos are regulated. To enable Parliamentarians to scrutinise and debate the Casino Regulations, the Department published drafts of the two negative instruments on GOV.UK on the same day as the Casino Regulations were laid before Parliament in draft[7]. The versions signed by the Minister contain a small number of minor changes which do not reflect any change in policy, and are included solely for the purposes of clarity[8].

11.3 To change gambling entitlements authorised by a converted casino premises licence, the Order principally relies on the powers in paragraphs 9 and 11 of Schedule 18 to the Gambling Act 2005 (taken with the implied powers to amend in section 14 of the Interpretation Act 1978). These powers relate to the conversion of a licence originally issued under an enactment to be repealed by the Gambling Act 2005 (in this case, the Gaming Act 1968) into a licence under that Act.

11.4 Paragraph 65(3) of Schedule 4 to the Gambling Act 2005 (Commencement No. 6 and Transitional Provisions) Order 2006 ("the Original Order", S.I. 2006/3272) provides that Part 8 of the Gambling Act 2005 (premises licences) has effect in relation to converted casino premises licences subject to modifications specified in the remainder of that paragraph.

11.5 The Order amends paragraph 65 of Schedule 4 to the Original Order so as to introduce a new, extended entitlement to gaming machines which in many respects matches the existing entitlement associated with small 2005 Act casinos.

11.6 The remaining differences reflect the nature of converted casinos: a minimum gambling area of 280m² and sliding scale of gaming machine entitlements (new sub-paragraphs (6A)(a) and (6C)) are needed as converted casinos can be smaller than the minimum size permitted for small 2005 Act casinos (500m²: regulation 2(3) of S.I. 2008/1330). Similarly, the provisions in new sub-paragraphs (6E) and (6F) are needed to deal with 'connected' premises because a degree of clustering may exist with converted casinos – something irrelevant to 2005 Act casinos, whose geographical distribution is governed by secondary legislation (S.I. 2008/1327). New sub-paragraph (6G) provides that once the extended entitlement is exercised, the converted casino premises licence no longer authorises the former entitlements to gaming machines.

[7] https://www.gov.uk/government/publications/changes-to-the-regulatory-framework-for-land-based-casinos-draft-secondary-legislation.

[8] In the Order, former sub-paragraph (6D) has become new sub-paragraph (6B) and, in new sub-paragraph (14), the footnote in the definition of "gaming table" is amended to match the equivalent footnote in S.I. 2025/503. In the Regulations, the former reference to "the table gaming area" in new regulation 7(4) is changed to "a table gaming area" to better reflect, in the Gambling Act 2005 (Premises Licences and Provisional Statements) Regulations 2007/459, the definition in regulation 4(10)(e) and the approach taken in regulation 4(3)(b). There are also changes to both Explanatory Notes.

11.7 Moreover, the amendment to sub-paragraph (9) means that converted casino premises licences now permit betting in converted casinos, as is already the case for 2005 Act casinos by virtue of section 174(3) and (4) of the Gambling Act 2005. The definition of "gaming table" in sub-paragraph (14), and when a gaming table is considered to be in use (new sub-paragraph (6B)), are also identical to the position for 2005 Act casinos: see S.I. 2009/1970, as amended by S.I. 2025/503).

11.8 As such, the Order effectively continues the conversion process that began with the Original Order. Each of its provisions either moves the entitlements associated with a converted casino premises licence so they are closer to – or identical with – those of a small 2005 Act casino premises licence, or addresses the inherently different nature of converted casinos to ensure the extended entitlement does not eclipse the entitlements associated with a small 2005 Act casino premises licence.

12. European Convention on Human Rights

12.1 Baroness Twycross, Parliamentary Under Secretary of State at the Department for Culture, Media and Sport, has made the following statement regarding Human Rights:

12.2 "In my view the provisions of the following instruments are compatible with the Convention rights:

- The Gambling Act 2005 (Commencement No. 6 and Transitional Provisions) (Amendment) Order 2025
- The Gambling Act 2005 (Premises Licences and Provisional Statements) (Amendment) (England and Wales) Regulations 2025."

13. The Relevant European Union Acts

13.1 This instrument is not made under the European Union (Withdrawal) Act 2018, the European Union (Future Relationship) Act 2020 or the Retained EU Law (Revocation and Reform) Act 2023 ("relevant European Union Acts").