

## Code of practice for gaming machines in clubs and premises with an alcohol licence

For club gaming permits, club machine permits and alcohol licensed premises

August 2014

### 1 For club gaming permits, club machine permits and alcohol

This is the Commission's Code of Practice issued under section 24 of the Gambling Act 2005 (the Act) relating to provision of facilities for gaming machine gambling in accordance with club gaming, club machine and alcohol licensed premises permits. This includes:

- Registrations under Parts II and III of the Gaming Act 1968 which, under transitional provisions, are treated as club gaming and club machine permits respectively
- Club gaming and club machine permits issued under the Club Gaming and Club Machine Permits (Scotland) Regulations 2007
- Premises which have a licence issued by a Licensing Board under section 26(1) or 47(2) of the Licensing (Scotland) Act 2005 authorising the sale of alcohol on the premises.

#### Code provision 1.1

#### Club gaming permits, club machine permits and alcohol Gaming machines in clubs and premises with an alcohol licence

- 1 Compliance with the code of practice should be the responsibility of a designated person:
  - in pubs in England and Wales: the designated premises supervisor (which the Licensing Act 2003 requires as a condition of any alcohol premises licence)
  - in premises which are licensed to serve alcohol for consumption on the premises under the relevant Scottish licence: the premises manager (which the Licensing (Scotland) Act 2005 requires as a condition of the premises licence), or,
  - where an occasional licence is held, a responsible person designated by the holder of the licence
  - in clubs in England and Wales:
    - if an alcohol licence is held, the designated premises supervisor
    - if no alcohol licence is held, a responsible individual to be nominated by the club management or other governing body elected by the members
  - in clubs in Scotland:
    - for a qualifying club under the Licensing (Clubs) (Scotland) Regulations 2007 (SSI No 76 of 2007) a person nominated by the club management committee, or other governing body elected by the members, and who is trained in accordance with the Licensing (Training of Staff) (Scotland) Regulations 2007
    - for a qualifying club operating under an occasional licence a responsible person to be nominated by the club management committee or other governing body elected by the members
    - the name and contact details of the nominated person should be made available to the clerk of the relevant licensing board.

## 2 Location and operation of machines

### All permit holders

**Compliance with these provisions is a condition of your permit, and failure to do so could result in revocation of the permit.<sup>1</sup>**

#### Code provision 2.1

##### Location and operation of machines

##### All permit holders

- 1 All gaming machines situated on the premises must be located in a place within the premises so that their use can be supervised, either by staff whose duties include such supervision (including bar or floor staff) or by other means.
- 2 Permit holders must have in place arrangements for such supervision.
- 3 All gaming machines situated on the premises shall be located in a place that requires a customer who wishes to use any ATM made available on the premises to cease gambling at the gaming machines in order to do so. 'ATM' means a machine located on the premises, which enables a person using it to obtain cash by use of a credit or debit card.

## 3 Access to gambling by children and young persons

**Compliance with this section is not a condition of your permit. However it sets out good practice in this area and the Commission considers it should be implemented by permit holders.**

#### Code provision 3.1

##### Access to gambling by children and young persons

##### All permit holders

- 1 Permit holders should put into effect procedures intended to prevent underage gambling. This should include procedures for:
  - checking the age of those who appear underage
  - refusing entry to anyone unable to produce an acceptable form of identification.
- 2 Permit holders should take all reasonable steps to ensure that all relevant employees understand their responsibilities for preventing underage gambling.
  - Permit holders should only accept identification which:
  - contains a photograph from which the individual can be identified
  - states the individual's date of birth
  - is valid
  - is legible and has no visible signs of tampering or reproduction.
- 3 The Commission considers acceptable forms of identification to include: any identification carrying the PASS logo (for example Citizencard or Validate); a driving licence (including provisional licence) with photocard; or a passport.

<sup>1</sup> Compliance with these provisions is a condition of the relevant permit as a result of the Gambling Act 2005: section 271 for Club Gaming Permits, section 273 for Club Machine Permits, section 282 for alcohol licensed premises using their automatic machine permissions and section 283 for licensed premises Gaming Machine Permits and alcohol licensed premises Gaming Machine Permits.

### **Code provision 3.2**

#### **Access to gambling by children and young persons**

##### **All permit holders**

- 1 Procedures should be in place for dealing with cases where a child or young person repeatedly attempts to gamble on category B or C machines, including oral warnings, reporting the offence to the Commission and the police, and making available information on problem gambling.

## **4 Complaints and disputes**

**Compliance with this section is not a condition of your permit. However it sets out good practice in this area and the Commission considers it should be implemented by permit holders.**

### **Code provision 4.1**

#### **Complaints and disputes**

##### **All permit holders**

- 1 Permit holders should put into effect a written procedure for handling customer complaints and disputes regarding the use of gaming machines on their premises
- 2 A 'complaint' means a complaint about any aspect of the permit holder's conduct of their permissible activities, and a 'dispute' is any complaint which:
  - a) is not resolved at the first stage of the complaints procedure, and
  - b) relates to the outcome of the complainant's gambling transaction.
- 3 Permit holders should ensure that:
  - customers are told the name and status of the person to contact about their complaint
  - customers are given a copy of the complaints procedure on request or on making a complaint
  - all complaints are handled in accordance with the procedure.

**Gambling Commission August 2014**

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## **Keeping gambling fair and safe for all**

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**[www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk)**

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