

GAMING MACHINES IN UNLICENSED PREMISES

Prior to September 2007 proprietors of premises such as cafes and taxi offices could apply to the council for a permit to provide gaming machines for use – these were generally known as Amusement With Prizes machines. A permit lasted for 3 years from the date of grant and could be renewed for further periods of 3 years.

The law changed with effect from September 2007 with implementation of the Gambling Act 2005 and permits for gaming machines may now only be applied for in respect of the following types of premises: -

- (a) those for which a premises licence under the Licensing Act 2003 has been granted that authorises the sale of alcohol for consumption on the premises;
- (b) those for which a club premises certificate under the Licensing Act 2003 has been granted;
- (c) those intended to be used as a family entertainment centre.

Machines may also be provided in premises for which a premises licence under the Gambling Act 2005 has been granted.

Where a permit for Amusement With Prizes machines was granted or renewed prior to September 2007 for unlicensed premises, it will continue to have effect until the date of expiry, i.e. 3 years from date of grant or renewal.

These permits can no longer be renewed and operators should ensure machines are removed from use once the permit has expired.

N.B. It is a criminal offence to use a gaming machine without a permit, which is punishable by imprisonment for up to 51 weeks, or a fine of up to £5000, or both.