

**2012 No. 1851**

**BETTING, GAMING AND LOTTERIES**

**The Gambling (Licence Fees) (Miscellaneous Amendments)  
Regulations 2012**

<i>Made</i>	- - - -	<i>13th July 2012</i>
<i>Laid before Parliament</i>		<i>16th July 2012</i>
<i>Coming into force</i>	- -	<i>1st September 2012</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 69(2)(g) and (5), 100(2) and (3), 104(3) and (4), 128, 132(2) and (3) and 355(1) of the Gambling Act 2005(a):

**Citation and commencement**

1. These Regulations may be cited as the Gambling (Licence Fees) (Miscellaneous Amendments) Regulations 2012 and come into force on 1st September 2012.

**Interpretation**

2. In these Regulations—

“the Operating Licence Fees Regulations” means the Gambling (Operating Licence and Single-Machine Permit Fees) Regulations 2006(b), and

“the Personal Licence Fees Regulations” means the Gambling (Personal Licence Fees) Regulations 2006(c).

**Amendment to the Personal Licence Fees Regulations 2006**

3. In paragraph (3)(b) of regulation 4 of the Personal Licence Fees Regulations (maintenance fees for personal licences), for “£185” substitute “£145”.

**Amendments to regulation 13A of the Operating Licence Fees Regulations**

4. In regulation 13A (fees for general betting (standard)(remote platform) operating licences) of the Operating Licence Fees Regulations—

(a) in paragraph (1), for “Except where paragraph (3) applies” substitute “Except as provided in paragraph (2) or (3)”,

(b) for paragraph (2) substitute—

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(a) 2005 c.19.

(b) S.I. 2006/3284, as amended by S.I. 2007/269, 2007/1791, 2008/1803, 2008/3105, 2009/1837 and 2012/829.

(c) S.I. 2006/3285, as amended by S.I. 2009/1971.

“(2) Where a person applies for a general betting (standard)(remote platform) operating licence and holds or is also applying for—

- (a) a remote general betting (limited) operating licence,
- (b) a non-remote general betting (standard) operating licence, or
- (c) a non-remote general betting (limited) operating licence,

there is no application fee for that general betting (standard)(remote platform) operating licence.”, and

- (c) for paragraph (3) substitute—

“(3) At any time when a person who holds a general betting (standard)(remote platform) operating licence also holds—

- (a) a remote general betting (limited) operating licence,
- (b) a non-remote general betting (standard) operating licence, or
- (c) a non-remote general betting (limited) operating licence,

there is no first annual fee and no annual fee for that general betting (standard)(remote platform) operating licence.”.

### **Amendment to regulation 15(3) of the Operating Licence Fees Regulations**

5. In paragraph (3) of regulation 15 of the Operating Licence Fees Regulations (interpretation of Part 4), for “to which regulation 13A(3) applies” substitute “for which there is no application fee by virtue of paragraph (2) or, as the case may be, no first annual fee or no annual fee by virtue of paragraph (3) of regulation 13A”.

### **Amendments to regulation 20A of the Operating Licence Fees Regulations**

6. In column A of Table 2 in regulation 20A of the Operating Licence Fees Regulations (reduced fee for applications for licences in certain circumstances)—

- (a) for “A partner in a partnership” substitute “Partnership”,
- (b) for “A member of a Limited Liability Partnership” substitute “Limited Liability Partnership”, and
- (c) for “A shareholder and director of a company limited by shares” substitute “Company limited by shares”.

### **Amendments to regulation 24 of the Operating Licence Fees Regulations**

7. In regulation 24 of the Operating Licence Fees Regulations (fees for applications to vary operating licences)—

- (a) in paragraph (3), for “Subject” substitute “Except as provided in paragraph (3A), and subject”, and
- (b) after paragraph (3), insert—

“(3A) Where an application has been made under section 104(1)(b) to vary a non-remote general betting (standard) operating licence or a non-remote general betting (limited) operating licence, the fee specified in paragraph (3) is not payable in respect of any application under section 104(1)(b) to vary a general betting (standard)(remote platform) operating licence to the same extent.”.

### **Amendments to Schedule 1 to the Operating Licence Fees Regulations**

8. In Schedule 1 to the Operating Licence Fees Regulations (categories of non-remote operating licences)—

- (a) in the first row of column 6 (category D existing casino operating licence), before “but” insert “up to”,

- (b) in the sixth row of column 4 (category B pool betting operating licence), after “£550,000” insert “or greater,”,
- (c) in the fourteenth row (lottery operating (external lottery manager) licence)—
  - (i) in column 3 (category A), for “£550,00” substitute “£550,000”, and
  - (ii) in column 4 (category B), after “£550,000” insert “or greater,” and
- (d) in the fifteenth row of column 5 (category C lottery operating (society) licence), for “Greater than £500,000” substitute “£500,000 or greater”.

#### **Amendments to Schedule 4 to the Operating Licence Fees Regulations**

9. In Schedule 4 to the Operating Licence Fees Regulations (categories of remote operating licences)—

- (a) in the seventh row of column 8 (category K betting intermediary operating licence), for “£500 million” substitute “£550 million”,
- (b) in the thirteenth row of column 4 (category G lottery operating (external lottery manager) licence), after “£550,000” insert “or greater,” and
- (c) in the fourteenth row of column 5 (category H lottery operating (society) licence), for “Greater than £500,000” substitute “£500,000 or greater”.

13th July 2012

*John Penrose*  
Parliamentary Under Secretary of State  
Department for Culture, Media and Sport

#### **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations amend the Gambling (Personal Licence Fees) Regulations 2006 (“the Personal Licence Fees Regulations”) and the Gambling (Operating Licence and Single-Machine Permit Fees) Regulations 2006 (“the Operating Licence Fees Regulations”).

The Personal Licence Fees Regulations prescribe application, maintenance and other fees relating to personal licences issued under Part 6 of the Gambling Act 2005 (“the Act”).

The Operating Licence Fees Regulations prescribe fees relating to operating licences and single-machine supply and maintenance permits issued under Parts 5 and 10 of the Act respectively.

Regulation 3 amends regulation 4(3)(b) of the Personal Licence Fees Regulations by reducing the maintenance fee in respect of a personal functional licence from £185 to £145.

Regulation 4 amends regulation 13A of the Operating Licence Fees Regulations so as to broaden the circumstances in which no fees are payable in respect of a general betting (standard)(remote platform) operating licence. This occurs if a person who applies for or holds that licence also holds or successfully applies for a remote general betting (limited) operating licence, non-remote general betting (standard) operating licence or non-remote general betting (limited) operating licence. The amendment made by regulation 5 follows from the amendments made by regulation 4.

Regulation 7 amends regulation 24 of the Operating Licence Fees Regulations so that where an application is made under section 104(1)(b) of the Act to vary a non-remote general betting (standard) operating licence or a non-remote general betting (limited) operating licence, there is no fee for any identical application to vary a general betting (standard)(remote platform) operating licence.

The amendments made by regulations 6, 8 and 9 to the Operating Licence Fees Regulations clarify matters (regulation 6) and correct drafting errors made (regulations 8 and 9) in the Operating Licence Fees Regulations by the Gambling (Operating Licence and Single-Machine Permit Fees) (Amendment) Regulations 2012 (S.I. 2012/829).

A full impact assessment of the effect that these Regulations will have on the costs of business is available from the Department for Culture, Media and Sport website ([www.culture.gov.uk](http://www.culture.gov.uk)) and is annexed to the Explanatory Memorandum which is available alongside these Regulations at [www.legislation.gov.uk](http://www.legislation.gov.uk).

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