

IT IS UNLAWFUL FOR ANYONE UNDER THE AGE OF 18 TO PLAY ON A GAMING MACHINE (Category 'C')

Q&A for RODs, RBMs, MANAGERS.

The Gambling Act 2005

Please NOTE a Gaming Machine (Category 'C') is the new classification for your existing Amusement With Prize (AWP) or Fruit Machine

1. Does the ban affect my business premises?

Yes, you may face a criminal prosecution and fine plus losing your Gaming Machine Permission if you do not follow the law.

2. How does the law affect my business premises?

The law requires that No Person Under 18 is allowed to play a Gaming machine (Category 'C'). That includes children aided and abetted by third parties.

Does the law include Quiz Machines and Dedicated Video games?

3. No. Entertainment Machines or Skill With Prize machines such as Itbox, Paragon, Ind:e, Golf & Driving Games etc

are all exempt as they are not classified as 'Gaming Machines'

The law does APPLY to Reel and NON reel based VIDEO Gaming Machines (Category 'C') traditionally known as Fruit Machines which will have a label identifying them affixed by our suppliers and manufacturers.

6. Does this apply to all my guests / customers / staff or just those in dining areas or in the vicinity of the bar?

The law applies to everyone in the licensed premises.

7. My premises currently has designated or segregated areas for children and we have machines near that area – Is this legal?

It is the playing of the Gaming Machine (category 'C') not the location of such machines in the licensed premises that is covered by this legislation. Clearly they have to be effectively supervised and this is usually best achieved by them being within sight of the bar servery.

MANAGER & TEAM RESPONSIBILITIES

8. As an employer, or person in control of premises, what will I have to do to comply with the law?

The Company, its managers and those in control of licensed premises are required to effectively supervise the age of any person playing a Gaming Machine (Category 'C'). A "NO UNDER 18's TO PLAY" notice will be on the machine. In addition it is MAB policy that anyone appearing Under 21 should be challenged to produce ID proving that they are 18 or over.

9. What do I do if I ask someone to stop playing and they have credits to play on the machine and possibly winnings available to them?

By law we are required to pay them back any un-played credits, however we are not allowed to pay any winnings. It is MAB policy that winnings will be paid to the person concerned if they provide their name, address and signature before leaving the premises and return within 48 hours with appropriate ID showing they are over 18. Monies paid for un-played credits and, where appropriate, winnings should be recorded and signed for by the person receiving the money. This will be presented to the collector in the normal way to allow repayment of money paid out of your till.

10. What do I do if someone ignores the Law and continues to play?

You will be expected to take all reasonable steps, outlined above, to ensure that the person stops

playing. In the event of them refusing to stop playing they should be asked to leave the premises, should they refuse, then seek the assistance of Duty Management and if necessary invoke incident management procedures

It is important to implement the Challenge 21 policy for any person playing Gaming Machines to ensure that all persons are aged 18 and over. A record of all challenges must be kept.

ENFORCEMENTS & CHECKS

11. Who will enforce the law?

It can be Police, Gambling Commission, Council Officers or Trading Standards who have the power to enter the premises in order to establish that the Gambling Act 2005 and its "No Under 18s to Play" a Gaming Machine (Category 'C') legislation, is being upheld in accordance with the law.

12. Will my business be subject to checks?

YES ! Police, Gambling Commission, Council Officers & Trading Standards Officers have powers to enter the premise in order to check whether effective supervision is being applied.

13. What penalties will there be for those who break the law?

The person guilty of an offence is potentially liable to be fined, on conviction, between £200 and £5,000. The young person may be fined up to £1,000. The site may also lose its machine permissions.

14. Are our premise licenses at risk if we allow under age Gaming in our premises?

No. However, you can lose your permit to site Gaming Machines and be subject to a fine of between £200 and £5,000.