

The logo for Mitchells & Butlers, featuring the company name in white serif font on a dark red rectangular background. To the right of the text are two overlapping circles, one orange and one light pink.

Mitchells & Butlers

General MAB Policy/ Information Position

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

Please note that a Gaming Machine (Category 'C') is the technical term for your Amusement With Prize (AWP) or Fruit Machine.

1. Purpose

This MAB policy has been written to support all relevant legislation and to assist compliance with the law.

One purpose of the legislation (contained in the Gambling Act 2005) is to protect children and vulnerable adults from being harmed or exploited by gambling. If an enforcement officer or local authority has an issue with the content of this policy, they should be directed to raise the matter in writing to: The Company Secretary, Mitchells & Butlers Plc, 27 Fleet Street, Birmingham, B3 1JP.

Offences under the new legislation include:-

- Gambling on a Gaming Machine (Category 'C') when under the age of 18 Years Old.
- Participating in playing a Gaming Machine (Category 'C') with anyone under the age of 18 years.

2. Policy

The Company's policy is that of the Law. **IT IS UNLAWFUL FOR ANYONE UNDER THE AGE OF 18 TO PLAY ON A GAMING MACHINE (Category C) OR PARTICIPATE WITH THAT PERSON.**

3. Implementation

Overall responsibility for policy implementation rests with the Manager of the licensed premises. When he/she is absent the Duty Manager or other person responsible for the day to day operation of the premises is responsible. All team members are obliged to adhere to the policy, and fully support its implementation.

In particular the Manager is to:-

- Ensure that all existing employees are informed of the policy and their role in the implementation and monitoring of the policy.
- Ensure that all new personnel are briefed on the policy at the time of their recruitment/induction.
- Ensure that all team members sign to confirm that they have been trained on the measures that have to be followed and understand their responsibilities.
- An attached record sheet assists with this responsibility and must be completed.

4. **Signage**

“No Under 18’s to Play” signage is already on Category C Gaming Machine(s)

5. **Non-Compliance**

In addition to any Legal Action that may arise due to anyone under the age of 18 years playing a Gaming Machine (Category ‘C’) or participating with such play on the Premises, failure to comply will be subject to action under the Mitchells & Butlers disciplinary procedure.

6. **Due Diligence Actions.**

The following guidelines have been drawn up for Managers and Team Members so that everyone is aware of the action to be taken if someone under the age of 18 (team member, guest / customer or visitor) plays, or an adult participates in the playing of a Gaming Machine (Category ‘C’) by a person under the age of 18 on the premises. Any person under 18 years of age playing a Gaming machine (Category ‘C’), together with those permitting or participating in play by an under 18 year old are potentially liable to prosecution, a fine and the loss of the site’s permit to site Gaming Machines (Category ‘C’) on the premises.

There is a due diligence defence available if all reasonable steps to determine the individual’s age are taken and if it is reasonably believed the individual was over 18.

The young person may be fined up to £1,000. An adult is potentially liable to be fined, on conviction, up to £5,000.

General advice on preventing an offence being committed under the terms of the Gambling Act 2005:-.

- ***If appropriate to the site, an age related door entry policy.***
- ***More generally, through observation of persons appearing to be under the age of 21 years, such that they can be challenged for their ID if they play a Gaming Machine (Category C).***

- ***Gaming Machines (Category C) must be located in a place within the premises so that their use can be supervised, either by staff whose duties include such supervision or by other means such as door control. Arrangements must be in place for such supervision.***
- ***Gaming Machines (Category C) must be sited such that players should have to cease playing on the machine to use the ATM. MAB policy is that there should be a minimum of 1 metre between an ATM machine that dispenses cash by use of a card and the gaming machine, although the greater the distance the better.***

Action to be taken if a person under 18 years of age is identified playing a Gaming Machine (Category C):-

- Draw the person's attention to the 'No U-18' signs and advise them that they are committing an offence. Politely advise them, and if appropriate, anyone participating with them, that they are breaking the law and must stop playing the gaming machine. There may be non-gaming machines on the premises which they can play instead.
- Advise the persons that it is also an offence for you (as manager or team member) to let them continue playing the Gaming Machine.
- 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.
- In all cases the incident must be reported to the Duty Manager and recorded using the Company's Incident Report Form and forwarded in the usual manner.
- Any un-played credits remaining on the machine should be refunded. A record should be kept of the value of any winnings shown on the machine. These will only 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.

If the person playing is an employee:

- The above procedure remains the same but in addition disciplinary procedures should be applied.

7. Enforcement Officers.

The law can be enforced by Police, Gambling Commission or Council Representatives, who have been authorised to carry out this work.

The Authorised enforcement officers have the power to enter all premises to determine whether the law is being upheld and also assess whether or not those in control of the

premises have taken all reasonable precautions to prevent anyone Under the age of 18 playing Gaming Machines (Category 'C'). This will assist in providing due diligence defence.

Children can and are likely to be used in enforcement operations and test playing by under 18 year olds.

If you have received a visit from a Legally Empowered official which has resulted in the premises being found to be non-compliant in some way, you should inform your RBM immediately and then call the Business Incident Helpline on 08456 013687.

8. Miscellaneous.

A set of structured training notes have been prepared to assist you in briefing your team members.

You will need to run a training session to train your team members on the forthcoming legislation, this must be complete by 28th February 2015 at the latest.

If you have any questions about the attached training session please contact your Retail Business Manager in the first instance, alternatively your Electronic Leisure Manager or Risk & Compliance Manager.

At the end of the training session the Training Record form must be signed by each trained team member and filed in the due diligence manual.

Mitchells & Butlers
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