

SCHEDULES

SCHEDULE 5

GAMING MACHINE LICENCE DUTY

PART I

AMENDMENTS OF BETTING AND GAMING DUTIES ACT 1981

- 1 (1) In section 21 (gaming machine licences) in subsection (1) for the words " Great Britain " there shall be substituted " the United Kingdom".
- (2) In subsection (3) of that section the following entry shall be inserted in the Table after item 3(d)—

“(e) The fifth region	Twelve months beginning with 1st October”
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and in the words following the Table for the words " Great Britain " there shall be substituted " the United Kingdom"; and at the end there shall be added the words " but, until the Commissioners designate otherwise, the fifth region shall be Northern Ireland. "

- 2 (1) In section 21A (special licences) at the end of subsection (1) there shall be added the words " and no special licence shall authorise a machine which is not a small-prize machine. "
- (2) In subsection (3) of that section the words from "either that" to " Acts or " shall be omitted.
- 3 (1) In section 22 (gaming machine licence duty) in subsection (1) for sub-paragraph (i) of paragraph (a) there shall be substituted the following sub-paragraph—
- “(i) to whether or not the licence authorises the provision of a small-prize machine, and”.
- (2) For subsections (2) to (4) of that section there shall be substituted the following subsections—
- “(2) For the purposes of this Act a gaming machine is a small-prize machine if the value or aggregate value of the benefits in money or money's worth, which any player who is successful in a single game played by means of the machine may receive, cannot exceed £3.
- (3) The Commissioners may by order substitute for the sum for the time being mentioned in subsection (2) above such higher sum as may be specified in the order, with effect from a date so specified.”
- 4 (1) In section 23 (amount of duty) in paragraph (a) of subsection (1) for the words from " where " to " Acts " there shall be substituted " which authorise the provision only of small-prize machines".

Status: This is the original version (as it was originally enacted).

- (2) In Tables A and B in subsection (1) of that section the words "*Premises with local authority approval*" and "*Premises without local authority approval*" shall be omitted.
- 5 In section 24(5) (provision of gaming machine in contravention of restrictions) for the words " a penalty of £500 " there shall be substituted " a penalty of level 5 on the standard scale. "
- 6 In section 26(2) (interpretation of provisions relating to gaming machine licence duty), for the entry relating to Great Britain there shall be substituted the following entries—
- “‘United Kingdom’ includes the territorial waters of the United Kingdom;
 ‘small-prize machine ’ has the meaning given by section 22(2) above.”
- 7 In section 33(1) (general interpretation provisions) at the end of the definition of "the prescribed sum" there shall be inserted the words “and
- (c) if the offence was committed in Northern Ireland, the prescribed sum within the meaning of Article 4 of the Fines and Penalties (Northern Ireland) Order 1984.”
- 8 In section 35(3) (extent) at the beginning there shall be inserted the words " Except as provided by subsection (4) below " and after that subsection there shall be inserted the following subsection—
- “(4) The following provisions of this Act extend to Northern Ireland—
- (a) sections 21 to 26 ;
- (b) section 27 in its application to an offence under paragraph 16 of Schedule 4 ;
- (c) section 31 in its application to the enactments relating to the duty on gaming machine licences ;
- (d) sections 32 and 33 and this section ; and
- (e) Schedule 4, except paragraph 15.”
- 9 (1) In Schedule 4 (gaming machine licence duty), in paragraph 4 (no licence required for months preceding and following a summer licence) for the words from " gaming machine ", in the second place where they occur, to " Acts " there shall be substituted " small-prize machine on any premises".
- (2) In paragraph 16 of that Schedule (failure to comply with provisions etc. as to gaming machine licence duty) in sub-paragraph (1) for the words " a penalty of £500 " there shall be substituted " a penalty of level 5 on the standard scale. "