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STATUTORY INSTRUMENTS

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**2007 No. 2319**

**The Gaming Machine (Circumstances of Use) Regulations 2007**

**Delivery of prizes: general**

**13.—(1) Where—**

- (a) a gaming machine is made available for use,
- (b) a person wins a prize by using that machine (“the winner”), and
- (c) the prize is not made available automatically for collection from the machine at the time of winning,

the arrangements with respect to prizes won using the machine must comply with the provisions of this regulation and regulation 14.

**(2) If the prize won is a non-money prize—**

- (a) the machine must provide the winner with the means for collecting that prize;
- (b) information about the type of prize won must be displayed on the machine or upon the premises where the machine is situated; and
- (c) where the prize is not held by the machine, the prize must be available for collection by the winner, or a person claiming under him—
  - (i) at the premises where the machine is situated, and
  - (ii) at a time when gaming machines are available for use on those premises.

**(3) If the prize won is a money prize—**

- (a) the machine must provide the winner with information about the amount of the prize he has won;
- (b) the winner must have an opportunity to collect the whole amount of the prize; and
- (c) where the prize is not held by the machine it must be available for collection by the winner, or a person claiming under him—
  - (i) at the premises where the machine is situated, and
  - (ii) at a time when gaming machines are available for use on those premises.

**(4) If the prize won is a money prize, the machine must not operate in a way so that the prize, if it is not collected by the winner, is automatically—**

- (a) used to pay a charge for use in respect of the machine,
- (b) held by or in relation to the machine as a committed amount, or
- (c) partly used to pay a charge for use, with the remaining amount of the prize held by or in relation to the machine as a committed amount.

**(5) Where a gaming machine is—**

- (a) manufactured before 1st September 2007, and
- (b) not adapted on or after 1st September 2007, other than—
  - (i) to alter its maximum charge for use or prize value; or

(ii) to comply with the requirements of regulation 3, paragraph (3)(b) is to be treated as having been complied with where the whole amount of the prize is added to the deposited sum in relation to the machine, even if the effect of doing so is that an amount of the prize will not be recoverable by virtue of regulation 12.

(6) The requirement imposed by paragraph (3)(b) does not apply in the case of—

- (a) a gaming machine manufactured between 1st September 2007 and 29th February 2008, or
- (b) a non-compliant machine,

until 1st September 2008.

(7) In—

- (a) paragraph (1), a reference to a machine making a prize available for collection automatically is to a machine making available a prize for collection without the person who has won the prize being required to perform any action to make it available; and
- (b) paragraph (6), a reference to a “non-compliant machine” means a gaming machine manufactured before 1st September 2007 which does not comply with the conditions in paragraph (5)(b).