



Notification Number: 2017/54/UK

## Gambling Commission Licence Conditions and Codes of Practice

Date received : 09/02/2017

End of Standstill : 10/05/2017

### Message

Message 001

Communication from the Commission - TRIS/(2017) 00342

Directive (EU) 2015/1535

Notificación - Oznámení - Notifikation - Notifizierung - Teavitamine - Γνωστοποίηση - Notification - Notification - Notifica - Pieteikums - Pranešimas - Bejelerentes - Notifika - Kennisgeving - Zawiadomienie - Notificação - Hlásenie-Obvestilo - Ilmoitus - Anmälan - Нотификация : 2017/0054/UK - Notificare.

No abre el plazo - Nezahtuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - He ce предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201700342.EN)

#### 1. Structured Information Line

MSG 001 IND 2017 0054 UK EN 09-02-2017 UK NOTIF

#### 2. Member State

UK

#### 3. Department Responsible

Department for Business, Energy and Industrial Strategy  
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#### 3. Originating Department

The Gambling Commission  
Victoria Square House



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Birmingham  
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#### **4. Notification Number**

2017/0054/UK - H10

#### **5. Title**

Gambling Commission Licence Conditions and Codes of Practice

#### **6. Products Concerned**

Goods and information society services related to the provision of gambling

#### **7. Notification Under Another Act**

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#### **8. Main Content**

This notification relates to amendments to the Licence Conditions and Codes of Practice issued by the Gambling Commission in June 2007 under the Gambling Act 2005 ('the 2005 Act'). It is a condition of all gambling licences issued by the Gambling Commission that the licensee complies with the Gambling Commission General Licence Conditions issued under section 75 of the 2005 Act, and its Codes of Practice issued under sections 24 and 82 of that Act. The Conditions and Code provisions vary depending on whether the licence is for remote (defined in section 4 of the Act, and including information society services) or non-remote (i.e. on premises) gambling services. They also vary according to the type of licence under section 65 of the 2005 Act.

The amendments include the introduction of a new condition that largely replicates the provisions of an existing condition. The new condition is necessary to distinguish a) licensed operators who do not contract with any of the participants that use their gambling facilities, from b) licensed operators who may contract with some but not all of the participants that use their facilities. As a consequential amendment, a number of existing conditions and codes will not apply to those operators that fall within the cohort a) above, because they are not relevant.

#### **9. Brief Statement of Grounds**

A new fee category of operating licence will be introduced in April 2017 through statutory instrument, and the licence will be available to those operators ('hosts') whose gambling facilities are only accessed via other remote operators' platforms. With the introduction of the new licence fee category, it is necessary to make a distinction in the licence conditions for 'host' operators (who do not contract with any of the participants that use their facilities) and who will be subject to new Condition 3.1.3. All such 'host' operators are already subject to the existing Condition 3.1.2 which is almost identical to the new 3.1.3. In contrast, network operators who may 'host' some of their games but also operate in circumstances in which they contract directly with some customers, will continue to be subject to Condition 3.1.2.

The new condition 3.1.3 essentially replicates the provisions of existing condition 3.1.2 in content, but 3.1.3 will require hosts to ensure that every participant using their facilities is a contracted customer of another Gambling Commission operating licence holder. As a consequential amendment, a number of existing conditions and codes will not apply to those operators who are eligible to hold host licences, because they are not relevant for



those businesses.

These are non-discriminatory measures which put in place the necessary licence conditions and codes for the new fee category of licence for 'host' operators.

**10. Reference Documents - Basic Texts**

Basic Texts have been forwarded within the framework of a previous notification: 2007/0300/UK: 2015/0059/UK

**11. Invocation of the Emergency Procedure**

No

**12. Grounds for the Emergency**

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**13. Confidentiality**

No

**14. Fiscal measures**

No

**15. Impact assessment**

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**16. TBT and SPS aspects**

TBT aspect

No - The draft has no significant impact on international trade

SPS aspect

No - The draft is not a sanitary or phytosanitary measure

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European Commission

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