



Notification Number: 2006/155/UK

**The Gambling Act 2005 (Commencement No. [ ] and Transitional Provisions) Order 2006 This Order is intended to bring into force the main operative provisions of the Act. The relevant provisions of the Gambling Act 2005 are not capable of having effect until commenced by such an order.**

Date received : 27/03/2006

End of Standstill : 28/06/2006

Issue of comments by : Commission

## Message

Message 001

Communication from the Commission - SG(2006) D/50773

Directive 98/34/EC

Notificación - Oznámení - Notifikation - Notifizierung - Teavitamine - Γνωστοποίηση - Notification - Notification - Notifica - Pieteikums - Pranešimas - Bejelentés - Notifika - Kennisgeving - Zawiadomienie - Notificação - Hlásenie-Obvestilo - Ilmoitus - Anmälan : 2006/0155/UK.

No abre el plazo - Nezahtuje odlady - 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 - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist.

(MSG: 200600773.EN)

### 1. Structured Information Line

MSG 001 IND 2006 0155 UK EN 28-06-2006 27-03-2006 UK NOTIF 28-06-2006

### 2. Member State

United Kingdom

### 3. Department Responsible

Department of Trade and Industry: Standards and Technical Regulations Directorate

### 3. Originating Department

Department for Culture, Media & Sport



#### 4. Notification Number

2006/0155/UK - H10

#### 5. Title

The Gambling Act 2005 (Commencement No. [ ] and Transitional Provisions) Order 2006

This Order is intended to bring into force the main operative provisions of the Act. The relevant provisions of the Gambling Act 2005 are not capable of having effect until commenced by such an order.

#### 6. Products Concerned

Betting, Gaming and Lotteries

#### 7. Notification Under Another Act

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#### 8. Main Content

The Gambling Act 2005 provides a new system of regulation for the British gambling industry, which is flexible and will be able to adapt more quickly to new developments in technology than existing legislation will allow.

Under the Act, gambling is illegal unless authorised. Operators of certain types of gambling will need to obtain an operating licence from the new regulator (the Gambling Commission), and, if the activity is premises based, a premises licence from their local authority. In addition, certain other (less harmful) forms of gambling are permitted through a system of permits or on the face of the Act itself. The Act provides a number of new commercial freedoms for gambling operators.

There are only few technical standards on the face of the Act. These are:

- a requirement that remote gambling operators (those who provide gambling over the internet etc using equipment located in Great Britain) obtain an operating licence (sections 4, 33, 65 and 67);
- the creation of an offence to supply, install or make available for use a gaming machine which permits payment by credit card (section 245);
- A provision enabling the Gambling Commission to introduce technical standards governing the manufacture, supply, installation and operation of gaming machines and parts, and gaming machine software in order to ensure that gambling is not offered in a way that harms children and vulnerable people (sections 96 and 97). Technical regulations made under this provision will be notified in due course.

#### 9. Brief Statement of Grounds

The new legislation is needed because controls on commercial gambling are being undermined by changes in new technology, including developments in gaming machines and the Internet. This means the Government and regulators are finding it difficult to protect children and vulnerable people from risky new products. The Act would restore controls on commercial gambling, which are being undermined by that new technology.

It is also needed to reflect changes in British society's view of gambling. It is now recognised that, subject to controls, gambling is a popular leisure activity. To a certain extent the Act is a liberating measure, although new freedoms will be introduced in a cautious manner to ensure that any consequences can be properly monitored.



#### 10. Reference Documents - Basic Texts

a) The Explanatory Notes to the Act;

The full text of the Act can be seen at <http://www.opsi.gov.uk/acts/acts2005/20050019.htm>

#### 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

The impact assessment is attached.

#### 16. TBT and SPS aspects

TBT Aspect

No

The draft does not have a significant effect on international trade.

SPS Aspect

No

The draft is not a sanitary or phytosanitary measure in the sense of Annex A of the SPS Agreement.

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