

**Gambling codes of practice**  
**Consolidated for all forms of gambling**

**May 2015**

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# Introduction

- 1 Section 24 of the Gambling Act 2005 (the Act) requires the Commission to issue one or more codes of practice about the manner in which facilities for gambling are provided. The codes may be directed at the holders of operating or personal licences, or any other person involved in providing facilities for gambling.
- 2 [Section 153 of the Act](#) requires licensing authorities to take into account when exercising their functions, any relevant code of practice issued by the Commission under section 24.
- 3 In order to assist licensing authorities, this document consolidates the various the codes published by the Commission for ease of reference. These codes are taken from the following sources:
  - The Commission's [Licence Conditions and Codes of Practice](#) (LCCP), which apply to holders of Gambling Commission operating or personal licences (Section A of this document)
  - Other codes - these are the Commission's code of practice for equal chance gaming and its code of practice for gaming machines in clubs and premises with an alcohol licence (see sections B and C of this document).

## Status of LCCP codes

- 4 The LCCP contains two types of code provision:

- **social responsibility code provisions**

These are provisions describing arrangements which should be made by persons providing facilities for gambling for the purpose of-

- (a) ensuring that gambling is conducted in a fair and open way;
- (b) protecting children and other vulnerable persons from being harmed or exploited by gambling; and
- (c) making assistance available to persons who are or may be affected by problems related to gambling.

Compliance with these is a condition of operator licences; therefore any breach of them by a licensed operator may lead the Commission to review the operator's licence with a view to suspension, revocation or the imposition of a financial penalty and would also expose the operator to the risk of prosecution; these provisions are in shaded boxes in the remainder of this document.

- **ordinary code provisions**

These do not have the status of licence conditions in the case of licensed operators, but set out good practice; these code provisions are in the unshaded boxes in this document.

Codes of practice are admissible in evidence in criminal or civil proceedings and must be taken into account in any case in which the court or tribunal think them relevant, and by the Commission in the exercise of its functions; any departure from code provisions by an operator may be taken into account by the Commission, for example on a licence review (but could not lead to imposition of a financial penalty).

However, the Commission has made it clear that licensed operators may adopt alternative approaches to those set out if they have actively taken account of the provision and can demonstrate that an alternative approach is reasonable in the particular circumstances; or that to take an alternative approach would be acting in a similarly effective manner.

## Status of other code provisions

- 5 We have marked clearly in Section C the provisions which are a requirement of a permit and where failure to comply could lead to revocation of the permit.

## Further information

- 6 The codes are reviewed periodically. This version of the consolidated codes reflects the revisions made to LCCP published in February 2015, which came into force for licensed operators from May 2015. There are some exceptions to this date. The exceptional in-force dates are as follows:

- **31 October 2015:** social responsibility code provision 3.3.4, relating to remote gambling time-out facilities and paragraph 8 of social responsibility code provision 3.5.3, relating to automated self-exclusion facilities.
- **6 April 2016:**
  - social responsibility code provision 3.5.6, relating to non-remote multi-operator self-exclusion
  - social responsibility code provision 10.1.1, relating to the assessment of local risk
  - ordinary code provision 10.1.2, relating to sharing local risk assessments.
- Social Responsibility code provision 3.5.5, relating to national remote multi-operator self-exclusion will come into force one month after notification by the Commission of the establishment of the scheme.

Copies of the current version of the consolidated codes (and the source documents of LCCP and the other codes) can be found on the Commission's website.

- 7 Relevant requirements of the conditions and code provisions were notified in draft to the European Commission in accordance with Directive 98/34/EC, as amended by Directive 98/48/EC.

## Section A Code provisions applicable to Commission licensed operators

### 1 Code provisions (general)

#### 1.1.1 Cooperation and responsibility for third parties

##### **Ordinary Code Provision 1.1.1 Cooperation with the Commission All licences**

- 1 As made plain in its *Statement of principles for licensing and regulation*, the Commission expects licensees to conduct their gambling operations in a way that does not put the licensing objectives at risk, to work with the Commission in an open and cooperative way and to disclose anything which the Commission would reasonably need to be aware of in exercising its regulatory functions. This includes, in particular, anything that is likely to have a material impact on the licensee's business or on the licensee's ability to conduct licensed activities compliantly. Licensees should have this principle in mind in their approach to, and when considering their compliance with, their obligations under the conditions attached to their licence and in relation to the following provisions of this code.

##### **Social responsibility code provision 1.1.2 Responsibility for third parties – all licences All licences**

- 1 Licensees must take responsibility for third parties with whom they contract for the provision of any aspect of the licensee's business related to the licensed activities and ensure that the terms on which they contract with such third parties:
  - a require the third party to conduct themselves in so far as they carry out activities on behalf of the licensee as if they were bound by the same licence conditions and subject to the same codes of practice as the licensee
  - b oblige the third party to provide such information to the licensee as they may reasonably require in order to enable the licensee to comply with their information reporting and other obligations to the Commission
  - c enable the licensee, subject to compliance with any dispute resolution provisions of such contract, to terminate the third party's contract promptly if, in the licensee's reasonable opinion, the third party is in breach of contract (including in particular terms included pursuant to this code provision) or has otherwise acted in a manner which is inconsistent with the licensing objectives.

### **Social responsibility code provision 1.1.3**

#### **Responsibility for third parties - remote**

##### **Remote licences**

- 1** Remote licensees must ensure in particular:
  - a** that third parties who provide user interfaces enabling customers to access their remote gambling facilities:
    - i** include a term that any such user interface complies with the Commission's technical standards for remote gambling systems; and
    - ii** enable them, subject to compliance with any dispute resolution provisions of such contract, to terminate the third party's contract promptly if, in the licensee's reasonable opinion, the third party is in breach of that term.
  - b** that the terms on which they contract with their affiliates (that is those who are given a right to advertise, or provide a hyperlink to, a licensee's gambling website) enable them to terminate, subject to compliance with any dispute resolution provisions of such contract, the affiliate's rights promptly if, in the licensee's reasonable opinion, the affiliate is in breach of a relevant advertising code of practice.

## **2 Financial requirements**

### **2.1 Anti-money laundering**

#### **Ordinary code provision 2.1.1**

##### **Anti-money laundering - casino**

###### **All remote and non-remote casino licences**

- 1** In order to help prevent activities related to money laundering and terrorist financing, licensees should act in accordance with the Commission's guidance on anti-money laundering, *The Prevention of Money Laundering and Combating the Financing of Terrorism - Guidance for remote and non-remote casinos*.

#### **Ordinary code provision 2.1.2**

##### **Anti-money laundering – other than casino**

###### **All licences except casino licences**

- 1** As part of their procedures for compliance with the requirements in respect of the prevention and detection of money laundering in the Proceeds of Crime Act 2002 and the Terrorism Act 2000, licensees should take into account the Commission's advice on the Proceeds of Crime Act 2002, *Duties and responsibilities under the Proceeds of Crime Act 2002 - Advice for operators (excluding casino operators)*.

## 3 Protection of children and other vulnerable persons

### 3.1 Combating problem gambling

#### **Social responsibility code provision 3.1.1**

#### **Combating problem gambling**

#### **All licences**

- 1 Licensees must have and put into effect policies and procedures intended to promote socially responsible gambling including the specific policies and procedures required by the provisions of section 3 of this code.
- 2 Licensees must make an annual financial contribution to one or more organisation(s) which between them research into the prevention and treatment of gambling-related harm, develop harm prevention approaches and identify and fund treatment to those harmed by gambling.

## 3.2 Access to gambling by children and young persons

### Social responsibility code provision 3.2.1

#### Access to gambling by children and young persons – casinos SR code

##### All non-remote casino licences

- 1 Licensees must have and put into effect policies and procedures designed to prevent underage gambling, and monitor the effectiveness of these.
- 2 Licensees must ensure that their policies and procedures take account of the structure and layout of their gambling premises.
- 3 Licensees must designate one or more supervisors for each casino entrance.
- 4 A supervisor's responsibilities include ensuring compliance with this section of the code.
- 5 A supervisor must implement the following procedures:
  - a checking the age of customers who appear to be, or are suspected of being, underage
  - b refusing entry to anyone unable to produce an acceptable form of identification, ie one which:
    - i contains a photograph from which the individual can be identified
    - ii states the individual's date of birth
    - iii is valid
    - iv is legible and shows no signs of tampering or reproduction
  - c taking action when there are unlawful attempts to enter the premises, including removing anyone who appears to be underage and cannot produce an acceptable form of identification.
- 6 Licensees must not deliberately provide facilities for gambling in such a way as to appeal particularly to children or young people, for example by reflecting or being associated with youth culture.
- 7 In premises restricted to adults, service must be refused in any circumstances where any adult is accompanied by a child or young person.
- 8 Licensees must take all reasonable steps to ensure that all staff understand their responsibilities for preventing underage gambling. This must include appropriate training which must cover all relevant prohibitions against inviting children or young persons to gamble or to enter gambling premises, and the legal requirements on returning stakes and not paying prizes to underage customers.
- 9 Licensees must conduct test purchasing or take part in collective test purchasing programmes as a means of providing reasonable assurance that they have effective policies and procedures to prevent underage gambling, and must provide their test purchase results to the Commission.

**Ordinary code provision 3.2.2**

**Access to gambling by children and young persons – casinos ordinary code**

**All non-remote casino licences**

- 1** There should be a sufficient number of supervisors at casino entrances to enable a considered judgement to be made about the age of everyone attempting to enter the casino and to take the appropriate action (for example checking identification) whilst at the same time not allowing others to enter unsupervised. The nature of this task means that it cannot be properly accomplished only by using CCTV; it will require a physical presence. Heavily used entrances may require more than one designated supervisor.
- 2** Supervisors may be assisted by other door keepers provided the supervisor retains the responsibility for compliance with this section of the code and deals personally with any case where there is any doubt or dispute as to someone's eligibility to enter.
- 3** The Commission considers acceptable forms of identification to include: any identification carrying the PASS logo (for example Citizencard or Validate); a military identification card; a driving licence (including provisional licence) with photocard; or a passport.
- 4** Licensees should put into effect procedures that require their staff to check the age of any customer who appears to them to be under 21.
- 5** Licensees should consider permanent exclusion from premises of any adult accompanied by a child or young person on more than one occasion to premises restricted to adults, or if there is reason to believe the offence was committed knowingly or recklessly.
- 6** Procedures should be put into effect for dealing with cases where a child or young person repeatedly attempts to gamble on premises restricted to adults, including oral warnings, reporting the offence to the Gambling Commission and the police, and making available information on problem gambling.
- 7** In providing training to staff on their responsibilities for preventing underage gambling, licensees should have, as a minimum, policies for induction training and refresher training.

### **Social responsibility code provision 3.2.3**

#### **Access to gambling by children and young persons – AGC SR code**

##### **All adult gaming centre licences**

- 1** Licensees must have and put into effect policies and procedures designed to prevent underage gambling, and monitor the effectiveness of these.
- 2** This must include procedures for:
  - a** checking the age of apparently underage customers
  - b** removing anyone who appears to be under age and cannot produce an acceptable form of identification
  - c** taking action when there are attempts by under-18s to enter the premises.
- 3** Licensees must ensure that their policies and procedures take account of the structure and layout of their gambling premises.
- 4** Licensees must not deliberately provide facilities for gambling in such a way as to appeal particularly to children or young people, for example by reflecting or being associated with youth culture.
- 5** In premises restricted to adults, service must be refused in any circumstances where any adult is accompanied by a child or young person.
- 6** Licensees must take all reasonable steps to ensure that all staff understand their responsibilities for preventing underage gambling. This must include appropriate training which must cover all relevant prohibitions against inviting children or young persons to gamble or to enter gambling premises, and the legal requirements on returning stakes and not paying prizes to underage customers.
- 7** Licensees must only accept identification which:
  - a** contains a photograph from which the individual can be identified
  - b** states the individual's date of birth
  - c** is valid
  - d** is legible and has no visible signs of tampering or reproduction.
- 8** Licensees in fee category C or higher must conduct test purchasing or take part in collective test purchasing programmes, as a means of providing reasonable assurance that they have effective policies and procedures to prevent underage gambling, and must provide their test purchase results to the Commission.

### **Ordinary code provision 3.2.4**

#### **Access to gambling by children and young persons – AGC ordinary code**

##### **All adult gaming centre licences**

- 1** The Commission considers acceptable forms of identification to include any identification carrying the PASS logo (for example Citizencard or Validate); a military identification card; a driving licence (including a provisional licence) with photocard; or a passport.
- 2** Licensees should put into effect procedures that require their staff to check the age of any customer who appears to them to be under 21.
- 3** Licensees should consider permanent exclusion from premises for any adult accompanied by a child or young person on more than one occasion to premises restricted to adults, or if there is reason to believe the offence was committed knowingly or recklessly.
- 4** Procedures should be put into effect for dealing with cases where a child or young person repeatedly attempts to gamble on premises restricted to adults, including oral warnings, reporting the offence to the Gambling Commission and the police, and making available information on problem gambling.

- 5 Licensees in fee categories A or B should consider how they monitor the effectiveness of their policies and procedures for preventing underage gambling (for example by taking part in a collective test purchasing programme) and should be able to explain to the Commission or licensing authority what approach they have adopted.
- 6 In providing training to staff on their responsibilities for preventing underage gambling, licensees should have, as a minimum, policies for induction training and refresher training.

### **Social responsibility code provision 3.2.5**

#### **Access to gambling by children and young persons – bingo and FEC SR code**

#### **All non-remote bingo and family entertainment centre licences**

- 1 Licensees must have and put into effect policies and procedures designed to prevent underage gambling, and monitor the effectiveness of these.
- 2 This must include procedures for:
  - a checking the age of apparently underage customers
  - b refusing entry to any adult-only areas to anyone unable to produce an acceptable form of identification
  - c taking action when there are unlawful attempts to enter the adult-only areas.
- 3 Licensees must ensure that their policies and procedures take account of the structure and layout of their gambling premises.
- 4 Licensees must not permit children or young people to gamble in the adults-only areas of premises to which they have access. If there is a 'no under-18s' premises policy, licensees must pay particular attention to the procedures they use at the entrance to the premises to check customers' ages.
- 5 Licensees must take all reasonable steps to ensure that all staff understand their responsibilities for preventing underage gambling. This must include appropriate training which must cover:
  - a all relevant prohibitions against inviting children or young persons to gamble on age-restricted products or to enter age-restricted areas;
  - b the legal requirements on returning stakes and not paying prizes to underage customers; and
  - c procedures for challenging any adult who may be complicit in allowing a child or young person to gamble.
- 6 Licensees must only accept identification which:
  - a contains a photograph from which the individual can be identified
  - b states the individual's date of birth
  - c is valid
  - d is legible and has no visible signs of tampering or reproduction.
- 7 Licensees in fee category C or higher must conduct test purchasing or take part in collective test purchasing programmes, as a means of providing reasonable assurance that they have effective policies and procedures to prevent underage gambling, and must provide their test purchase results to the Commission.

**Ordinary code provision 3.2.6**

**Access to gambling by children and young persons – bingo and FEC ordinary code  
All non-remote bingo and family entertainment centre licences**

- 1 The Commission considers acceptable forms of identification to include: any identification carrying the PASS logo (for example Citizencard or Validate); a military identification card; a driving licence (including a provisional licence) with photocard; or a passport.
- 2 Licensees should require a person who appears to relevant staff to be under the age of 21 to be asked to produce proof of age, either at the point of entry to the gambling area or as soon as it comes to the attention of staff that they wish to access gambling facilities.
- 3 Licensees should have procedures for dealing with cases where an adult knowingly or recklessly allows a child or young person to gamble. These procedures might include refusing to allow the adult to continue to gamble, removing them from the premises, and reporting the incident to the police or local authorities, or taking action where forged identification is produced.
- 4 Procedures should be put into effect for dealing with cases where a child or young person repeatedly attempts to gamble on their premises, including oral warnings, reporting the offence to the Gambling Commission and the police, and making available information on problem gambling to the child or young person concerned.
- 5 Where it is likely that customers' young or otherwise vulnerable children will be left unattended on or adjacent to their premises, licensees should consider reminding customers of their parental responsibilities and assess whether there is a need to develop procedures for minimising the risk to such children.
- 6 Licensees in fee categories A or B should consider how they monitor the effectiveness of their policies and procedures for preventing underage gambling (for example by taking part in a collective test purchasing programme) and should be able to explain to the Commission or licensing authority what approach they have adopted.
- 7 In providing training to staff on their responsibilities for preventing underage gambling, licensees should have, as a minimum, policies for induction training and refresher training.

**Social responsibility code provision 3.2.7**

**Access to gambling by children and young persons – betting SR code**

**Paragraphs 1, 2 and 4-7 : all non-remote betting and remote betting intermediary (trading rooms only) licences**

**Paragraph 3: all non-remote betting licences (except general betting (limited) licences) and remote betting intermediary (trading rooms only) licences**

**Paragraph 8: non-remote pool betting licences**

**Paragraph 9: non-remote general betting (standard) licences in fee category C or above**

- 1 Licensees must have and put into effect policies and procedures designed to prevent underage gambling, and monitor the effectiveness of these.
- 2 This must include procedures for:
  - a checking the age of apparently underage customers
  - b removing from adult-only licensed premises anyone who appears to be underage and cannot produce an acceptable form of identification
  - c taking action when there are attempts by under-18s to enter adult-only premises
  - d refusing entry to any adult-only area of a track to anyone unable to produce an acceptable form of identification
  - e taking action when there are unlawful attempts to enter the adult-only areas.

- 3 Licensees must ensure that their policies and procedures take account of the structure and layout of their gambling premises
- 4 Licensees must not deliberately provide facilities for gambling in such a way as to appeal particularly to children or, except in the case of football pools, young people, for example by reflecting or being associated with youth culture.
- 5 In premises restricted to adults, service must be refused in any circumstances where any adult is accompanied by a child or young person.
- 6 Licensees must take all reasonable steps to ensure that all staff understand their responsibilities for preventing underage gambling. This must include appropriate training which must cover all relevant prohibitions against inviting children or young persons to gamble or to enter gambling premises, and the legal requirements on returning stakes and not paying prizes to underage customers.
- 7 Licensees must only accept identification which:
  - a contains a photograph from which the individual can be identified
  - b states the individual's date of birth
  - c is valid
  - d is legible and has no visible signs of tampering or reproduction.
- 8 In the case of non-remote pool betting licensees, where pool entries or payments are collected door to door by the licensee or the licensee's authorised agent the licensee's procedures must include procedures for:
  - a checking the age of apparently underage entrants to the pool; and
  - b taking action when there are unlawful attempts to enter the pool.
- 9 Licensees must conduct test purchasing or take part in collective test purchasing programmes, as a means of providing reasonable assurance that they have effective policies and procedures to prevent underage gambling, and must provide their test purchase results to the Commission.

### Ordinary code provision 3.2.8

#### Access to gambling by children and young persons – betting ordinary code

**Paragraphs 1 to 5 inclusive: all non-remote betting and remote betting intermediary (trading rooms only) licences**

**Paragraph 6: all non-remote betting licences (except non-remote general betting (standard) licences in fee category C or above) and remote betting intermediary (trading rooms only) licences**

- 1 The Commission considers acceptable forms of identification to include any identification carrying the PASS logo (for example Citizencard or Validate); a military identification card; a driving licence (including a provisional licence) with photocard; or a passport.
- 2 Licensees should put into effect procedures that require their staff to check the age of any customer who appears to them to be under 21.
- 3 Licensees should consider permanent exclusion from premises for any adult accompanied by a child or young person on more than one occasion to premises restricted to adults, or if there is reason to believe the offence was committed knowingly or recklessly.
- 4 Procedures should be put into effect for dealing with cases where a child or young person repeatedly attempts to gamble on premises restricted to adults, including oral warnings, reporting the offence to the Gambling Commission and the police, and making available information on problem gambling.

- 5 In providing training to staff on their responsibilities for preventing underage gambling, licensees should have, as a minimum, policies for induction training and refresher training.
- 6 Licensees should consider how they monitor the effectiveness of their policies and procedures for preventing underage gambling (for example by taking part in a collective test purchasing programme) and should be able to explain to the Commission or licensing authority what approach they have adopted.

**Social responsibility code provision 3.2.9**

**Access to gambling by children and young persons – lottery SR code**

**All non-remote lottery licences**

- 1 Licensees must have and put into effect policies and procedures designed to minimise the risk of lottery tickets being sold to children (that is, persons under 16). This must include procedures for:
  - a checking the age of apparently underage purchasers of lottery tickets
  - b taking action when there are unlawful attempts to purchase tickets.
- 2 Licensees must take all reasonable steps to ensure that all those engaged in the promotion of lotteries in reliance on the licence understand their responsibilities for preventing underage gambling, returning stakes and not paying prizes to underage customers.

**Ordinary code provision 3.2.10**

**Access to gambling by children and young persons – lottery ordinary code**

**All non-remote lottery licences**

- 1 Licensees should require a person who appears to be under the age of 16 to be asked to produce proof of identity and age before purchasing a lottery ticket.

**Social responsibility code provision 3.2.11**

**Access to gambling by children and young persons – remote SR code**

**All remote licences (including ancillary remote betting licences), except lottery licences, gaming machine technical, gambling software, ancillary remote casino, ancillary remote bingo, remote betting intermediary (trading rooms only) and remote betting (standard) (remote platform) licences**

- 1 Licensees must have and put into effect policies and procedures designed to prevent underage gambling, and monitor the effectiveness of these.
- 2 Such procedures must include:
  - a warning potential customers that underage gambling is an offence;
  - b requiring customers to affirm that they are of legal age;
  - c regularly reviewing their age verification systems and implementing all reasonable improvements that may be made as technology advances and as information improves;
  - d ensuring that relevant staff are properly trained in the use of their age verification procedures; in particular customer services staff must be appropriately trained in the use of secondary forms of identification when initial verification procedures fail to prove that an individual is of legal age;
  - e enabling their gambling websites to permit filtering software to be used by adults (such as parents or within schools) in order to restrict access to relevant pages of those sites;

- f** in the case of any UK resident customer who deposits money using any type of payment method other than a credit card, and unless the licensee has established that a third party has satisfactorily carried out age verification, the following age verification procedures:
- i** verifying additional information about the customer, such as carrying out searches of credit reference and other databases that list names and addresses of individuals over the age of 18;
  - ii** carrying out secondary age verification checks in any circumstances which give the operator reason to suspect that the person may be underage;
  - iii** not permitting the customer to withdraw any winnings from their account until age verification has been satisfactorily completed; and
  - iv** in any event, a requirement that if age verification has not been satisfactorily completed within 72 hours of the customer applying to register to gamble and depositing money:
    - the account will be frozen
    - no further gambling will be permitted until age verification has been successfully completed
    - if on completion of age verification the customer is shown to be underage, the operator must return to the customer any money paid in respect of the use of the gambling facilities, but no winnings shall be paid
- g** in the case of any non-UK resident customer who deposits money using any type of payment method other than a credit card, and unless the licensee has established that a third party has satisfactorily carried out age verification, the following age verification procedures:
- i** taking all reasonable steps to make use of information available for age verification purposes from whichever country the potential customer is resident in; and
  - ii** each of the following steps, unless they cannot reasonably be implemented or, in the case of the fourth bullet point, a period of more than 72 hours was reasonably required:
    - verifying additional information about the customer, such as carrying out searches of credit reference and other databases that list names and addresses of individuals over the age of 18
    - carrying out secondary age verification checks in any circumstances which give the operator reason to suspect that the person may be underage
    - not permitting the customer to withdraw any winnings from their account until age verification has been satisfactorily completed
    - a requirement that if age verification has not been satisfactorily completed within 72 hours of the customer applying to register to gamble and depositing money:
      - the account will be frozen;
      - no further gambling will be permitted until age verification has been successfully completed; and
      - if on completion of age verification the customer is shown to be underage all deposits held by the operator are returned to the customer and no winnings paid.
- h** in the case of any customer who registers to gamble and deposits money using a credit card, conducting a programme of random checks of credit card users for compliance with age restrictions.

**Ordinary code provision 3.2.12**

**Access to gambling by children and young persons – remote ordinary code**

**All remote licences (including ancillary remote betting licences), except gaming machine technical, gambling software, ancillary remote bingo, ancillary remote casino and remote betting intermediary (trading rooms only) licences**

- 1 Licensees should, and should request their contracted partners to, draw attention to parental responsibility as part of the purchasing process of facilities such as mobile phones and interactive television.

**Social responsibility code provision 3.2.13**

**Access to gambling by children and young persons – remote lottery SR code**

**All remote lottery licences**

- 1 Licensees must have and put into effect policies and procedures designed to prevent underage gambling, and monitor the effectiveness of these.
- 2 Such procedures must include:
  - a warning potential customers that underage gambling is an offence;
  - b requiring customers to affirm that they are of legal age;
  - c regularly reviewing their age verification systems and implementing all reasonable improvements that may be made as technology advances and as information improves;
  - d ensuring that relevant staff are properly trained in the use of their age verification procedures; in particular anyone who sell lottery tickets including canvassers and customer services staff must be appropriately trained in the use of secondary forms of identification when initial verification procedures fail to prove that an individual is of legal age;
  - e enabling their gambling websites to permit filtering software to be used by adults (such as parents or within schools) in order to restrict access to relevant pages of those sites;
  - f in the case of any GB resident customer who deposits money using any type of payment method other than a credit card, and unless the licensee has established that a third party has satisfactorily carried out age verification, the following age verification procedures apply:
    - i in the case of both subscription lotteries and low frequency lotteries<sup>1</sup>, and provided it is clear in the terms and conditions that those under the age of 16 are not permitted to participate and that the prizes will not be paid out to those found to be under 16, customers must be required to verify their age before being able to make any subscription or purchase entry into the lottery. (The operator is expected to conduct a programme of random checks of users who self verify for compliance with age restrictions);
    - ii in every other case verifying additional information about the customer, such as carrying out searches of credit reference and other databases that list names and addresses of individuals over the age of 16;
    - iii carrying out secondary age verification checks in any circumstances which give the operator reason to suspect that the person may be underage;
    - iv not permitting the customer to withdraw any winnings from their account until age verification has been satisfactorily completed; and
    - v in any event, in a case which falls within ii above, a requirement that if age verification has not been satisfactorily completed within 72 hours of the customer applying to register to gamble and depositing money:
      - o the account will be frozen
      - o no further gambling will be permitted until age verification has been successfully completed

- o if, on completion of age verification the customer is shown to be underage, the operator must return to the customer any money paid in respect of the use of gambling facilities, but no winnings shall be paid.
- g** in the case of any non-UK resident customer who deposits money using any type of payment method other than a credit card, and unless the licensee has established that a third party has satisfactorily carried out age verification, the following age verification procedures:
  - i** taking all reasonable steps to make use of information available for age verification purposes from whichever country the potential customer is resident in; and
  - ii** each of the following steps, unless they cannot reasonably be implemented or, in the case of the fourth bullet point, a period of more than 72 hours was reasonably required:
    - o verifying additional information about the customer, such as carrying out searches of credit reference and other databases that list names and addresses of individuals over the age of 18
    - o carrying out secondary age verification checks in any circumstances which give the operator reason to suspect that the person may be underage
    - o not permitting the customer to withdraw any winnings from their account until age verification has been satisfactorily completed
    - o a requirement that if age verification has not been satisfactorily completed within 72 hours of the customer applying to register to gamble and depositing money:
      - the account will be frozen;
      - no further gambling will be permitted until age verification has been successfully completed; and
      - If on completion of age verification the customer is shown to be underage all deposits held by the operator are returned to the customer and no winnings paid.
- h** in the case of any customer who registers to gamble and deposits money using a credit card, conducting a programme of random checks of credit card users for compliance with age restrictions.

<sup>1</sup> A 'low frequency lottery' is a series of lotteries promoted on behalf of the same non-commercial society in respect of which there is a period of at least two days between lotteries.

#### **Ordinary code provision 3.2.14**

##### **Access to gambling by children and young persons – remote lottery ordinary code All remote society lottery licences**

- 1** Where operators consider the lottery will be more likely to attract underage play – eg where the prize is of particular appeal to children (those under the age of 16) such as concert tickets, games consoles, large prizes - operators should ensure that age verification measures are appropriate to the risk of attempted underage play. In these circumstances it is unlikely that self-verification alone will be sufficient.

**Social responsibility code provision 3.3.1**

**Responsible gambling information**

**All licences, except gaming machine technical, gambling software, ancillary remote bingo, ancillary remote casino and remote betting (standard) (remote platform) licences**

- 1 Licensees must make information readily available to their customers on how to gamble responsibly and how to access information about, and help in respect of, problem gambling.
- 2 The information must cover:
  - a any measures provided by the licensee to help individuals monitor or control their gambling, such as restricting the duration of a gambling session or the amount of money they can spend
  - b timers or other forms of reminders or ‘reality checks’ where available
  - c self-exclusion options
  - d information about the availability of further help or advice.
- 3 The information must be directed to all customers whether or not licensees also make available material which is directed specifically at customers who may be ‘problem gamblers’.
- 4 For gambling premises, information must be available in all areas where gambling facilities are provided and adjacent to ATMs. Information must be displayed prominently using methods appropriate to the size and layout of the premises. These methods may include the use of posters, the provision of information on gambling products, or the use of screens or other facilities in the gambling premises. Information must also be available in a form that may be taken away and may also be made available through the use of links to be accessed online or using smart technology. Licensees must take all reasonable steps to ensure that this information is also readily accessible in locations which enable the customer to obtain it discreetly.

**Ordinary code provision 3.3.2**

**Responsible gambling information – foreign languages**

**All licences, except gaming machine technical, gambling software, ancillary remote bingo and ancillary remote casino licences**

- 1 Licensees who market their services in one or more foreign languages should make available in that, or those, foreign languages:
  - a the information on how to gamble responsibly and access to help referred to above
  - b the players’ guides to any game, bet or lottery required to be made available to customers under provisions in this code
  - c the summary of the contractual terms on which gambling is offered, which is required to be provided to customers as a condition of the licensee’s operating licence.

**Social responsibility code provision 3.3.3**

**Betting B2 - time and monetary thresholds**

**All non-remote betting licences**

- 1 Licensees must ensure that any B2 machines that they make available for use require customers to make an active choice whether to set time and monetary thresholds for customer and staff alerts. Such thresholds must comply with any relevant requirements set out in the Commission’s machine technical standards.

### **Social responsibility code provision 3.3.4**

#### **Remote time-out facility**

**All remote licences except: any remote lottery licence the holder of which does not provide facilities for participation in instant win lotteries, ancillary remote betting licences, remote betting standard (remote platform), gaming machine technical, gambling software, ancillary remote bingo, ancillary remote casino and remote betting intermediary (trading room only) licences.**

***This provision comes into force on 31 October 2015***

- 1** Licensees must offer a ‘time out’ facility for customers for the following durations:
  - a** 24 hours
  - b** one week
  - c** one month or
  - d** such other period as the customer may reasonably request, up to a maximum of 6 weeks.

## **3.4 Customer interaction**

### **Social responsibility code provision 3.4.1**

#### **Customer interaction – SR code**

**All licences, except non-remote lottery, gaming machine technical and gambling software licences**

- 1** Licensees must put into effect policies and procedures for customer interaction where they have concerns that a customer’s behaviour may indicate problem gambling. The policies must include:
  - a** identification of the appropriate level of management who may initiate customer interaction and the procedures for doing so
  - b** the types of behaviour that will be logged/reported to the appropriate level of staff and which may trigger customer interaction at an appropriate moment
  - c** the circumstances in which consideration should be given to refusing service to customers and/or barring them from the operator’s gambling premises
  - d** training for all staff on their respective responsibilities, in particular so that they know who is designated to deal with problem gambling issues
  - e** specific provision for making use of all relevant sources of information to ensure effective decision making, and to guide and deliver effective customer interactions, including in particular
    - i** provision to identify at risk customers who may not be displaying obvious signs of, or overt behaviour associated with, problem gambling: this should be by reference to indicators such as time or money spent
    - ii** specific provision in relation to customers designated by the licensee as ‘high value’, ‘VIP’ or equivalent
  - f** specific provision for interacting with customers demonstrating signs of agitation, distress, intimidation, aggression or other behaviours that may inhibit customer interaction
- 2** For gambling premises, licensees must ensure that their policies and procedures take account of the structure and layout of the gambling premises.
- 3** But such policies and procedures must be consistent with, and implemented with due regard to, licensees’ duties in respect of the health and safety of their staff.

**Ordinary code provision 3.4.2**

**Customer interaction – ordinary code**

**All licences except non-remote lottery, gaming machine technical and gambling software licences**

- 1** Operators should work together to share experience and deliver good practice across the full range of social responsibility requirements for customer interaction.
- 2** Operators should keep a record of customer interactions, and where an interaction has been ruled out, the reasons for this. Where an interaction has taken place at a later date, this should also be recorded.
- 3** In providing training to staff on their responsibilities for customer interaction, licensees should have, as a minimum, policies for induction training and refresher training.

**Social responsibility code provision 3.4.3**

**Customer Interaction – lotteries SR code**

**All lottery licences**

- 1** Licensees who are non-commercial societies or external lottery managers must:
  - a** set an upper limit on the value of lottery tickets which may be sold to a person, whether as part of a single transaction or over a given period of time, without customer interaction;
  - b** maintain records of all instances of customer interaction pursuant to (a) above and, in each case, whether purchase of tickets beyond the limits set was then permitted; and
  - c** ensure such records are made available to the Commission for inspection on request and retained for at least three years from the date of any lottery to which they relate.

### 3.5 Self-exclusion

#### **Social responsibility code provision 3.5.1**

##### **Self-exclusion – non-remote and trading rooms SR code**

##### **All non-remote licences (except lottery, gaming machine technical and gambling software licences) and remote betting intermediary (trading rooms only) licences**

- 1 Licensees must have and put into effect procedures for self-exclusion and take all reasonable steps to refuse service or to otherwise prevent an individual who has entered a self-exclusion agreement from participating in gambling.
- 2 Licensees must, as soon as practicable, take all reasonable steps to prevent any marketing material being sent to a self-excluded customer.
- 3 Licensees must take steps to remove the name and details of a self-excluded individual from any marketing databases used by the company or group (or otherwise flag that person as an individual to whom marketing material must not be sent), within two days of receiving the completed self-exclusion notification.
- 4 This covers any marketing material relating to gambling, or other activities that take place on the premises where gambling may take place. However, it would not extend to blanket marketing which is targeted at a particular geographical area and where the excluded individual would not knowingly be included.
- 5 Licensees must close any customer accounts of an individual who has entered a self-exclusion agreement and return any funds held in the customer account. It is not sufficient merely to prevent an individual from withdrawing funds from their customer account whilst still accepting wagers from them. Where the giving of credit is permitted, the licensee may retain details of the amount owed to them by the individual, although the account must not be active.
- 6 Licensees must put into effect procedures designed to ensure that an individual who has self-excluded cannot gain access to gambling. These procedures must include:
  - a a register of those excluded with appropriate records (name, address, other details, and any membership or account details that may be held by the operator);
  - b photo identification (except where the Licensee can reasonably satisfy themselves that in the circumstances in which they provide facilities for gambling an alternative means of identification is at least as effective) and a signature;
  - c staff training to ensure that staff are able to administer effectively the systems; and
  - d the removal of those persons found in the gambling area or attempting to gamble from the premises.
- 7 Licensees must ensure that their procedures for preventing access to gambling by self-excluded individuals take account of the structure and layout of the gambling premises.
- 8 Licensees must, when administering the self-exclusion agreement, signpost the individual to counselling and support services.

#### **Ordinary code provision 3.5.2**

##### **Self-exclusion – non-remote ordinary code**

##### **All non-remote licences and remote betting intermediary (trading rooms only) licences, but not gaming machine technical and gambling software licences**

- 1 Self-exclusion procedures should require individuals to take positive action in order to self-exclude. This can be a signature on a self-exclusion form.
- 2 Individuals should be able to self-exclude without having to enter gambling premises.

- 3** Before an individual self-excludes, licensees should provide or make available sufficient information about what the consequences of self-exclusion are.
- 4** Licensees should take all reasonable steps to extend the self-exclusion to premises of the same type owned by the operator in the customer's local area. In setting the bounds of that area licensees may take into account the customer's address (if known to them), anything else known to them about the distance the customer ordinarily travels to gamble and any specific request the customer may make.
- 5** Licensees should encourage the customer to consider extending their self-exclusion to other licensees' gambling premises in the customer's local area.
- 6** Customers should be given the opportunity to discuss self-exclusion in private, where possible.
- 7** Licensees should take steps to ensure that:
  - a** the minimum self-exclusion period offered is of a duration of not less than 6 nor more than 12 months
  - b** any self-exclusion may, on request, be extended for one or more further periods of at least 6 months each
  - c** a customer who has decided to enter a self-exclusion agreement is given the opportunity to do so immediately without any cooling-off period. However, if the customer wishes to consider the self-exclusion further (for example to discuss with problem gambling groups), the customer may return at a later date to enter into self-exclusion
  - d** at the end of the period chosen by the customer, the self-exclusion remains in place for a further 6 months, unless the customer takes positive action in order to gamble again
  - e** where a customer chooses not to renew the self-exclusion, and makes a positive request to begin gambling again during the 6 month period following the end of their initial self-exclusion, the customer is given one day to cool off before being allowed access to gambling facilities. The contact must be made via telephone or in person
  - f** notwithstanding the expiry of the period of self-exclusion chosen by a customer, no marketing material should be sent to them unless and until they have asked for or agreed to accept such material.
- 8** The licensee should retain the records relating to a self-exclusion agreement at least for the length of the self-exclusion agreement plus a further 6 months.
- 9** Please note that the Commission does not require the licensee to carry out any particular assessment or make any judgement as to whether the previously self-excluded individual should again be permitted access to gambling. The requirement to take positive action in person or over the phone is purely to a) check that the customer has considered the decision to access gambling again and allow them to consider the implications; and b) implement the one day cooling-off period and explain why this has been put in place.
- 10** Licensees should have, and put into effect, policies and procedures which recognise, seek to guard against and otherwise address, the fact that some individuals who have self-excluded might attempt to breach their exclusion without entering a gambling premises, for example, by getting another to gamble on their behalf.
- 11** Licensees should have effective systems in place to inform all venue staff of self-excluded individuals who have recently attempted to breach a self-exclusion in that venue, and the licensees neighbouring venues.
- 12** In providing training to staff on their responsibilities for self-exclusion, licensees should have, as a minimum, policies for induction training and refresher training.

**Social responsibility code provision 3.5.3**

**Self-exclusion – remote SR code**

**All remote licences except: gaming machine technical, gambling software, ancillary remote bingo, ancillary remote casino, betting intermediary (trading room only) and remote betting (standard) (remote platform) licences**

- 1 Licensees must have and put into effect procedures for self-exclusion and take all reasonable steps to refuse service or to otherwise prevent an individual who has entered a self-exclusion agreement from participating in gambling.
- 2 Licensees must, as soon as practicable, take all reasonable steps to prevent any marketing material being sent to a self-excluded customer.
- 3 Licensees must take steps to remove the name and details of a self-excluded individual from any marketing databases used by the company or group (or otherwise flag that person as an individual to whom marketing material must not be sent), within two days of receiving the completed self-exclusion notification.
- 4 This covers any marketing material relating to gambling. However, it would not extend to blanket marketing which is targeted at a particular geographical area and where the excluded individual would not knowingly be included.
- 5 Licensees must close any customer accounts of an individual who has entered a self-exclusion agreement and return any funds held in the customer account. It is not sufficient merely to prevent an individual from withdrawing funds from their customer account whilst still accepting wagers from them. Where the giving of credit is permitted, the licensee may retain details of the amount owed to them by the individual, although the account must not be active.
- 6 Licensees must put into effect procedures designed to ensure that an individual who has self-excluded cannot gain access to gambling. These procedures must include:
  - a a register of those excluded with appropriate records (name, address, other details, and any membership or account details that may be held by the operator);
  - b a record of the card numbers to be excluded;
  - c staff training to ensure that staff are able to administer effectively the systems; and
  - d the removal of access from those persons found to have gambled or who have attempted to gamble on the facilities.
- 7 Licensees must when administering the self-exclusion signpost the individual to counselling and support services.

***Paragraph 8 of this provision comes into force on 31 October 2015***

- 8 Customers must be given the opportunity to self-exclude by contacting customer services and in addition by entering an automated process using remote communication. In order to avoid inadvertent self-exclusion it is acceptable for an automated process to include an additional step that requires the customer to confirm that they wish to self-exclude. The licensee must ensure that all staff who are involved in direct customer service are aware of the self-exclusion system in place, and are able to direct that individual to an immediate point of contact with whom/which to complete that process.

### **Ordinary code provision 3.5.4**

#### **Self-exclusion – remote ordinary code**

**All remote licences (including ancillary remote betting licences), except gaming machine technical, gambling software, ancillary remote bingo, ancillary remote casino, remote betting intermediary (trading rooms only) and remote betting (standard) (remote platform) licences**

- 1 Self-exclusion procedures should require individuals to take positive action in order to self-exclude:
  - a over the **internet**; this can be a box that must be ticked in order to indicate that they understand the system
  - b by **telephone**; this can be a direct question asking whether they understand the system.
- 2 Before an individual self-excludes, licensees should provide or make available sufficient information about what the consequences of self-exclusion are.
- 3 Licensees should encourage the customer to consider extending their self-exclusion to other remote gambling operators currently used by the customer.
- 4 Within the licensee's information about self-exclusion policies, the licensee should provide a statement to explain that software is available to prevent an individual computer from accessing gambling internet sites. The licensee should provide a link to a site where further information is available.
- 5 Licensees should take all reasonable steps to ensure that:
  - a the minimum self-exclusion period offered is of a duration of not less than 6 nor more than 12 months;
  - b any self-exclusion may, on request, be extended for one or more further periods of at least 6 months;
  - c the self-exclusion arrangements give customers the option of selecting a self-exclusion period of up to at least five years;
  - d a customer who has decided to enter a self-exclusion agreement is given the opportunity to do so immediately without any cooling-off period. However, if the customer wishes to consider the self-exclusion further (for example to discuss with problem gambling groups) the customer may return at a later date to enter into self-exclusion;
  - e at the end of the period chosen by the customer, self-exclusion remains in place, for a minimum of 7 years, unless the customer takes positive action to gamble again;
  - f where a customer chooses not to renew, and makes a positive request to begin gambling again, during the 7 year period following the end of their initial self-exclusion, the customer is given one day to cool off before being allowed to access gambling facilities. Contact must be made via phone or in person; re-registering online is not sufficient; and
  - g notwithstanding the expiry of the period of self-exclusion chosen by a customer, no marketing material should be sent to them unless and until they have asked for or agreed to accept such material.
- 6 The licensee should retain the records relating to a self-exclusion agreement for as long as is needed to enable the self-exclusion procedures set out in paragraph 5 above to be implemented.
- 7 Please note that the Commission does not require the licensee to carry out any particular assessment or make any judgement as to whether the previously self-excluded individual should again be permitted access to gambling. The requirement to take positive action in person or over the phone is purely to a) check that the customer has considered the decision to access gambling again and allow them to consider the implications; and b) implement the one day cooling-off period and explain why this has been put in place.
- 8 In providing training to staff on their responsibilities for self-exclusion, licensees should have, as a minimum, policies for induction training and refresher training.

**Social Responsibility code provision 3.5.5**

**Self-exclusion – remote multi-operator SR code**

**All remote licences except: any remote lottery licence the holder of which does not provide facilities for participation in instant win lotteries, ancillary remote betting licences, remote betting (standard) (remote platform), gaming machine technical, gambling software, ancillary remote bingo, ancillary remote casino and remote betting intermediary (trading room only) licences**

***This provision will come into force one month after notification by the Commission of the establishment of a national online multi-operator self-exclusion scheme***

- 1 Licensees must participate in the national multi-operator self-exclusion scheme.

**Social responsibility code provision 3.5.6**

**Self-exclusion – multi-operator non-remote SR code**

**All non-remote casino, bingo and betting licences (except in respect of the provision of facilities for betting in reliance on a track premises licence) and holders of gaming machine general operating licences for adult gaming centres**

***This provision comes into force on 6 April 2016***

- 1 Licensees must offer customers with whom they enter into a self-exclusion agreement in respect of facilities for any kind of gambling offered by them the ability to self-exclude from facilities for the same kind of gambling offered in their locality by any other holder of an operating licence to whom this provision applies, by participating in one or more available multi-operator self-exclusion schemes.

**Ordinary code provision 3.5.7**

**Self-exclusion – multi-operator non-remote ordinary code**

**All non-remote casino, bingo and betting licences (except in respect of the provision of facilities for betting in reliance on a track premises licence) and holders of gaming machine general operating licences for adult gaming centres**

- 1 Licensees should contribute to and participate in the development and effective implementation of multi-operator self-exclusions schemes with the aim of making available to customers the ability to self-exclude from facilities for gambling provided by other licensed operators within their local area(s).

**Social responsibility code provision 3.5.8**

**Self-exclusion – non-remote lottery SR code**

**All non-remote lottery licences**

- 1 Licensees must have and put into effect procedures for self-exclusion and take all reasonable steps to refuse service or to otherwise prevent an individual who has entered a self-exclusion agreement from participating in gambling.
- 2 Licensees must, as soon as practicable, take all reasonable steps to prevent any marketing material being sent to a self-excluded customer.
- 3 Licensees must take steps to remove the name and details of a self-excluded individual from any marketing databases used by the company or group (or otherwise flag that person as an individual to whom marketing material must not be sent), within two days of receiving the completed self-exclusion notification.

- 4** This covers any marketing material relating to gambling, or other activities that take place on the premises where gambling may take place. However, it would not extend to blanket marketing which is targeted at a particular geographical area and where the excluded individual would not knowingly be included.
- 5** Licensees must close any customer accounts of an individual who has entered a self-exclusion agreement and return any funds held in the customer account. It is not sufficient merely to prevent an individual from withdrawing funds from their customer account whilst still accepting wagers from them. Where the giving of credit is permitted, the licensee may retain details of the amount owed to them by the individual, although the account must not be active.
- 6** Licensees must put into effect procedures designed to ensure that an individual who has self-excluded cannot gain access to gambling. These procedures must include:
  - a** a register of those excluded with appropriate records (name, address, other details, and any membership or account details that may be held by the operator);
  - b** a facility for someone self-excluding to provide a signature;
  - c** staff training to ensure that staff are able to administer effectively the systems; and
- 7** Licensees must, when administering the self-exclusion agreement, signpost the individual to counselling and support services.

### 3.6 Employment of children and young persons

#### Ordinary code provision 3.6.1

##### Employment of children and young people – lottery and pool betting

##### All lottery licences and pool betting licences restricted to football pools

- 1** Licensees who employ young persons (16 and 17 year olds) to sell tickets, collect payments or pay out winnings should have and put into effect policies and procedures designed to ensure that all staff, including staff who are young persons themselves, are made aware that the law prohibits underage gambling, and that tickets may only be sold to persons aged 16 or over.

#### Ordinary code provision 3.6.2

##### Employment of children and young people – bingo

##### All non-remote bingo licences

- 1** Licensees who employ children (under-16-year-olds) and young persons (those aged 16 or 17) should be aware that it is an offence:
  - a** to employ them to provide facilities for playing bingo;
  - b** for their contracts of employment to require them, or for them to be permitted, to perform a function in connection with a gaming machine; and
  - c** to employ a child to perform any function on premises where, and at a time when, facilities are being provided for playing bingo.
- 2** As to **1b**, it should be noted that in the Commission's view the relevant provision of the Act applies to any function performed in connection with a gaming machine. This includes servicing or cleaning such a machine.
- 3** Accordingly, licensees should have and put into effect policies and procedures designed to ensure that:
  - a** children and young persons are never asked to perform tasks within **1a or 1b**, above
  - b** all staff, including those who are children and young persons themselves, are instructed about the laws relating to access to gambling by children and young persons.

- 4 Licensees should consider adopting a policy that:
  - a children are not employed to work on bingo licensed premises at any time when the premises are open for business
  - b neither children nor young persons are in any event asked to work in areas where gaming machines are situated.

### **Ordinary code provision 3.6.3**

#### **Employment of children and young people – casino**

##### **All non-remote casino licences**

- 1 Licensees who employ children (under-16-year-olds) and young persons (those aged 16 and 17) should be aware that it is an offence:
  - a to employ them to provide facilities for gambling;
  - b if gaming machines are sited on the premises, for their contracts of employment to require them, or for them to be permitted, to perform a function in connection with a gaming machine at any time; and
  - c to employ them to carry out any other function on casino licensed premises while any gambling activity is being carried on in reliance on the premises licence (except that they can be employed on a part of regional casino premises when that part of the premises is not being used for the provision of facilities for gambling).
- 2 As to **1b**, it should be noted that in the Commission’s view the relevant provision of the Act applies to any function performed in connection with a gaming machine. This includes servicing or cleaning such a machine.
- 3 Accordingly, licensees should have and put into effect policies and procedures designed to ensure that:
  - a children and young persons are never asked to perform tasks within **1a** or **1b** above
  - b all staff, including those who are children or young persons themselves, are instructed about the laws relating to access to gambling by children and young persons.
- 4 Licensees should consider adopting a policy that:
  - a children and young persons are not employed to work on casino licensed premises (other than in an area of a regional casino where gambling does not take place) at any time when the premises are open for business
  - b gaming machines are turned off if children and young persons are working on the premises outside the hours when the premises are open for business.

### **Ordinary code provision 3.6.4**

#### **Employment of children and young people – betting**

##### **All non-remote general, pool betting and remote betting intermediary (trading rooms only) licences**

- 1 Licensees who employ children (under-16-year-olds) and young persons (those aged 16 and 17) should be aware that it is an offence:
  - a to employ children to provide facilities for gambling in connection with football pools;
  - b otherwise to employ children and young persons to provide facilities for gambling;
  - c if gaming machines are sited on the premises, for their contracts of employment to require them, or for them to be permitted, to perform a function in connection with a gaming machine at any time; and
  - d to employ them to carry out any other function on betting licensed premises while any gambling activity is being carried on in reliance on the premises licence.

- 2 As to **1c**, it should be noted that in the Commission’s view the relevant provision of the Act applies to any function performed in connection with a gaming machine. This includes servicing or cleaning such a machine.
- 3 Accordingly, licensees should have and put into effect policies and procedures designed to ensure that:
  - a children are never asked to perform tasks within **1a** above
  - b children and young persons are never asked to perform tasks within **1b** above
  - c all staff, including those who are children or young persons themselves, are instructed about the laws relating to access to gambling by children and young persons.
- 4 Licensees should consider adopting a policy that:
  - a children and young persons are not employed to work on betting licensed premises at any time when the premises are open for business
  - b gaming machines are turned off if children and young persons are working on the premises outside the hours when the premises are open for business.

**Ordinary code provision 3.6.5**  
**Employment of children and young people – AGCs**  
**All adult gaming centre licences**

- 1 Licensees who employ children (under-16-year-olds) and young persons (those aged 16 and 17) should be aware that it is an offence:
  - a to employ them to provide facilities for gambling;
  - b if gaming machines are sited on the premises, for their contracts of employment to require them, or for them to be permitted, to perform a function in connection with a gaming machine at any time; and
  - c to employ them to carry out any other function on adult gaming centre licensed premises while any gambling activity is being carried on in reliance on the premises licence.
- 2 As to **1b**, it should be noted that in the Commission’s view the relevant provision of the Act applies to any function performed in connection with a gaming machine. This includes servicing or cleaning such a machine.
- 3 Accordingly, licensees should have and put into effect policies and procedures designed to ensure that:
  - a children and young persons are never asked to perform tasks within **1a or 1b**, above
  - b all staff, including those who are children or young persons themselves, are instructed about the laws relating to access to gambling by children and young persons.
- 4 Licensees should consider adopting a policy that:
  - a children and young persons are not employed to work on adult gaming centre licensed premises at any time when the premises are open for business
  - b gaming machines are turned off if children and young persons are working on the premises outside the hours when the premises are open for business.

**Ordinary code provision 3.6.6**  
**Employment of children and young people – FECs**  
**All family entertainment centre licences**

- 1 Licensees who employ children (under-16-year-olds) and young persons (those aged 16 and 17) should be aware that it is an offence:
  - a to employ them to provide facilities for gambling; and
  - b if gaming machines are sited on the premises, for their contracts of employment to require them, or for them to be permitted, to perform a function in connection with a gaming machine at any time.

- 2 As to **1b**, it should be noted that in the Commission’s view the relevant provision of the Act applies to any function performed in connection with a gaming machine. This includes servicing or cleaning such a machine.
- 3 Accordingly, licensees should have and put into effect policies and procedures designed to ensure that:
  - a children and young persons are never asked to perform tasks within **1a or 1b**, above; and
  - b all staff, including those who are children or young persons themselves, are instructed about the laws relating to access to gambling by children and young persons.
- 4 Licensees should consider adopting a policy that:
  - a children and young persons are not employed to carry out any work in an adult-only area of family entertainment licensed premises at a time when any gambling is taking place; and
  - b gaming machines sited in adult-only areas are turned off if children and young persons are working on the premises outside the hours when the premises are open for business.

**Ordinary code provision 3.6.7**

**Employment of children and young people – remote**

**All remote licences, except remote lottery, remote pool betting, remote gaming machine technical, remote gambling software, ancillary remote bingo, ancillary remote casino and remote betting intermediary (trading rooms only) licences**

- 1 Licensees who employ children (under-16-year-olds) and young persons (those aged 16 and 17) should be aware that it is an offence to employ them to provide facilities for gambling.

**Ordinary code provision 3.6.8**

**Employment of children and young people – remote pool betting**

**All remote pool betting licences**

- 1 Licensees who employ children (under-16-year-olds) and young persons (those aged 16 and 17) should be aware that it is an offence:
  - a to employ children to provide facilities for gambling in connection with football pools; and
  - b otherwise to employ children and young persons to provide facilities for gambling.

### 3.7 Provision of credit by licensees and the use of credit cards

#### **Social responsibility code provision 3.7.1**

##### **Credit cards**

**All non-remote general betting licences (except where betting is offered under a 2005 Act casino premises licence), pool betting, betting intermediary and all remote licences, except gaming machine technical, gambling software, ancillary remote casino, ancillary remote bingo and remote betting intermediary (trading rooms only) licences**

- 1** Licensees who choose to accept credit cards must:
  - a** accept payment by credit card for gambling only where that payment is made to a customer account
  - b** make available for gambling, funds deposited via credit card only after the card issuer has approved the transaction.

#### **Social responsibility code provision 3.7.2**

##### **Provision of credit**

**All non-remote general betting licences(except where betting is offered under a 2005 Act casino premises licence), pool betting licences and all remote licences (including ancillary remote betting licences), except gaming machine technical, gambling software, ancillary remote casino, ancillary remote bingo and remote betting intermediary (trading rooms only) licences**

- 1** Licensees who choose to offer credit to members of the public who are not themselves gambling operators must also:
  - a** have procedures for checking and scoring applications for credit from such customers, for setting, and for the increase of, credit limits
  - b** explain these procedures to customers
  - c** set a maximum credit limit for each customer and not permit customers to exceed that limit without further application
  - d** apply a 24-hour delay between receiving a request for an increase in a credit limit and granting it in those cases where the limit exceeds that which the operator previously set
  - e** not require a minimum spend within a set time period
  - f** take all reasonable steps to ensure that offers of credit are not sent to vulnerable persons, including those who have self-excluded from gambling
  - g** ensure that information about an offer of credit includes a risk warning of what may happen in the event of default.

### 3.8 Money lending between customers

#### **Ordinary code provision 3.8.1**

##### **Money-lending - casinos**

##### **All non-remote casino licences**

- 1 Licensees should take steps to prevent systematic or organised money lending between customers on their premises.
- 2 While the nature of those steps will depend to some extent on the layout and size of the premises, they should cover matters such as:
  - a systems for monitoring for such activity;
  - b instructions to staff concerning what they should do if they spot what they believe to be significant money lending and to managers about the ways in which they should handle and act on any such lending; and
  - c excluding from the premises, either temporarily or permanently as appropriate, any person whom the evidence suggests has become involved in organised or systematic money lending.
- 3 There should be appropriate arrangements in place to cover any cases where it appears that the lending may be commercial in nature or may involve money laundering. In the latter case, the requirements in respect of reporting suspicious transactions must be followed. In all cases where the operator encounters systematic or organised money lending, a report should be made to the Commission.

#### **Ordinary code provision 3.8.2**

##### **Money-lending – other than casinos**

##### **All non-remote bingo, general betting, adult gaming centre, family entertainment centre and remote betting intermediary (trading rooms only) licences**

- 1 Licensees should seek to prevent systematic or organised money lending between customers on their premises. As a minimum, they should have arrangements in place to ensure staff are requested to report any instances of substantial money lending when they become aware of them.

### 3.9 Identification of individual customers

#### **Social responsibility code 3.9.1**

#### **Identification of individual customers - remote**

#### **All remote licences (including ancillary remote betting licences) except gaming machine technical, gambling software, ancillary remote bingo, ancillary remote casino and remote betting intermediary (trading rooms only) licences**

- 1** Licensees must have and put into effect policies and procedures designed to identify separate accounts which are held by the same individual.
- 2** Where licensees allow customers to hold more than one account with them, the licensee must have and put into effect procedures which enable them to relate each of a customer's such accounts to each of the others and ensure that:
  - a** if a customer opts to self-exclude they are effectively excluded from all gambling with the licensee unless they make it clear that their request relates only to some forms of gambling or gambling using only some of the accounts they hold with the licensee;
  - b** all of a customer's accounts are monitored and decisions that trigger customer interaction are based on the observed behaviour and transactions across all the accounts;
  - c** where credit is offered or allowed the maximum credit limit is applied on an aggregate basis across all accounts; and
  - d** individual financial limits can be implemented across all of a customer's accounts.
- 3** Licensees which are companies or other bodies corporate must take all reasonable steps to comply with the above provision as if reference to a customer holding more than one account with them included a reference to a customer holding one or more accounts with them and one or more accounts with a group company.
- 4** A company is a 'group company' in relation to a licensee if it is the holding company of, subsidiary of, or shares a common holding company with, the licensee. For these purposes 'holding company' and 'subsidiary' have the meanings ascribed to them by section 1159 of the Companies Act 2006 or any statutory modification or re-enactment thereof.

## 4 'Fair and open' provisions

### 4.1 Fair terms

#### **Social responsibility code provision 4.1.1**

##### **Fair terms**

##### **All licences, except gaming machine technical and gambling software licences**

- 1** Licensees must be able to provide evidence to the Commission, if required, showing how they satisfied themselves that their terms are not unfair.

### 4.2 Display of rules and supervision of games

#### **Social responsibility code provision 4.2.1**

##### **Display of rules - casino**

##### **All non-remote casino licences**

- 1** In complying with any condition on a casino premises licence requiring the display of rules about gaming, licensees must ensure that the following are included:
  - a** the rules of each type of casino game available to be played
  - b** a player's guide to the house edge
  - c** a player's guide to the rules of any equal chance games which are made available.

#### **Social responsibility code provision 4.2.2**

##### **Display of rules - bingo**

##### **All non-remote bingo licences**

- 1** In complying with any condition on a bingo premises licence or a 2005 Act large casino premises licence requiring the display of rules about gaming, licensees must ensure that the following are included:
  - a** rules about each variant of bingo made available; and
  - b** rules about any prize gaming made available.

#### **Social responsibility code provision 4.2.3**

##### **Display of rules – remote SR code**

##### **All remote licences (including ancillary remote betting licences), except gaming machine technical, gambling software, ancillary remote bingo, ancillary remote casino and remote betting intermediary (trading rooms only) licences**

- 1** Licensees must make the following available to customers:
  - a** a player's guide to each gambling opportunity (bet, game or lottery) made available by the operator; and
  - b** such additional information relating to the available gambling as the Commission shall from time to time publish to licensees: the current requirements are set out in an Annex to the Commission's Technical Standards.

#### **Ordinary code provision 4.2.4**

##### **Display of rules - remote ordinary code**

**All remote licences (including ancillary remote betting licences), except gaming machine technical, gambling software, ancillary remote bingo, ancillary remote casino and remote betting intermediary (trading rooms only) licences**

- 1** Where practicable, the player's guide and additional information referred to in the social responsibility code **4.2.3** should be made available through the medium in which the remote gambling is to be conducted. Where that is not practicable, licensees should either:
  - a** send a copy of the guide and required additional information by post, fax or email or
  - b** make these available to the customer in another medium to which he has access.

#### **Social responsibility code provision 4.2.5**

##### **Supervision of games**

**All non-remote casino licences**

- 1** Licensees must have and put into effect policies and procedures designed to ensure that proper supervision of gaming at tables is carried out by supervisors, pit bosses and croupiers in order to ensure the integrity of the gaming is not compromised. Such policies and procedures must take into account, but need not be limited by, any mandatory premises licence conditions relating to the layout of premises.

#### **Social responsibility code provision 4.2.6**

##### **Display of rules – betting**

**All general betting and betting intermediary licences, except remote betting intermediary (trading rooms only) licences**

- 1** Licensees must set out within the full rules that they make available, the core elements for the acceptance and settlement of bets. These rules must cover:
  - a** the circumstances under which the operator will void a bet;
  - b** treatment of errors, late bets and related contingencies;
  - c** availability of odds for any ante-post, early show or starting price betting, and treatment of place, forecast bets etc;
  - d** treatment of withdrawals, non-runners, and reformed markets;
  - e** maximum payout limiting liability for a specific betting product or generally;
  - f** any charges made to customers for the use of betting services or products, and how these are calculated (including deductions from winnings for commission, or in respect of withdrawn horses etc);
  - g** means or medium by which the outcome of an event will be determined;
  - h** the rules for the event itself to be specified (eg horserace bets only to be accepted; where the racing is subject to British Horseracing Authority rules);
  - i** where bets are accepted on 'pari-mutuel' terms; and
  - j** any special arrangements for settling bets on 'coupled' horses.
- 2** Where special rules have been agreed in relation to a particular bet these must not be overridden by any conflicting rules or subsequent rule changes.
- 3** Licensees must issue a betting slip or an electronic acknowledgement (other than in the case of telephone betting) for each transaction which includes information as to the operator's name and contact details, and words equivalent to 'Bets are accepted in accordance with the operator's rules'.

### **Social responsibility code 4.2.7**

#### **Display of rules – on-course betting**

##### **All non-remote general betting licences**

- 1** When providing facilities for betting on-course, licensees must display on their 'joints' in an intelligible format:
  - a** any rules that differ from the relevant racecourse rules on betting, such as Tattersalls' 'Rules on Betting'<sup>1</sup>;
  - b** any types of unorthodox bets accepted (such as forecast betting, betting without the favourite, distance betting etc);
  - c** whether win-only or each way bets are accepted;
  - d** any concessions or bonuses offered;
  - e** all of the runners and the odds available to the public;
  - f** the operator's trading name;
  - g** the minimum bet accepted; and
  - h** any applicable maximum payout.
  
- 2** Licensees operating within the ring at horserace tracks<sup>2</sup> must issue customers with a betting slip or ticket for each transaction accepted. Betting slips or tickets must include the following information:
  - a** operator's name and contact details;
  - b** race day name or code, date and race number;
  - c** name and/or number of the selection;
  - d** the stake, odds and potential return or whether the bet will be settled according to Starting Price; and
  - e** the type of bet.
  
- 3** Any special rules which have been agreed in relation to a particular bet must not be overridden by any conflicting rules or subsequent rule changes.

<sup>1</sup> The references to Tattersalls' 'Rules on Betting' reflect the current position and may need to be amended in future

<sup>2</sup> Licensees operating under the provision of an occasional use notice (eg point-to-points) must ensure ledger systems are capable of providing the information listed here.

### **Ordinary code provision 4.2.8**

#### **Sports rules**

##### **All betting operating licences, including betting intermediary, ancillary remote betting and remote betting intermediary (trading rooms only) licences**

- 1** Where licensees offer to accept bets, or facilitate the making or acceptance of bets between others, on the outcome of a sport regulated by a sport governing body for the time being included in Part 3 of Schedule 6 of the Act they should take all reasonable steps to familiarise themselves with the rules applied by that body on betting, in particular betting by registered participants.

**Social responsibility code provision 4.2.9**

**Display of rules – pool betting**

**All pool betting licences**

- 1** Licensees or any person they authorise to offer pool betting on their behalf under authority of section 93 of the Act must publish their rules relevant to the following:
  - a** the deduction levels for overheads, taxes, profits etc, expressed as a percentage, from each available pool;
  - b** the rounding of winning dividends to a whole unit;
  - c** the procedure for when there is no winner of the pool, and the circumstances in which the pool is carried over; and
  - d** the period of time in which a winning bet may be claimed from the pool operator.

**Social responsibility code provision 4.2.10**

**Pool betting on dog races**

**All non-remote pool betting licences authorised to offer pool betting on dog races**

- 1** Licensees or any person they authorise to offer pool betting on their behalf under authority of section 93 of the Act, must only accept bets through equipment capable of communicating bets to a central recording system.
- 2** The equipment must supply the person placing the bet with a betting slip or ticket containing the following information:
  - a** the date on which the bet is made;
  - b** the amount of the stake;
  - c** the identity of the track, the number or time of the race and the pool in respect of which the bet is made;
  - d** the selection or selections or combination of selections as indicated; and
  - e** means of identifying the equipment recording the bet.
- 3** The central recording system must collect all bets made to each of the operator's pools and all information required to calculate the winnings of each pool and be capable of storing this information for subsequent retrieval if required by the Commission.
- 4** Licensees and any person they authorise to offer pool betting on their behalf under authority of section 93 of the Act must:
  - a** provide a public display system within sight of all of the operator's terminals capable of accepting pool bets situated on-course. The system must display the potential dividend returns in respect of win and place outcomes from each pool operated, and in at least one place the units staked on all types of combination bets offered. This information is to be updated whilst the pool market is open. Following conclusion of the event to which the pool relates, the total amount payable as winning dividends must be displayed as soon as practicable; and
  - b** display prominently the minimum stake that will be accepted as a bet.

## 5 Marketing

### 5.1 Rewards and bonuses

#### **Social responsibility code provision 5.1.1**

##### **Rewards and bonuses – SR code**

##### **All licences (including ancillary remote licences), except gaming machine technical and gambling software licences**

- 1** If a licensee makes available to any customer or potential customer any incentive or reward scheme or other arrangement under which the customer may receive money, goods, services or any other advantage (including the discharge in whole or in part of any liability of his) ('the benefit') the scheme must be designed to operate, and be operated, in such a way that:
  - a** the circumstances in which, and conditions subject to which, the benefit is available are clearly set out and readily accessible to the customers to whom it is offered;
  - b** neither the receipt nor the value or amount of the benefit is:
    - i** dependent on the customer gambling for a pre-determined length of time or with a pre-determined frequency; or
    - ii** altered or increased if the qualifying activity or spend is reached within a shorter time than the whole period over which the benefit is offered.
  - c** if the value of the benefit increases with the amount the customer spends it does so at a rate no greater than that at which the amount spent increases; and further that:
  - d** if the benefit comprises free or subsidised travel or accommodation which facilitates the customer's attendance at particular licensed premises the terms on which it is offered are not directly related to the level of the customer's prospective gambling.

#### **Ordinary code provision 5.1.2**

##### **Proportionate rewards**

##### **All licences (including ancillary remote licences), except gaming machine technical and gambling software licences**

- 1** Licensees should only offer incentive or reward schemes in which the benefit available is proportionate to the type and level of customers' gambling.

#### **Social responsibility code provision 5.1.3**

##### **Alcoholic drinks**

##### **All non-remote bingo and casino licences**

- 1** If licensees offer customers free or discounted alcoholic drinks for consumption on the premises they must do so on terms which do not in any way link the availability of such drinks to whether, or when, the customer begins, or continues, to gamble.
- 2** Licensees must not make unsolicited offers of free alcoholic drinks for immediate consumption by customers at a time when they are participating in gambling activities.

### **Social responsibility code provision 5.1.4**

#### **Promotion by agents**

##### **All non-remote casino licences**

- 1** Where a licensee employs agents to promote its business (wherever that business is conducted), it must ensure that its agreement with any agent makes clear that the agent must not encourage players to play longer or wager more than the player might otherwise do. In particular, payments should not be directly dependent upon, nor directly calculated by reference to, the length of time for which, or frequency with which, the customer gambles. If the payment to the agent increases with the amount the customer spends it must do so at a rate no greater than that at which the amount spent increases.

### **Ordinary code provision 5.1.5**

#### **Mailing of lottery tickets**

##### **All lottery licences**

- 1** With a view to minimising the risk of fraud, licensees who are non-commercial societies or external lottery managers should adopt one or more of the following measures:
  - a** prohibit the unsolicited mailing of tickets to non-members of the promoting society
  - b** limit the value of tickets sent to any one address which is not that of a member of the promoting society to £20
  - c** maintain records of tickets distributed and not returned.

### **Ordinary code provision 5.1.6**

#### **Compliance with advertising codes**

##### **All licences, except lottery licences**

- 1** All advertising of gambling products and services should be undertaken in a socially responsible manner. In particular, licensees should comply with the advertising codes of practice issued by the Committee of Advertising Practice (CAP) and the Broadcast Committee of Advertising Practice (BCAP) which apply to the form and media in which they advertise their gambling facilities or services. For media not explicitly covered, licensees should apply the principles included in these codes of practice as if they were explicitly covered. Licensees should also follow any relevant industry code of practice on advertising, notably the Gambling Industry Code for Socially Responsible Advertising.
- 2** Licensees should also have regard to the CAP and BCAP 'Guidance on the rules for gambling advertisements' which contains a specific section on 'Misleadingness': 'free bets', or any equivalent guidance that either body may issue in future.
- 3** Marketing communications must not include a child or young person. No-one who is, or seems to be under 25 years old may be featured gambling. No-one may behave in an adolescent, juvenile or loutish way. However, the restriction on allowing people who are, or seem to be, under 25 years old (ie: those in the 18-24 age bracket) to appear in marketing communications need not be applied:
  - a** In the case of non-remote point of sale advertising material, provided that the images used depict the sporting or other activity that may be gambled on and not the activity of gambling itself and do not offend any other aspect of the advertising codes.
  - b** In the case of remote gambling, provided that the images 'appear in a place where a bet can be placed directly through a transactional facility, for instance, a gambling operator's own website. The individual may only be used to illustrate specific betting selections where the individual is the subject of the bet offered. The image or other depiction used must show them in the context of the bet and not in a gambling context' (as provided in the Gambling section of the CAP code)<sup>1</sup>.

<sup>1</sup>This is currently set out in CAP code rule 16.3.14.

### **Social responsibility code provision 5.1.7**

#### **Marketing of offers**

##### **All licences**

- 1** Licensees must satisfy themselves that their marketing communications, advertisements, and invitations to purchase (within the meaning of the Consumer Protection from Unfair Trading Regulations 2008), including 'free bet' offers, do not amount to or involve misleading actions or misleading omissions within the meaning of those Regulations.
- 2** Licensees must abide by any relevant provision of the CAP or BCAP code, as the case may be, which relates to 'free bet', 'bonus' or similar offers and in that regard follow the CAP and BCAP 'Guidance on the rules for gambling advertisements'. In particular that:
  - a** Marketing communications (which include advertisements) must state significant limitations and qualifications. Qualifications may clarify but must not contradict the claims that they qualify.
  - b** Marketing communications that include a promotion and are significantly limited by time or space must include as much information about significant conditions as practicable and must direct consumers clearly to an easily accessible alternative source where all the significant conditions of the promotion are prominently stated. Participants should be able to retain those conditions or easily access them throughout the promotion.
  - c** Terms and conditions relating to consumers' understanding of a 'free bet' offer and of the commitments that they have to make in order to take advantage of such an offer should generally be stated in the advertisement itself. Where the advertisement is limited by time or space (for example a banner advertisement), significant conditions likely to affect a consumer's decision to participate in promotions should be displayed no further than one click away from the advertisement itself. If the significant conditions are not displayed with sufficient prominence, the advertisement will be seen as misleading.
- 3** The terms and conditions of each marketing incentive must be made available for the full duration of the promotion.

### **Ordinary code provision 5.1.8**

#### **Online marketing in proximity to information on responsible gambling**

##### **All licences**

- 1** Licensees should ensure that no advertising or other marketing information, whether relating to specific offers or to gambling generally, appears on any primary web page/ screen, or micro site, that provides advice or information on responsible gambling.

### **Ordinary code provision 5.1.9**

#### **Compliance with advertising codes (lotteries)**

##### **All lottery licences**

- 1** All advertising of gambling products and services should be undertaken in a socially responsible manner. In particular, licensees should comply with the advertising codes of practice issued by the Committee of Advertising Practice (CAP) and the Broadcast Committee of Advertising Practice (BCAP) which apply to the form and media in which they advertise their gambling facilities or services. For media not explicitly covered, licensees should apply the principles included in these codes of practice as if they were explicitly covered. Licensees should also follow any relevant industry code of practice on advertising, notably the Gambling Industry Code for Socially Responsible Advertising.
- 2** Licensees should also have regard to any guidance that CAP and BCAP may issue about advertising lotteries.
- 3** No-one who is, or seems to be under 25 years old may be featured gambling.

## **6 Complaints and disputes**

### **6.1 Complaints and disputes**

#### **Social responsibility code provision 6.1.1**

##### **Complaints and disputes**

##### **All licences (including ancillary remote licensees) except gaming machine technical and gambling software licences**

- 1** Licensees must put into effect a written procedure for handling customer complaints and disputes.
- 2** Licensees must also ensure that they have arrangements in place for customers to be able to refer any dispute to an ADR entity if not resolved to the customer's satisfaction by use of their complaints procedure. It is permissible for licensees to have arrangements with more than one ADR entity and for customers to be directed to different ADR entities depending on the nature and subject matter of the dispute.
- 3** It is permissible for any such ADR entity to have terms enabling it to reject complaints referred for dispute resolution on the basis they are frivolous or vexatious but licensees may not refuse to refer disputes on that ground.
- 4** The services of any such ADR entity must be free of charge to the customer and must not be subject to terms which restrict, or purport to restrict, the customer's right to bring proceedings against the licensee in any court of competent jurisdiction. Such terms may, however, provide for an agreed resolution of a dispute (arrived at with the assistance of the ADR entity) to be binding on both parties.
- 5** In this code a 'complaint' means a complaint about any aspect of the licensee's conduct of the licensed activities, and a 'dispute' is any complaint which:
  - a** relates to the outcome of the complainant's gambling transaction; and
  - b** is not resolved at the first stage of the licensee's complaints procedure.
- 6** Licensees must ensure that:
  - a** information about their complaints procedure is set out in their terms and conditions;
  - b** such information is also readily accessible on the gambling premises or website as the case may be;
  - c** such information includes details of how to make a complaint to the licensee and the relevant contact details;

- d** such information includes the identity (with contact details, which can be by way of a link from the licensee’s website) of the ADR entity or entities to whom disputes can normally be referred and, where necessary, details of any limitation on the nature and subject matter of disputes with which a particular ADR entity deals
  - e** customers are given a copy of the complaints procedure on request or on making a complaint; and
  - f** all complaints are handled in accordance with the procedure.
- 7** Should licensees refer a dispute to an ADR entity other than one in respect of which contact details were given in accordance with 6 above they must, at the same time as making the reference, inform the Commission of the reference and reason for selection of the ADR entity concerned.
- 8** Licensees must keep a record of all complaints that are not resolved at the first stage of the complaints procedure.
- 9** Licensees must arrange for a copy of the decision on, or a note of the outcome of, each dispute referred to an ADR entity to be provided to the Commission, either by the ADR entity or by the licensee. This information should be provided in such format and within such timescale as the Commission may from time to time specify.
- 10** Licensees must also arrange for any outcome adverse to the licensee of any proceedings taken against the licensee (in whatever jurisdiction) by a customer in relation to a gambling transaction to be notified to the Commission as a key event; but excluding proceedings allocated to the County Court small claims track or equivalent in jurisdictions outside England and Wales.

In this Code, ‘ADR entity’ means a person offering alternative dispute resolution services whose name appears on the list maintained by the Gambling Commission in accordance with *The Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015*.

## 7 Gambling licensees’ staff

### 7.1 Gambling licensees’ staff

#### **Social responsibility code provision 7.1.1**

##### **Gambling staff – casinos**

##### **All non-remote casino licences**

- 1** Licensees must have and put into effect policies and procedures to manage relationships between staff and customers, based on the principle that in carrying out their duties staff must not engage in any conduct which is, or could be, likely to prejudice the licensing objectives.

#### **Social responsibility code provision 7.1.2**

##### **Responsible gambling information for staff**

##### **All licences, including betting ancillary remote licences, but not other ancillary remote licences**

- 1** Licensees must take all reasonable steps to ensure that staff involved in the provision of facilities for gambling are made aware of advice on socially responsible gambling and of where to get confidential advice should their gambling become hard to control.

## 8 Information requirements

### 8.1 Information requirements

#### Ordinary code provision 8.1.1

##### Information requirements – ordinary code

##### All licences

- 1 As stated earlier in this code, the Commission expects licensees to work with the Commission in an open and cooperative way and to inform the Commission of any matters that the Commission would reasonably need to be aware of in exercising its regulatory functions. These include in particular matters that will have a material impact on the licensee's business or on the licensee's ability to conduct licensed activities compliantly and consistently with the licensing objectives.
- 2 Thus, licensees should notify the Commission, or ensure that the Commission is notified, as soon as reasonably practicable and in such form and manner as the Commission may from time to time specify<sup>1</sup>, of any matters which in their view could have a material impact on their business or affect compliance. The Commission would, in particular, expect to be notified of the occurrence of any of the following events in so far as not already notified in accordance with the conditions attached to the licensee's licence<sup>2</sup>:
  - a any material change in the licensee's structure or the operation of its business
  - b any material change in managerial responsibilities or governance arrangements
  - c any report from an internal or external auditor expressing, or giving rise to, concerns about material shortcomings in the management control or oversight of any aspect of the licensee's business related to the provision of gambling facilities.

<sup>1</sup> These matters can be reported securely online at the Commission's website through our eServices system

[www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk)

Alternatively, for operators unable to access this system, you can these events by email to:

[key.events@gamblingcommission.gov.uk](mailto:key.events@gamblingcommission.gov.uk)

<sup>2</sup> Events which *must* be reported, because the Commission considers them likely to have a material impact on the nature or structure of a licensee's business, are set out in general licence condition 15.2.1

#### Ordinary code provision 8.1.2

##### Provision of information in respect of cheating

##### All betting operating licences including betting intermediary, ancillary remote betting and remote betting intermediary (trading room only)

- 1 In considering their obligations under licence condition **15.1.2** licensees should in particular keep in mind the scope of the offence of cheating. The Commission would expect to be notified of any information a licensee has which causes them to know or suspect that there has been interference or attempted interference with:
  - a an event which has taken or is taking place in Great Britain on which bets have been or are likely to be or to have been placed (whether in Great Britain or elsewhere); or
  - b an event which has taken or is taking place outside Great Britain on which bets have been or are likely to be or to have been placed in Great Britain.

## 9 Primary gambling activity

### 9.1 Primary gambling activity

#### Ordinary code provision 9.1.1

##### Primary gambling activity – bingo, betting and casino

##### Non-remote general betting, bingo and casino operating licences, except where facilities are offered under a 2005 Act casino premises licence

- 1 In order to demonstrate that sufficient facilities for the primary gambling activity for which an operating licence has been issued are being made available in each licensed premises, licensees should have regard to the following general factors:
  - a ratio of the space available to customers allocated to the primary gambling activity, to that allocated to other gambling activities
  - b the extent to which the primary gambling activity is promoted on the premises and by way of external advertising compared to other gambling activities
  - c the use, either expected or actual, to be made of the different gambling facilities.

#### Ordinary code provision 9.1.2

##### Primary gambling activity - bingo

##### Non-remote bingo licences, except where bingo is offered under a 2005 Act casino premises licence

- 1 Licensees should also have regard to the following additional sector specific factors:
  - a the frequency and extent that bingo is, or is intended to be played on the premises, compared with the periods when the premises are open
  - b whether there is:
    - i capacity on the premises for the generation of main stage bingo numbers
    - ii a facility to sell tickets or cards for bingo games on the premises
    - iii bingo available to be played whenever sessions are advertised
    - iv display of prize board information
    - v a means of stopping a game to claim a win.
- 2 Not all the factors here and in ordinary code 9.1.1 would need to be present in a particular case, nor do they preclude others, but the combination of those factors that are present should be sufficient to indicate that the activity is the primary one in any given premises.

#### Ordinary code provision 9.1.3

##### Primary gambling activity - casino

##### Non-remote casino operating licences, except 2005 Act casino operating licences

- 1 Licensees should also have regard to the following additional sector specific factor:
  - a the proportion of the gaming day for which live tables are, or will, be made available on demand.
- 2 Not all the factors here and in ordinary code 9.1.1 above would need to be present in a particular case, nor do they preclude others, but the combination of those factors that are present should be sufficient to indicate that the activity is the primary one in any given premises.

### **Ordinary code provision 9.1.4**

#### **Primary gambling activity - betting**

#### **Non-remote general betting licences, except where betting is offered under a 2005 Act casino premises licence**

- 1 Licensees should also have regard to the following additional sector specific factor:
  - a the range and frequency of events on which bets can be made.
- 2 Not all the factors set out here and in ordinary code 9.1.1 above would need to be present in a particular case, nor do they preclude others, but the combination of those factors that are present should be sufficient to indicate that the activity is the primary one in any given premises.

## **10 Assessing local risk**

### **10.1 Assessing local risk**

#### **Social responsibility code provision 10.1.1**

#### **Assessing local risk**

#### **All non-remote casino, adult gaming centre, bingo, family entertainment centre, betting and remote betting intermediary (trading room only) licences, except non-remote general betting (limited) and betting intermediary licences.**

#### ***This provision comes into force on 6 April 2016***

- 1 Licensees must assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and have policies, procedures and control measures to mitigate those risks. In making risk assessments, licensees must take into account relevant matters identified in the licensing authority's statement of licensing policy.
- 2 Licensees must review (and update as necessary) their local risk assessments:
  - a to take account of significant changes in local circumstances, including those identified in a licensing authority's statement of licensing policy;
  - b when there are significant changes at a licensee's premises that may affect their mitigation of local risks;
  - c when applying for a variation of a premises licence; and
  - d in any case, undertake a local risk assessment when applying for a new premises licence.

#### **Ordinary code provision 10.1.2**

#### **Sharing local risk assessments**

#### **All non-remote casino, adult gaming centre, bingo, family entertainment centre, betting and remote betting intermediary (trading room only) licences, except non-remote general betting (limited) and betting intermediary licences**

#### ***This provision comes into force on 6 April 2016***

- 1 Licensees should share their risk assessment with licensing authorities when applying for a premises licence or applying for a variation to existing licensed premises, or otherwise on request.

## Section B Equal chance gaming in clubs and premises with an alcohol licence

- 1 This is the Commission's code of practice relating to the provision of facilities for equal chance gaming in pubs and clubs, last updated in March 2012. It is issued in accordance with section 24 of the Gambling Act 2005 (the Act) and in respect of gaming carried out under Part 12 of the Act and the associated regulations. This gaming is known as 'exempt gaming', and may be carried out without a gambling licence or permit. However, the club or alcohol licensed premises can only offer equal chance gaming that does not involve staking against a bank and where there are set daily and weekly prize limits. Where a club holds a club gaming permit additional entitlements are available.

### Code provision 1.1

#### Equal chance gaming in clubs and premises with alcohol licences

- 1 Compliance with the code of practice should be the responsibility of a designated person:
  - in pubs in England and Wales: the designated premises supervisor (which the Licensing Act 2003 requires as a condition of any alcohol premises licence)
  - in premises which are licensed to serve alcohol for consumption on the premises under the relevant Scottish licence: the premises manager (which the Licensing (Scotland) Act 2005 requires as a condition of the premises licence), or, where an occasional licence is held, a responsible person designated by the holder of the licence.
  - in clubs in England and Wales:
    - if an alcohol licence is held, the designated premises supervisor
    - if no alcohol licence is held, a responsible individual to be nominated by the club management or other governing body elected by the members.
  - in clubs in Scotland:
    - for a qualifying club under the Licensing (Clubs) (Scotland) Regulations 2007 (SI No 76 of 2007) a person nominated by the club management committee, or other governing body elected by the members, and who is trained in accordance with the Licensing (Training of Staff) (Scotland) Regulations 2007
    - for a qualifying club operating under an occasional licence a responsible person to be nominated by the club management committee or other governing body elected by the members
    - the name and contact details of the nominated person should be made available to the clerk of the relevant licensing board.

### Code provision 1.2

#### Equal chance gaming in clubs and premises with alcohol licences

- 1 The regulations place certain limits on stakes and prizes for equal chance gaming. All exempt gaming is expected to be 'low level' and the designated person is expected to take all reasonable steps to ensure that this remains the case. Gaming in pubs and clubs should be ancillary to the main purpose of the premises – the gaming should not be the main reason to go to the premises. The statutory limits on stakes, prizes and, for clubs, participation fees are set out in the attached table (page 39). Pubs may not charge participation fees.
- 2 All gaming in pubs (other than dominoes and cribbage) has a stakes limit of £5 per person per game. Neither clubs nor pubs may impose levies or deductions on stakes or prizes.

**Code provision 1.3**  
**Equal chance gaming in clubs and premises with alcohol licences**

- 1 All gaming carried out on the premises must be in a place where it can be supervised by staff whose duties include supervision of gaming (including bar or floor staff).

**Code provision 1.4**  
**Equal chance gaming in clubs and premises with alcohol licences**

- 1 The designated person should put into effect procedures designed to prevent under age gambling. This should include:
  - holding the gaming in premises or parts of premises which are restricted to adults
  - checking the age of potentially under age players and
  - refusing access to the gaming to anyone apparently under age who cannot produce an acceptable form of age verification and identification
- 2 Permit holders should only accept identification which:
  - contains a photograph from which the individual can be identified
  - states the individuals date of birth
  - is valid
  - is legible and has no visible signs of tampering or reproduction.
- 3 The Commission considers acceptable forms of identification to include: any identification carrying the PASS logo (for example Citizencard or Validate); a driving licence (including provisional licence) with photocard; or a passport.

**Code provision 1.5**  
**Equal chance gaming in clubs and premises with alcohol licences**

- 1 Procedures should be in place for dealing with cases where an underage person repeatedly attempts to gamble including verbal warnings and reporting the offence to the Commission and the police. The designated person should take reasonable steps to ensure that all employees understand their responsibilities under this code

**Code provision 1.6**  
**Equal chance gaming in clubs and premises with alcohol licences**

- 1 All payments in respect of the gaming covered by this code (including, in the case of clubs, any participation fees) should be paid for in cash before the commencement of the game. No credit may be offered to customers by the designated person. All players should be notified of any stakes limits that apply.

**Code provision 1.7**  
**Equal chance gaming in clubs and premises with alcohol licences**

- 1 All equipment used in the gaming should be supplied by the premises and the equipment should be secured when not in use. The equipment should be replaced when damaged or marked. No player should supply his/her own equipment.

### **Code provision 1.8**

#### **Equal chance gaming in clubs and premises with alcohol licences**

- 1 For all organised games, the rules of the game being played should be displayed or otherwise made available to all players before and during the game, for example by providing the rules on a laminated card.

### **Code provision 1.9**

#### **Equal chance gaming in clubs and premises with alcohol licences**

- 1 The designated person should ensure a pleasant atmosphere and deny participation to customers who cheat or collude with other players or employees, threaten other players or employees, create a disturbance or damage equipment.

### **Code provision 1.10**

#### **Equal chance gaming in clubs and premises with alcohol licences**

- 1 In Scotland care will need to be taken to ensure that the provision of facilities for equal chance gaming is provided for in the premises licence operating plan.

## **2 Specific provisions in poker**

### **Code provision 2.1**

#### **Equal chance gaming in clubs and premises with alcohol licences**

##### **Specific provisions in poker**

- 1 To ensure that the stake and prize limits are not breached, it is strongly advised that cash games should not be permitted. Where cash games are allowed, the sum of money wagered (known as the 'pot') should be kept in sight so that it can be viewed by the designated person at all times.
- 2 In any event, all poker games organised by, or on behalf of, the management of the premises should not be cash games but tournament poker played with poker chips supplied by the premises.
- 3 The maximum stakes and prizes set out in the regulations are for a game and not a hand of poker. In the context of the code a game is what is generally considered to be an established and conventional game.
- 4 The designated person is to keep a record of:
  - the number of games played
  - the number of players and
  - the amount staked
  - the amount won
  - to ensure that the individual, daily and weekly stake and prize limits are not exceeded.
- 5 The designated person should take all reasonable steps to ensure that individual stake limits are not exceeded through side bets, additional raises, re-buys or other ways of increasing the pot. Where this is discovered to be the case, the game should be stopped immediately and stakes returned to the individual players.

### 3 Specific provisions for bingo

**Code provision 3.1**  
**Equal chance gaming in clubs and premises with alcohol licences**  
**Specific provisions for bingo**

- 1 Separate provisions apply in respect of bingo. The designated person should contact the Commission if the total stakes or prizes for bingo games played in any seven day period exceeds £2,000 (either in money taken or prizes awarded).

### 4 Specific provisions for clubs

**Code provision 4.1**  
**Equal chance gaming in clubs and premises with alcohol licences**  
**Specific provisions for clubs**

- 1 Clubs must ensure that appropriate membership records are completed for each member with a record of subscriptions paid. Records of daily participation fees should be kept separately. The club should demonstrate it has a bona fide club membership scheme.
- 2 Clubs that hold a club gaming permit may offer two kinds of banker's game only: pontoon and chemin de fer.

### 5 Complaints and disputes

**Code provision 5.1**  
**Equal chance gaming in clubs and premises with alcohol licences**  
**Complaints and disputes**

- 1 Permit holders should put into effect a written procedure for handling customer complaints and disputes regarding the use of gaming machines on their premises.

**Code provision 5.2**  
**Equal chance gaming in clubs and premises with alcohol licences**  
**Complaints and disputes**

- 1 A 'complaint' means a complaint about any aspect of the permit holder's conduct of their permissible activities, and a 'dispute' is any complaint which:
  - a) is not resolved at the first stage of the complaints procedure and
  - b) relates to the outcome of the complainant's gambling transaction.

**Code provision 5.3**  
**Equal chance gaming in clubs and premises with alcohol licences**  
**Complaints and disputes**

- 1 The designated person should ensure that:
  - customers are told the name and status of the person to contact about their complaint
  - customers are given a copy of the complaints procedure on request or on making a complaint
  - all complaints are handled in accordance with the procedure.

## 6 Summary of gaming entitlements for clubs and alcohol-licensed premises

	<b>Members' club, commercial club or MW institute without a club gaming permit or club machine permit</b>	<b>Members' club or commercial club with club machine permit</b>	<b>Members' club or MW institute with club gaming permit</b>	<b>Bridge or whist club</b>	<b>Alcohol-licensed premises</b>
<b>Equal chance gaming</b>	Yes	Yes	Yes	Bridge and/or whist <b>only</b>	Yes
<b>Limits on stakes</b>	<b>Poker</b> £1,000 per week £250 per day £10 per person per game  <b>Other gaming</b> No limit	<b>Poker</b> £1,000 per week £250 per day £10 per person per game  <b>Other gaming</b> No limit	No limit	No limit	<b>Poker</b> £100 per premises per day £5 per person per game  <b>Other gaming</b> £5 per person per game Cribbage & dominoes No limit
<b>Limits on prizes</b>	<b>Poker</b> £250 per game  <b>Other gaming</b> No limit	<b>Poker</b> £250 per game  <b>Other gaming</b> No limit	No limit	No limit	<b>Poker</b> £100 per game  <b>Other gaming</b> No limit
<b>Maximum participation fees – per person per day</b>	<b>Bridge and/or Whist</b> <sup>1</sup> £18  <b>Other gaming</b> £1	<b>Bridge and/or whist</b> <sup>3</sup> £18  <b>Other gaming</b> £3 (commercial club) £1 (members' club)	<b>Bridge and/or whist</b> <sup>3</sup> £20  <b>Other gaming</b> £3	£18 (without club gaming permit)  £20 (with club gaming permit)	None permitted
<b>Bankers or unequal chance gaming</b>	None permitted	None permitted	Pontoon Chemin de fer	None permitted	None permitted
<b>Limits on bingo</b>	Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.	Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.	Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.	No bingo permitted	Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.

<sup>1</sup> On a day when no other facilities for gaming are provided

## Section C Gaming machines in clubs and premises with an alcohol licence

### 1 For club gaming permits, club machine permits and alcohol

This is the Commission's Code of Practice issued under section 24 of the Gambling Act 2005 (the Act) relating to provision of facilities for gaming machine gambling in accordance with club gaming, club machine and alcohol licensed premises permits.

This includes:

- Registrations under Parts II and III of the Gaming Act 1968 which, under transitional provisions, are treated as club gaming and club machine permits respectively
- Club gaming and club machine permits issued under the Club Gaming and Club Machine Permits (Scotland) Regulations 2007
- Premises which have a licence issued by a Licensing Board under section 26(1) or 47(2) of the Licensing (Scotland) Act 2005 authorising the sale of alcohol on the premises.

#### Code provision 1.1

#### Club gaming permits, club machine permits and alcohol Gaming machines in clubs and premises with an alcohol licence

##### 1 Compliance with the code of practice should be the responsibility of a designated person:

- in pubs in England and Wales: the designated premises supervisor (which the Licensing Act 2003 requires as a condition of any alcohol premises licence)
- in premises which are licensed to serve alcohol for consumption on the premises under the relevant Scottish licence: the premises manager (which the Licensing (Scotland) Act 2005 requires as a condition of the premises licence), or,
- where an occasional licence is held, a responsible person designated by the holder of the licence
- in clubs in England and Wales:
  - if an alcohol licence is held, the designated premises supervisor
  - if no alcohol licence is held, a responsible individual to be nominated by the club management or other governing body elected by the members
- in clubs in Scotland:
  - for a qualifying club under the Licensing (Clubs) (Scotland) Regulations 2007 (SI No 76 of 2007) a person nominated by the club management committee, or other governing body elected by the members, and who is trained in accordance with the Licensing (Training of Staff) (Scotland) Regulations 2007
  - for a qualifying club operating under an occasional licence a responsible person to be nominated by the club management committee or other governing body elected by the members
  - the name and contact details of the nominated person should be made available to the clerk of the relevant licensing board.

## 2 Location and operation of machines

### All permit holders

**Compliance with these provisions is a condition of your permit, and failure to do so could result in revocation of the permit.<sup>2</sup>**

#### Code provision 2.1

##### Location and operation of machines

###### All permit holders

- 1 All gaming machines situated on the premises must be located in a place within the premises so that their use can be supervised, either by staff whose duties include such supervision (including bar or floor staff) or by other means.
- 2 Permit holders must have in place arrangements for such supervision.
- 3 All gaming machines situated on the premises shall be located in a place that requires a customer who wishes to use any ATM made available on the premises to cease gambling at the gaming machines in order to do so. 'ATM' means a machine located on the premises, which enables a person using it to obtain cash by use of a credit or debit card.

## 3 Access to gambling by children and young persons

**Compliance with this section is not a condition of your permit. However it sets out good practice in this area and the Commission considers it should be implemented by permit holders.**

#### Code provision 3.1

##### Access to gambling by children and young persons

###### All permit holders

- 1 Permit holders should put into effect procedures intended to prevent underage gambling. This should include procedures for:
  - checking the age of those who appear underage
  - refusing entry to anyone unable to produce an acceptable form of identification.
- 2 Permit holders should take all reasonable steps to ensure that all relevant employees understand their responsibilities for preventing underage gambling.
  - Permit holders should only accept identification which:
  - contains a photograph from which the individual can be identified
  - states the individual's date of birth
  - is valid
  - is legible and has no visible signs of tampering or reproduction.
- 3 The Commission considers acceptable forms of identification to include: any identification carrying the PASS logo (for example Citizencard or Validate); a driving licence (including provisional licence) with photocard; or a passport.

<sup>2</sup> Compliance with these provisions is a condition of the relevant permit as a result of the Gambling Act 2005: section 271 for Club Gaming Permits, section 273 for Club Machine Permits, section 282 for alcohol licensed premises using their automatic machine permissions and section 283 for licensed premises Gaming Machine Permits and alcohol licensed premises Gaming Machine Permits.

### **Code provision 3.2**

#### **Access to gambling by children and young persons**

##### **All permit holders**

- 1 Procedures should be in place for dealing with cases where a child or young person repeatedly attempts to gamble on category B or C machines, including oral warnings, reporting the offence to the Commission and the police, and making available information on problem gambling.

## **4 Complaints and disputes**

**Compliance with this section is not a condition of your permit. However it sets out good practice in this area and the Commission considers it should be implemented by permit holders.**

### **Code provision 4.1**

#### **Complaints and disputes**

##### **All permit holders**

- 1 Permit holders should put into effect a written procedure for handling customer complaints and disputes regarding the use of gaming machines on their premises
- 2 A 'complaint' means a complaint about any aspect of the permit holder's conduct of their permissible activities, and a 'dispute' is any complaint which:
  - a) is not resolved at the first stage of the complaints procedure, and
  - b) relates to the outcome of the complainant's gambling transaction.
- 3 Permit holders should ensure that:
  - customers are told the name and status of the person to contact about their complaint
  - customers are given a copy of the complaints procedure on request or on making a complaint
  - all complaints are handled in accordance with the procedure.

## **Keeping gambling fair and safe for all**

For further information or to register your interest in the Commission please visit our website at: [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk)

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