

**NEW CASINOS UNDER THE GAMBLING
ACT 2005**

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NEW CASINOS UNDER THE GAMBLING ACT 2005

- The Gambling Act 2005 has introduced far-reaching changes to the British casino industry. Those changes include:
 - abolition of the concept of “permitted areas”
 - abolition of the “demand test” for new casinos
 - removal of the membership requirement (following on from the abolition of the “24-hour rule” in 2005)
 - transfer of the premises licensing responsibility from magistrates to local authorities
- However, the most notable change affecting casinos is that, for at least three years from September 2007 (with the exception of outstanding casino licence applications under the predecessor legislation the Gaming Act 1968), no more than sixteen new casinos may be licensed in Great Britain. Those new casinos are divided into eight “small” and eight “large” casinos.
- The eight small casinos will be located in Bath & North East Somerset, Dumfries & Galloway, East Lindsey, Luton, Scarborough, Swansea, Torbay and Wolverhampton.
- The eight large casinos will be located in Great Yarmouth, Kingston-upon-Hull, Leeds, Middlesbrough, Milton Keynes, Newham (in London), Solihull and Southampton.
- There are a number of significant differences between the two categories of new casino. Large casinos will be entitled to offer up to 150 category B1 gaming machines and to provide betting and bingo. Small casinos will be entitled to offer up to 80 category B1 gaming machines and to provide betting (but not bingo). The new casinos will generally be larger in size than most existing casinos and will offer a new dimension to the UK casino landscape.
- Potential operators of such new casinos must apply to the designated local authority for a new casino premises licence (or, in certain circumstances, for a provisional statement). If the local authority considers that it would grant more than one of the applications it receives, it must hold a competition process to determine the winner based on the principles prescribed by the Gambling Act 2005 and its associated regulations and codes of practice.
- The competition process will necessitate meetings with licensing authorities, preparation of a strong application, negotiation, possible submission of representations against competitors’ applications and detailed knowledge of the principles and regulations introduced by the 2005 Act.
- Ideally a successful applicant embarking on a journey through the uncharted waters of the competition process will need to be guided by licensing/gaming law specialists with strong background experience in dealing with licensing applications throughout the UK, a history of achieving successful outcomes for both UK and overseas-based companies and a complete grasp of the new gambling legislation.

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- With over 25 years' experience in casino gaming law, and having been independently recommended for our "*real talent in liaising with authorities, officials and councils*" and for "*understanding all the licensing processes to the core*", we are well-placed to provide detailed advice and guidance in relation to the new casinos and on all aspects of gambling law.

Need to know more?

Ask us. "*Truly proactive practitioners, well versed in licensing law, greatly knowledgeable and utterly dependable in fighting its clients' battles ...*" – *Chambers Guide to the UK Legal Profession 2008*. For information/advice on alcohol or entertainment licensing matters, gaming, betting, lotteries or remote gambling, please contact:

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This document is not intended to be a comprehensive review of all developments in the law or practice, or to cover all aspects of those referred to. Readers should take legal advice before applying the information contained in this publication to specific issues or transactions.

Joelson Wilson LLP

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