

JOELSON WILSON

JOELSON WILSON LLP
LICENSING/GAMING TEAM

GAMBLING LAW UPDATE: 24TH DECEMBER 2009

JOELSON WILSON LLP
Solicitors
30 Portland Place
London W1B 1LZ

T: (+44) (0)20 7580 5721
F: (+44) (0)20 7580 2251
E: info@joelsonwilson.com
W: www.joelsonwilson.com
DX: 9001 West End



GAMBLING LAW UPDATE

- The Office of Fair Trading has produced an information pack in its campaign against lottery scams. The campaign seeks to raise awareness of lottery scams and highlights trends and tactics used by the scammers. The campaign is mainly aimed at UK consumers aged 35+ but also at friends and family of chronic scam victims and other organisations and stakeholders working to increase awareness of scams. For further information go to www.consumerdirect.gov.uk/lotteryscams.
- A joint statement has been released by the Gambling Commission and HM Revenue & Customs in relation to amusement machines which offer games designed to look like recognised games of chance such as poker, roulette or bingo. Their view is that machines presented as involving an element of chance will be liable for Amusement Machine Licence Duty (at a rate depending on stake and prize limits). Anyone who manufactures, supplies or maintains these machines must hold the appropriate operating licence. The appropriate premises licence under the Gambling Act 2005 must also be held. Further information is available at www.hmrc.gov.uk or www.gamblingcommission.gov.uk.
- The Gambling Commission has produced a quick guide providing a brief introduction to prize competitions and free draws. These are not run under the control of the Commission but it is important to ensure that restrictions are adhered to, in order to avoid running an illegal lottery. The Commission define a genuine prize competition as one where the outcome is determined by skill, judgement or knowledge. There are two types of free draw: the first where all entries are free, and the second where some entries are free but you can also pay to enter. Further details for free draws with paid entry are given and can be found at www.gamblingcommission.gov.uk.
- The draft Gambling Act 2005 (Operating Licence Conditions) (Amendment) Regulations 2010 propose to increase the maximum participation fee and monetary prizes for prize gaming in bingo halls. It is proposed that the maximum participation fee be increased from 50p to £1, and that monetary prizes be increased from £50 to £100 where no under 18s are permitted on the premises when the game is played and increased from £35 to £70 in other cases. The draft Statutory Instrument, draft Explanatory Memorandum and draft Impact Assessment can be viewed at www.culture.gov.uk under 'Publications'.
- The Gambling Commission have suspended an operating licence pending the outcome of a review. Paradise Bet Limited, a wagering company based in Hounslow, operate Paradise Bet and Bet 1128. The Gambling Commission will not release any further details until the investigation is complete.

JOELSON WILSON

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:

**David Clifton or Suzanne Davies
Joelson Wilson LLP
30 Portland Place, London W1B 1LZ
Telephone: +44 (0) 20 7580 5721
Fax: +44 (0) 20 7580 2251
e-mail: drgc@joelsonwilson.com or scd@joelsonwilson.com
Web: www.joelsonwilson.com**

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 2009