

STATES OF JERSEY



DRAFT GAMBLING (GAMING AND LOTTERIES) (AMENDMENT No. 15) (JERSEY) REGULATIONS 200-

**Lodged au Greffe on 8th September 2009
by the Minister for Economic Development**

STATES GREFFE



Jersey

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REPORT

Background

In 2002 a proposition, P.19/2002, was taken to the States to amend the Gambling (Gaming and Lotteries) (Jersey) Regulations 1998 to enable the provision in licensed betting offices of gaming machines. The Regulations introduced a scheme for the licensing of such premises and made provision for the regulation of gaming machines. Amendment No. 14 of these Regulations came into force on 14th March 2002, and since then, both licence fees and conditions governing gaming machines, including stake, prize and manner of play, have remained static. This proposition introduces a broader definition which takes into account technical changes in machines, and removes those mechanical provisions that anchor the gaming machine to what is swiftly becoming a redundant device.

The definition permits machines which differ from reflective or random AWP's in that they are purely software-driven terminals. Users may bet on a variety of events, the outcome of which is driven by a random number generator which may be operated by an independent third party and located remotely. The terminal accepts a customer's bet and displays the event and result on-screen in a format that varies in accordance with the type of event chosen.

To a minor degree, server-based gaming is already offered in LBOs in the form of virtual racing events; however bets are transacted over the counter and the event is open to all wishing to gamble on the outcome, but the result is still based on a result generated remotely.

The amendment mandates the Minister to produce written controls in the form of guidance, Codes of Practice and technical standards; compliance will be a licence condition and cancellation of the licence understood to be a penalty for failure to comply. The Codes of Practice will detail a limitation on the number of machines, stakes and prizes and, amongst other requirements, set pay-out percentages, play-cycles and play processes.

Any terminal or machine offered for play by an operator shall be connected to a monitoring system capable of recording, retaining and replaying information regarding all game-play on the machine, including all interaction as well as 'significant events' such as power failures and so on. This monitoring system shall be fully open and

accessible to the Minister and designated officials, and the Minister shall have the right to determine the type of monitoring system that operators must install and use.

It will be a requirement for random number communication to be independently audited by a third party. All gaming/betting products offered by the gaming machine must be certificated by an approved independent software testing house. The Minister will approve testing houses/laboratories for this purpose and publish technical standards.

Suppliers of these products must be registered with, and therefore approved by, the Minister. LBOs cannot offer these products from a supplier who is not registered. Suppliers will enter into an undertaking to guarantee compliance with Codes of Practice, technical standards and further guidance. It will be a licence condition that an LBO cannot offer events/games from an unregistered supplier, equally a registered supplier who breaches the terms of the undertaking and regulatory requirements must cease supply.

In line with the statement of key licensing principles, operators will adhere to a responsible gambling code and ensure information must be present on all machines, including contact information for help providers. The Code will insist warnings of excessive gambling must also be displayed. The machines should also provide help pages accessed by use of icon or button. These pages must be accessible at all times. Responsible gambling and literature from approved help providers must be prominently displayed adjacent to these machines. Promotional material for these terminals may only be internally displayed and the content of which should in no way encourage excessive play.

Licence fees

The Minister for Economic Development proposes to increase gambling licence fees for 2010 onward in line with the “user pays” principles detailed in Financial Direction No. 4.1. The increases would apply to all betting offices that have gaming machines as detailed below, and reflect the increased regulatory requirement occasioned by the publication of operational principles, technical standards and industry compliance with the same:

LICENCES (Unchanged since 14th March 2002)

| Type | Current fee | Proposed fee |
|--|------------------------------|------------------------------|
| Gaming Machines | £2,000 per machine per annum | £4,000 per machine per annum |
| Gaming Machine Type 2 (to be approved by the States in September 2009) | Not presently in service | £4,000 per machine per annum |

The Minister is also lodging draft legislation to create a new Gambling Commission (see P.139/2009), and the Commission will be expected to finish the modernisation programme and bring fees fully into line with costs. The Commission will assess gaming machine fees on an annual period and keep all publications pertinent to gaming machines under constant review.

Financial and manpower implications

There are no manpower implications. Financially, the effect of introducing these Regulations will increase revenue to the States by approximately £124,000.

Explanatory Note

These Regulations amend the provisions on gaming machines in the Gambling (Gaming and Lotteries) (Jersey) Regulations 1965. The amendments replace many of the statutory restrictions with a system of licence conditions, codes of practice and technical standards. The definition of a gaming machine is also expanded in a way that will allow “server-based gaming terminals” to be licensed. The fee for a licence for gaming machines is increased, but current licence-holders are given the option to continue under the current regime, paying the current fee, for up to 2 years.

Regulation 1 defines the Gambling (Gaming and Lotteries) (Jersey) Regulations 1965 as the “principal Regulations”.

Regulation 2 amends definitions in the principal Regulations.

Regulation 3 replaces the current Regulation 16 of the principal Regulations, which currently limits their scope to machines operated by inserting money in a slot. The new Regulation instead sets out guiding principles of responsible conduct, safeguards for children and vulnerable people, prevention of fraud and money laundering, and fairness to consumers. It requires the Minister to have regard to those principles and to promote good practice. It allows the Minister to approve codes of practice, which may refer to technical specifications. Breach of a code is not generally an offence in itself, but the code is admissible in proceedings where relevant, and breach can be grounds for cancellation or refusal of a licence.

Regulation 4 amends Regulation 17 of the principal Regulations to reflect the requirement to comply with licence conditions.

Regulation 5 replaces Regulation 19 of the principal Regulations. The new Regulation requires conditions to be imposed on a licence (*Regulation 10* removes the equivalent provision in paragraph 8 of the Schedule to the principal Regulations). It requires the conditions to cover certain matters, and enables them to cover others (whereas Regulation 19 currently contains substantive requirements on such matters). It also requires the Minister to publish standard conditions, and apply them unless there are exceptional reasons.

Regulation 6 repeals Regulation 20 of the principal Regulations, so that licence conditions can deal with the manner in which money may be removed from a machine.

Regulation 7 substitutes a new version of Regulation 21 of the principal Regulations. The new Regulation is largely the same except that it reduces the Minister’s power to make Orders and the scope of the prohibitions in relation to those Orders. It also extends the Regulation to cover software and connections to remote machines. It removes the paragraphs on keeping of records, as they can be dealt with by licence conditions. It adds a requirement for installers and repairers to be approved by the Minister, which is an updated version of the equivalent provision in the Order previously made under this Regulation.

Regulation 8 amends Regulation 22 of the principal Regulations to reflect the amendments to Regulation 21 and to require a person to comply with any relevant code of practice in order to be able to use the defence of taking reasonable care.

Regulation 9 amends Regulation 26 of the principal Regulations so that documents can be served at an address provided in connection with a licence.

Regulation 10 amends the Schedule to the principal Regulations. It increases the annual fee for licenses from £2,000 to £4,000 per machine (whether the licence-holder continues with previous machines or uses server-based gaming terminals – but see *Regulation 11* in relation to current licence-holders). The fee was last increased on 14th March 2002. A new paragraph 6A is inserted in the Schedule, to broaden the Minister's power to refuse the grant or transfer of a licence, including cases where the person has been involved in non-trivial breaches of licence conditions in the last 5 years. A new paragraph 10A is inserted, to expand the Minister's power under paragraphs 11 to 18 to cancel a licence, so as to include power to cancel for a breach of a licence condition. The licence-holder must have been given a warning notice and the breach (or the combined effect of repeated breaches) must not have been trivial. The Minister can also refuse to renew a licence on a similar basis. The Minister is enabled to determine and publish various matters which currently have to be prescribed by Order.

Regulation 11 contains transitional provisions. It allows a current licence-holder to choose to continue with existing machines for up to a year after the next renewal, paying the original fee and operating under the original Regulations and Order.

Regulation 12 provides for the citation of these Regulations and brings them into force 7 days after they are made.



Jersey

**DRAFT GAMBLING (GAMING AND LOTTERIES)
(AMENDMENT No. 15) (JERSEY)
REGULATIONS 200-**

Arrangement

Regulation

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Jersey

DRAFT GAMBLING (GAMING AND LOTTERIES) (AMENDMENT No. 15) (JERSEY) REGULATIONS 200-

Made [date to be inserted]

Coming into force [date to be inserted]

THE STATES, in pursuance of Article 3 of the Gambling (Jersey) Law 1964¹,
have made the following Regulations –

1 Interpretation

In these Regulations “principal Regulations” means the Gambling (Gaming and Lotteries) (Jersey) Regulations 1965².

2 Regulation 1 of the principal Regulations amended

In Regulation 1 of the principal Regulations –

- (a) in the definition “authorized gaming machine”, for the words “to which Part 3 applies” there shall be substituted the words “of a type not designated under Regulation 21(1)(a)”;
- (b) in the definition “gaming machine”, before the words “whether such operation is automatic or not” there shall be inserted the words “or of another machine connected to that machine,”;
- (c) after the definition “gaming machine”, there shall be inserted the following definitions –
 - “ ‘good practice’ has the meaning assigned to it by Article 16(3);
 - ‘guiding principles’ has the meaning assigned to it by Article 16(2);”;
- (d) after the definition “Law”, there shall be inserted the following definition –
 - “ ‘licence condition’ means a condition imposed under Regulation 19 on a licence under Part 3;”;
- (e) the definition “prescribed” shall be repealed; and

- (f) after the definition “public place”, there shall be inserted the following definition –

“ ‘published by the Minister’ means published in a manner that the Minister thinks likely to bring the item published to the attention of those whom it concerns;”.

3 Regulation 16 of the principal Regulations substituted

For Regulation 16 of the principal Regulations there shall be substituted the following Regulation –

“16 Guiding principles, good practice, codes of practice and technical standards

- (1) The Minister shall, in carrying out any function under this Part –
 - (a) have regard to the guiding principles; and
 - (b) promote good practice by persons providing or operating gaming machines.
- (2) The guiding principles are the principles that the provision and operation of gaming machines in the course of a business –
 - (a) should be conducted responsibly and with safeguards necessary to protect children and vulnerable people;
 - (b) should be regulated in accordance with generally accepted international standards to prevent fraud and money laundering, and should not be permitted to be a source of crime; and
 - (c) should be verifiably fair to consumers, being individuals using the machines other than in the course of a business.
- (3) Good practice is practice that –
 - (a) appears to the Minister to be desirable having regard to the guiding principles; and
 - (b) in particular, observes the requirements of these Regulations and of other enactments relating to gambling by means of gaming machines.
- (4) The Minister may approve one or more codes of practice to further any aspect of the duty under paragraph (1).
- (5) A code may be approved whether it has been prepared by or on behalf of the Minister or issued by another person (whether in relation to Jersey or not), and may take the form of a code issued by another person with deletions, amendments or additions made by the Minister.
- (6) The Minister –
 - (a) shall ensure that any approved code is published by the Minister; and

- (b) may in addition cause copies of an approved code to be put on sale to the public at any price that the Minister considers to be reasonable.
- (7) An approved code –
- (a) may refer to technical standards issued by another person (whether in relation to Jersey or not), and may apply those standards subject to deletions, amendments or additions made by the Minister;
 - (b) may make different provision for different cases or circumstances;
 - (c) must state when it comes into force; and
 - (d) may be revised or revoked by the Minister.
- (8) Subject to paragraphs (9) to (14), a person's failure to follow a provision in an approved code does not of itself render any person liable to proceedings of any kind or invalidate any transaction.
- (9) An approved code shall be admissible in evidence in any proceedings if it appears to the court or tribunal conducting the proceedings to be relevant to a question arising in the proceedings, and that code shall be taken into account in determining that question.
- (10) In proceedings where it is alleged that a person has contravened a requirement of an enactment relating to gambling –
- (a) proof of a failure to comply with a provision of an approved code purporting to promote the observance of that requirement may be relied on as tending to establish contravention of the requirement; and
 - (b) proof of compliance with that provision may be relied on as tending to establish that the requirement has not been contravened.
- (11) Paragraph (8) is subject to any provision of an enactment relating to gambling that makes an exception to an offence dependent on compliance with an approved code.
- (12) A copy, certified in writing on behalf of the Minister to be an accurate copy of all or part of an approved code, shall be admissible in evidence in all legal proceedings as of equal validity with the original and as evidence of any fact stated in it of which direct oral evidence would be admissible.
- (13) Where a document purports on its face to be a copy of all or part of an approved code, certified in accordance with paragraph (12), it is not necessary for the purposes of paragraph (12) to prove the official position or handwriting of the person signing on behalf of the Minister.
- (14) If a licence condition requires a provision in an approved code to be followed, a breach of that condition, consisting of a failure to follow that provision in the code, does not of itself render any

person liable to prosecution, but paragraph (8) does not operate so as to limit the Minister's powers under the Schedule to –

- (a) refuse to grant or renew a licence; or
- (b) cancel a licence.”.

4 Regulation 17 of the principal Regulations amended

In Regulation 17 of the principal Regulations, after the words “in accordance with” there shall be inserted the words “a licence under this Part in respect of those premises, the conditions imposed on that licence, and”.

5 Regulation 19 of the principal Regulations substituted

For Regulation 19 of the principal Regulations there shall be substituted the following Regulation –

“19 Conditions on licence

- (1) On granting or renewing a licence under this Part, the Minister shall impose conditions on that licence.
- (2) The Minister may impose any condition that he or she considers reasonable to ensure observance of the guiding principles and good practice.
- (3) The Minister shall determine and publish standard conditions.
- (4) Conditions, whether standard or otherwise, may apply to all machines or all licences or may vary by type of machine or licence or other circumstance.
- (5) The Minister shall impose on a licence the standard conditions applicable to that licence, unless the Minister considers there is an exceptional reason not to do so for a particular licence.
- (6) The Minister may impose on a licence conditions that are not standard, whether or not he or she also imposes standard conditions.
- (7) The conditions imposed on a licence –
 - (a) shall include conditions (whether standard or otherwise) covering the matters set out in paragraph (8); and
 - (b) may include –
 - (i) conditions (whether standard or otherwise) covering any or all of the matters set out in paragraph (9), and
 - (ii) any other condition (whether standard or otherwise) that the Minister considers reasonable to ensure observance of the guiding principles and good practice.
- (8) The matters that conditions shall cover are –
 - (a) the type of gaming machine, the type of software (if any) used on the machine, the type of connection (if any), and the

- type of machine (if any) to which the gaming machine is connected;
 - (b) the maximum number of gaming machines that may be made available for gaming in the premises to which the licence applies;
 - (c) the hours during which gaming machines may be used; and
 - (d) observance of any relevant provisions of approved codes of practice and technical standards.
- (9) Without prejudice to the generality of the Minister's power to impose any condition, the matters that conditions may cover include –
- (a) the charge or stake for playing a game and the manner in which it is paid;
 - (b) the cash, prize, winnings or article, benefit or advantage other than cash to be won, and the manner in which it is delivered;
 - (c) the manner in which money may be removed from the gaming machine otherwise than as referred to in subparagraph (b);
 - (d) the display of statements intended to ensure that users of the gaming machine are not misled as to available prizes, chances of winning or other aspects of its operation relevant to the fairness of gaming on the machine, and the form, location, manner and occasions of the display;
 - (e) the making and retaining of records and accounts, the providing of verification of those records and accounts, and the sending of an annual statement to the Minister and to the Chief Police Officer;
 - (f) the persons who may supply, install or maintain gaming machines on the premises;
 - (g) the training of staff in respect of the requirements of the guiding principles and good practice; and
 - (h) the provision and maintenance of a current address at which the licence holder agrees to accept service of any documents under Regulation 26, and which shall be taken to be that person's proper address for the purpose of Article 7 of the Interpretation (Jersey) Law 1954³."

6 Regulation 20 of the principal Regulations repealed

Regulation 20 of the principal Regulations shall be repealed.

7 Regulation 21 of the principal Regulations substituted

For Regulation 21 of the principal Regulations there shall be substituted the following Regulation –

“21 Buying, selling, installing, repairing and maintaining of machines

- (1) The Minister may by Order –
 - (a) designate types of gaming machines that may not be sold, supplied or maintained;
 - (b) designate particular premises or types of premises in which gaming machines may not be installed;
 - (c) specify such restrictions as the Minister may consider necessary or expedient on the sale, supply or maintenance of authorized gaming machines that are of a description specified in the Order; and
 - (d) specify special requirements in respect of authorized gaming machines that are installed, or are sold or supplied for the purpose of being installed, on relevant licensed premises.
- (2) No person shall –
 - (a) buy, sell, supply, install or maintain a gaming machine of a type designated under paragraph (1)(a);
 - (b) install or maintain an authorized gaming machine on premises designated under paragraph (1)(b); or
 - (c) buy, sell, supply, install or maintain an authorized gaming machine in contravention of a restriction specified under paragraph (1)(c), or in contravention of a requirement specified under paragraph (1)(d).
- (3) An authorized gaming machine in premises licensed under Part 3 shall only be installed, repaired or maintained by a person approved in writing for the purpose by the Minister.
- (4) References to gaming machines in this Regulation include reference to –
 - (a) any software used by the gaming machine, or by another machine connected to the gaming machine; and
 - (b) any means by which the gaming machine is connected to another machine.”.

8 Regulation 22 of the principal Regulations amended

In Regulation 22 of the principal Regulations –

- (a) in paragraph (1), for the words “of Regulation 19 or 21” there shall be substituted the words “of a licence condition or of Regulation 21”;
- (b) in paragraph (3), for the words “Regulation 19, 20 or 21” there shall be substituted the words “Regulation 21”;
- (c) in paragraph (4), for the words “Regulation 19(3) or (5) or 21” there shall be substituted the words “Regulation 21”; and
- (d) at the end of paragraph (5)(b) there shall be inserted the words “, including by complying with any relevant provision of a code of practice approved under Regulation 16”.

9 Regulation 26 of the principal Regulations amended

In Regulation 26 of the principal Regulations, after sub-paragraph (a) there shall be inserted the following sub-paragraph –

“(aa) by sending it by post to an address for service given in the person’s application for a licence under this Part or maintained under a licence condition;”.

10 Schedule to the principal Regulations amended

In the Schedule to the principal Regulations –

- (a) in paragraph 2(4) –
 - (i) for the word “prescribed” there shall be substituted the words “determined and published by the Minister”; and
 - (ii) for the words “a fee of £2,000” there shall be substituted the words “a fee of £4,000”;
- (b) in paragraph 5, the words “subject to paragraph 7” shall be deleted;
- (c) after paragraph 6 there shall be inserted the following paragraph –

“6A

- (1) The Minister may refuse to grant a licence under Part 3 on any ground that the Minister considers is consistent with his or her duty to promote the guiding principles and good practice.
- (2) The Minister shall –
 - (a) publish a statement of the Minister’s policy as to the circumstances in which he or she generally will, or will not, grant a licence under Part 3; and
 - (b) take that published policy into account in making any decision under sub-paragraph (1).
- (3) Nothing in sub-paragraph (4) or (5) or paragraph 7 limits the operation of sub-paragraph (1) or paragraph 10A(9).
- (4) The Minister shall not grant, renew or transfer a licence under Part 3 unless he or she is satisfied that the person applying for the grant, renewal or transfer will ensure that the use made of the gaming machines covered by the licence will comply with –
 - (a) the law;
 - (b) the guiding principles;
 - (c) the licence conditions that are to be imposed on the licence;
 - (d) any relevant provision of any approved code of practice; and
 - (e) any other relevant good practice promoted by the Minister.

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- (5) The Minister may refuse to grant or transfer a licence under Part 3 if the Minister is satisfied that –
- (a) the applicant for the grant, or the person to whom the licence is to be transferred, has in the previous 5 years –
 - (i) held a licence when a condition imposed on that licence was breached by any person, or
 - (ii) been responsible for a breach of a condition imposed on a licence held by another person; and
 - (b) that breach, or the combined effect of any such breaches, was not trivial and justifies refusal in the light of the Minister’s duties under Regulation 16.”;
- (d) paragraph 8 shall be repealed;
- (e) in paragraph 9 –
- (i) for the words “restrictions imposed under paragraph 8” there shall be substituted the words “licence conditions”, and
 - (ii) for the words “other restrictions” there shall be substituted the words “other licence conditions”;
- (f) in paragraph 10(1) for the words “impose restrictions under paragraph 8” there shall be substituted the words “decides to impose a licence condition that was not already imposed on another licence held by the applicant or on the licence being renewed”;
- (g) after paragraph 10 there shall be inserted the following paragraph –
- “10A**
- (1) The Minister may cancel a licence under Part 3 if the Minister is satisfied that –
 - (a) there has been a breach of a condition imposed on the licence, whether or not that breach is continuing;
 - (b) that breach, or the combined effect of any such breaches, is not trivial and justifies cancellation of the licence in the light of the Minister’s duties under Regulation 16; and
 - (c) sub-paragraphs (2) and (3) have been complied with.
 - (2) The Minister shall give to the holder of the licence and to the Chief Police Officer not less than 21 days’ notice in writing of a date appointed for the Minister to consider whether to cancel the licence.
 - (3) The notice shall specify the Minister’s grounds for considering the cancellation of the licence.
 - (4) The notice may in addition specify steps that the Minister considers would, if taken by the holder of the licence, be likely to remedy the apparent breach and ensure that it does not recur.

- (5) In considering whether to cancel the licence the Minister shall take into account any representations made by the Chief Police Officer and by the holder of the licence.
 - (6) In considering whether the requirement in sub-paragraph (1)(b) is met, the Minister shall in addition take into account all the relevant circumstances, including –
 - (a) the nature, seriousness, frequency and duration of the breach or breaches;
 - (b) the degree to which the holder of the licence is responsible for the breach;
 - (c) any action taken by the holder of the licence to remedy the breach, and the effectiveness of that action;
 - (d) whether the breach is continuing at the time of the decision; and
 - (e) how likely it is that the breach will continue or recur.
 - (7) The Minister shall not cancel the licence if –
 - (a) steps were specified under sub-paragraph (4) in the notice;
 - (b) the holder of the licence has taken those steps; and
 - (c) the breach is not continuing at the time of the decision.
 - (8) The Minister may adjourn for any purpose the consideration of the cancellation of the licence.
 - (9) The Minister may refuse to renew a licence if the Minister is satisfied that the requirements in sub-paragraphs (1)(a) and (1)(b) are met, after giving the applicant an opportunity to make representations and taking into account all the relevant circumstances, including those set out in sub-paragraph (6).”;
- (h) in paragraph 15, after the word “application” there shall be inserted the words “under paragraph 11”;
 - (i) in paragraph 17, for the words “If on” there shall be substituted the words “If under paragraph 10A or on”;
 - (j) in paragraph 18 –
 - (i) for the words “cancellation of a licence under Part 3” there shall be substituted the words “cancellation under paragraph 10A or 15 of a licence under Part 3”,
 - (ii) for the words “that paragraph” there shall be substituted the words “paragraph 10”, and
 - (iii) in sub-paragraph (b), before the words “any reference to a person” there shall be inserted the words “in the case of a cancellation under paragraph 15.”;
 - (k) for paragraph 20 there shall be substituted the following paragraph –
“20

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- A licence under Part 3 shall –
- (a) be in the form determined and published by the Minister; and
 - (b) contain a statement of the licence conditions imposed on it.”;
- (l) in paragraph 24(1) for the word “prescribed” there shall be substituted the words “determined and published by the Minister”;
- (m) in paragraph 26, after the word “except” there shall be inserted the words “under paragraphs 6A(4) or (5) or”.

11 Transitional

- (1) In this Regulation –
- “preserved licence” means a licence under Part 3 of the principal Regulations held immediately before the commencement of these Regulations;
- “transitional matter” means –
- (a) a preserved licence;
 - (b) the premises covered by a preserved licence; and
 - (c) the provision, operation and use of the gaming machines covered by a preserved licence.
- (2) During the period specified in paragraph (4), the principal Regulations shall apply to a transitional matter as if these Regulations had not come into force.
- (3) Paragraph (2) does not apply to the renewal of a preserved licence unless –
- (a) it is the first renewal of that licence after the commencement of these Regulations; and
 - (b) the applicant for the renewal expressly requests that the renewal should be considered under the principal Regulations as if these Regulations had not come into force.
- (4) The period referred to in paragraph (2) is from the commencement of these Regulations until whichever is the earliest of –
- (a) the date of any cancellation of the preserved licence;
 - (b) the date of the granting of any application under paragraph (5); and
 - (c) the date specified in paragraph (7).
- (5) The holder of a preserved licence may at any time during the period specified in paragraph (4) apply for a licence under Part 3 of the principal Regulations as amended by these Regulations.
- (6) An application under paragraph (5) shall be treated –
- (a) as if it were for a renewal of a licence under the principal Regulations as amended by these Regulations, if it relates to the same licensed betting office and gaming machines as were covered by the preserved licence;

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- (b) as if it were for a renewal of a licence, with a request for new conditions, under the principal Regulations as amended by these Regulations, if it relates to the same licensed betting office but different gaming machines from those covered by the preserved licence; or
 - (c) otherwise as being for a grant of a new licence.
- (7) The date referred to in paragraph (4)(c) is –
- (a) the end of the period of one year from the date on which the preserved licence is renewed, if, following a request by the applicant under paragraph (3)(b), the renewal was considered as if these Regulations had not come into force; or
 - (b) if sub-paragraph (a) does not apply, the date on which the preserved licence first falls for renewal after the commencement of these Regulations.

12 Citation and commencement

These Regulations may be cited as the Gambling (Gaming and Lotteries) (Amendment No. 15) (Jersey) Regulations 200- and shall come into force 7 days after they are made.

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- ¹ *chapter 11.300*
² *chapter 11.300.50*
³ *chapter 15.360*