

2007 No. 2321

BETTING, GAMING AND LOTTERIES

**The Gambling Act 2005 (Repeal) (Remote Operating Licence
and Credit) Regulations 2007**

<i>Made</i>	- - - -	<i>6th August 2007</i>
<i>Laid before Parliament</i>		<i>7th August 2007</i>
<i>Coming into force</i>	- -	<i>1st September 2007</i>

The Secretary of State is a Minister designated^(a) for the purposes of section 2(2) of the European Communities Act 1972^(b) in relation to measures relating to information society services; and measures relating to the abolition of restrictions on the import and export of goods.

The Secretary of State makes the following Regulations, in exercise of the powers conferred by that section.

Citation and commencement

1. These Regulations may be cited as The Gambling Act 2005 (Repeal) (Remote Operating Licence and Credit) Regulations 2007, and come into force on 1st September 2007.

Repeal of certain provisions of the 2005 Act

2. The following provisions of the Gambling Act 2005^(c) are repealed—
- (a) subsections (2) and (3) of section 89 (remote gambling equipment operating licence condition);
 - (b) subsection (1)(d) of section 117 (regulatory powers following a review); and
 - (c) section 245 (use of credit cards in gaming machines).

6th August 2007

Gerry Sutcliffe
Parliamentary Under Secretary of State
Department for Culture, Media and Sport

(a) SI 2001/2555 and SI 1992/2661.
(b) 1972 c.68.
(c) 2005 c.19.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations repeal three provisions of the Gambling Act 2005:

- subsections 89(2) and (3) (remote operating licence) which make it a condition of all remote operating licences that an operator's remote gambling equipment be located in Great Britain (subsection (2)), subject to a discretion for the Gambling Commission to exclude that condition to a general or specified extent (subsection (3));
- subsection 117(1)(d), which is consequential to the repeal of subsection 89(3), and concerns the use of subsection 89(3) as a regulatory power following a licence review by the Gambling Commission; and
- section 245 (credit) which makes it an offence for a person to supply, install or make available a gaming machine which is designed or adapted to permit money to be paid by credit card.

These Regulations ensure that the UK's obligations to notify technical standards in draft to the European Commission, under the Technical Standards Directive (Directive 98/34/EC, as amended by Directive 98/48/EC), can be complied with. Equivalent measures to those contained in the repealed provisions will be achieved by alternative means, and notified to the European Commission as appropriate.

No Regulatory Impact Assessment has been prepared as these Regulations are a technical instrument.

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