

ABERDEENSHIRE LICENSING BOARDS

GAMBLING ACT 2005

NOTIFICATION OF 2 OR LESS GAMING MACHINES or GAMING MACHINE PERMIT APPLICATION (i.e. for more than 2 machines) for: CONVERSION/ NEW/ VARIATION/ TRANSFER

For use by premises licensed to supply alcohol for consumption on the premises

Please read the attached guidance notes before completing this form
If you are completing this form by hand, please write legibly in block capitals using ink.

<p>To:</p> <p>The Depute Clerk to the:- (please tick the appropriate box)</p> <p><input type="checkbox"/> North Board</p> <p><input type="checkbox"/> Central Board</p> <p><input type="checkbox"/> South Board</p>	<p style="color: blue; font-weight: bold;"><i>Please send your application to :-</i></p> <p>Depute Clerk to the Licensing Board Aberdeenshire Council Viewmount Arduthie Road Stonehaven AB39 2DQ</p>
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SECTION A – What do you want to do?	
<p>1. Please indicate what you would like to do</p> <p>a) Notify the Licensing Board that you intend to provide up to a maximum total of 2 gaming machines category C and/ or D <i>(if you choose this option then please complete sections B, D and E)</i></p> <p>b) Apply to convert and existing Section 34 permit issued under the Gaming Act 1968, into a licensed premises gaming machine permit (i.e. for more than 2 gaming machines) <i>(if you choose this option then please complete sections B, D and E)</i></p> <p>c) Apply for a new licensed premises gaming machine permit <i>(if you choose this option then please complete sections B, D and E)</i></p> <p>d) Apply to vary an existing licensed premises gaming machine permit <i>(if you choose this option then please complete sections B, D and E)</i></p> <p>e) Apply to transfer an existing licensed premises gaming machine permit <i>(if you choose this option then please complete sections C, D and E)</i></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>

SECTION B – Application for grant (includes <u>conversion</u>, <u>new</u> and <u>variation</u> applications)		
<p>2. How many gaming machines are you currently authorised to provide and if this is a new or variation application, how many do you wish to provide? (please complete the boxes in the table)</p>		
Category Machine	Number currently authorised to provide	Number wish to provide (new or variation)
C		

	D		
	Total		
<p>3. If you are currently authorised to provide more than 2 machines, please provide your existing Section 34 Gaming Act 1968 permit, or provide reasons stating why it cannot be provided.</p> <p style="text-align: right;">Existing permit provided <input type="checkbox"/></p> <p>Reasons why existing permit cannot be provided. </p>			
<p>SECTION C – Application for permit <u>transfer</u> (i.e. where a transfer has been requested for a licence under the Licensing (Scotland) Act 1976)</p>			
<p>4. Name of person requesting the transfer </p>			
<p>5. Confirmation that an application to transfer the relevant Liquor Licence has been:</p> <p style="text-align: right;">Requested: <input type="checkbox"/></p> <p style="text-align: right;">Granted: <input type="checkbox"/></p>			
<p>6. Please provide your existing permit, or provide reasons stating why it cannot be provided</p> <p style="text-align: right;">Existing Permit provided <input type="checkbox"/></p> <p>Reasons why existing permit cannot be provided </p>			

SECTION D – General Information

7. Name of Premises

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8. Address of Premises

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.....

9. Telephone Number of Premises:

10. Name of existing Liquor Licence holder

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.....

11. Address of Liquor Licence Holder (where different from 8 above)

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.....

12. Telephone Number (daytime) of Liquor Licence holder:

13. E-mail address of liquor Licence holder (where applicable)

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14. Name, address, telephone number and e-mail of agent (e.g. solicitor) if submitted on behalf of an applicant

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.....

SECTION E – Fee and Signature(s)

I enclose the sum of £ ** (Cheques should be made payable to Aberdeenshire Council)

I understand that I must comply with the Gaming Machine Code of Practice for Alcohol Licensed Premises Permits and Permissions issued by the Gambling Commission (See guidance note 8)

Please note: It is an offence under Section 342 of the Gambling Act 2005 if a person without reasonable excuse, gives to a Licensing Board for a purpose connected with that Act information which is false or misleading.

Dated:

Signed (by or on behalf of the Liquor Licence Holder):

Print Name:

** If you wish to have a maximum of 2 gaming machines then the fee payable is £50. If you wish to have more than 2 gaming machines then the fee payable is £100.

<u>Official Use Only</u>	
Date of Receipt of Application	
Signature and name of staff who received application	
Date of Receipt of Fee	
Signature and name of staff who received fee	
Application accepted or returned (delete as appropriate)	
Date of Liquor Licence (where applicable)	
Date permit issued	

**REQUEST FOR ACKNOWLEDGEMENT OF RECEIPT OF MY NOTIFICATION OF
2 OR LESS GAMING MACHINES**

I(*insert name of the liquor licence holder*) request that this paper is returned to me at the following address and with the details below provided by the Licensing Board, so as to acknowledge my notification of 2 or less gaming machines at
(insert name of premises).

Insert address to which you wish this acknowledgement sent: (PLEASE PRINT)

.....
.....
.....
.....

<u>For Official Use Only (to be completed by the Licensing Board)</u>	
Date of receipt of notification for 2 or less gaming machines:	
Date of receipt of fee:	
Signature:	
Date Signed:	

PRIVACY NOTICE

The Data Controller of the information being collected is the North, Central and South Aberdeenshire Divisional Licensing Boards. The information is collated on their behalf by Aberdeenshire Council.

The Data Protection Officer can be contacted at Town House, 34 Low Street, Banff, AB45 1AN.

Email: dataprotection@aberdeenshire.gov.uk

Your information is being collected to use for the following purposes:

- The processing of your application for a Licensed Premises Gaming Machine Permit
- The determination of your application for a Licensed Premises Gaming Machine Permit
- The issue of any Licensed Premises Gaming Machine Permit Granted
- Inclusion on the Register of Licensed Premises Gaming Machine Permits available for public inspection
- Ensuring compliance with the terms of your Licensed Premises Gaming Machine Permit
- The processing of any complaints made in respect of your Licensed Premises Gaming Machine Permit
- The determination of any complaints made in respect of your Licensed Premises Gaming Machine Permit

Your information is:

Being collected by Aberdeenshire Council on behalf of the North, Central and South Aberdeenshire Licensing Boards.

The legal Basis for collecting the information is:

Personal Data		Special categories of personal data	
Consent		The data subject has given explicit consent to the processing	
Performance of a Contract		Processing is necessary for the purposes of carrying out the obligations of the controller or of the data subject in the field of employment, and social security and social protection law	
Legal Obligations	X		
Vital Interests		Processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent	
Task carried out in the Public Interest		Processing relates to personal data which are made public by the data subject	

Legitimate Interests ¹	Processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity	
	Processing is necessary for reasons of substantial public interest	
	Processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment, or the management of health or social care systems	
	Processing is necessary for reasons of public interest in the area of public health	
	Processing is necessary for archiving purposes in the public interest , scientific or historical research purposes or statistical purposes	

Where the legal basis for processing is either Performance of a contract or Legal obligation, please note the following consequences of failure to provide the information:

If you fail to provide the information required on the attached application form, Aberdeenshire Council may not be in a position to accept the application as a competent application. This means that your application cannot be processed and will be returned to you.

Your information will be shared with the following recipients or categories of recipient:

- *Police Scotland*
- *Some information will also be shared with the Public via the Register of Club Gaming Permits and Club Gaming Machine Permits*
- *The Gambling Commission*
- *Licensing Standards Officers*

Your information will be transferred to or stored in the following countries and the following safeguards are in place:

NOT APPLICABLE

The retention period for the data is:

- (1) Where an application for the grant of a licence, permit or registration is **refused** by the Board, information relating to that application will be retained for a period of 5 years from the date of refusal and thereafter will be destroyed.
- (2) In any other case, information relating to a licence, permit or registration will be retained for a period of 5 years from the date the licence, permit or registration **ceases to have effect** and thereafter will be destroyed.

The following automated decision-making, including profiling, will be undertaken:

Not Applicable

Please note that you have the following rights:

- to withdraw consent at any time, where the legal basis specified above is consent;
- to lodge a complaint with the Information Commissioner's Office (after raising the issue with the Data Protection Officer first);
- to request access to your personal data;
- To object, where the legal basis specified above is:
 - (i) Performance of a Public Task; or
 - (ii) Legitimate Interests.
- to data portability, where the legal basis specified above is:
 - (i) Consent; or
 - (ii) Performance of a contract;
- to request rectification or erasure of your personal data, as so far as the legislation permits.

I confirm that I have read and understood the Privacy Notice

I understand that I have the right to withdraw this consent at any time by contacting licapps@aberdeenshire.gov.uk

Name

Date

Signature

**GAMBLING ACT 2005
NORTH ABERDEENSHIRE DIVISIONAL LICENSING BOARD
APPLICATION FEES
PERMITS**

PERMIT TYPE		DURATION	FEE
Family Entertainment Centre Gaming Machine Permit			£
	Grant/Renewal	10 years	300
	Grant (existing operator who applies before 01/09/07)	10 years	100
	Change of Name	N/A	25
	Copy Permit	N/A	15

PERMIT TYPE		DURATION	FEE
Prize Gaming Permit			£
	Grant/Renewal	10 years	300
	Grant (existing operator who applies before 01/09/07)	10 years	100
	Change of Name	N/A	25
	Copy Permit	N/A	15

PERMIT TYPE		DURATION	FEE
Licensed Premises Gaming Machine Permit			£
	Notification of automatic entitlement of up to 2 gaming machines	N/A	50
	Grant(existing operators)	Unlimited	100
	Grant	Unlimited	150
	First Annual Fee (payable within 30 days of permit issue)	N/A	50
	Annual Fee	N/A	50
	Variation	N/A	100
	Transfer	N/A	25
	Change of Name	N/A	25
	Copy Permit	N/A	15

PERMIT TYPE		DURATION	FEE
Club Gaming Permit/Club Machine Permit			£
	Grant	10 years	200
	Grant (existing operators)	10 years	100
	Renewal	10 years	200
	First Annual Fee (payable within 30 days of permit issue)	N/A	50
	Annual Fee	N/A	50
	Variation	N/A	100
	Copy Permit	N/A	15

GAMING MACHINES IN ALCOHOL-LICENSED PREMISES

GENERAL GUIDANCE NOTES

Automatic Entitlement to 2 Gaming Machines

Alcohol licensed premises (with the exception of off-sale premises who can no longer obtain gaming permits) are automatically entitled to **2 gaming machines** of category C or D.

The liquor licence holder must formally notify the Licensing Board of his/her intention to make gaming machines available for use and must pay a fee of £50.00.

The Licensing Board must consider the notification and cannot refuse it.

Licensing Premises Gaming Machine Permits

The Licensing Board may issue licensed premises gaming machine permits to the holders of liquor licences (other than off sale) for **any** number of category C or D machines.

A permit for a specified number of gaming machines **will replace and not be in addition to** the automatic entitlement to 2 machines detailed above.

Application for a Licensed Gaming Machine Permit

An application for a permit must:

- (a) Be made on the appropriate application form
- (b) Specify the premises in respect of which the permit is sought
- (c) Specify the number and category of machines required.

The fee for existing operators is **£100** and for new operators **£150**.

The permit is for an **unlimited period**, however, it will cease to have effect if –

- (a) The premises are no longer the subject of a liquor licence
- (b) The permit holder ceases to be the holder of a liquor licence
- (c) The permit holder surrenders his/her permit.

The permit holder is required to pay a **first annual fee of £50** within **30 days** of the day on which the permit was issued and must pay an annual fee of **£50 before** each **anniversary** of the issue of the permit.

When considering an application for a permit the Licensing Board can:

- (a) Grant the application
- (b) Refuse the application, or
- (c) Grant it in respect of –
 - (i) A smaller number of machines.
 - (ii) A different category of machines; or
 - (iii) Both

A permit can be **varied** or **transferred** and the permit holder can request a **change of name**.

Variations

The holder of a permit may apply to the Licensing Board to vary the number or category, or both, of gaming machines authorised by the permit.

The application fee for a variation is **£100**.

Transfer

A person may apply for a transfer of a permit if –

- (a) They are applying for the transfer of their liquor licence; and
- (b) A permit has effect in respect of the premises/

The application must be accompanied by the permit or a statement explaining why it is not reasonably practicable to produce the permit.

The application fee for a transfer of **£25**

Change of Name

The permit holder can apply to the Licensing Board to amend the permit to reflect a change in the holder's name. The fee is **£25**.

Duplicates

A duplicate permit can be provided for a fee of **£15**.

Register of Permits

The Board must maintain a register of permits and make it available to members of the public at all reasonable times. The Board must make arrangements for a copy of an entry in the register to be available to members of the public on request for a reasonable charge.

APPENDIX 1

MACHINE CATEGORISATION

The Gambling Act 2005 reclassifies gaming machines and places restrictions on the type and number of machines that may be made available; it also places a minimum age of 18 years on players of all but Category D machines. Generally, gaming machines are classified according to the maximum stakes and maximum possible prizes:

<u>Category of Machine</u>	<u>Maximum Stake</u>	<u>Maximum Prize</u>	<u>Age</u>
A	Unlimited	Unlimited	18
B1	£2.00	£4,000.00	18
B2	£100.00	£500.00	18
B3	£1.00	£500.00	18
B3A	£1.00	£500.00	18
B4	£1.00	£250.00	18
C	£1.00	£70.00	18
D	10p or 30p where non-monetary prize	£5.00 or £8.00 non-monetary prize £15.00 where prize is combination of money and non- money of which no more than £8.00 can be money	No age limit

Category A Machines

Category A machines will only be available at a Regional Casino and will be the only gaming machines with unlimited stakes and prizes. A Regional Casino can make up to 150 machines available irrespective of the number of gaming tables made available for use.

Category B Machines

Category B machines are divided into 5 sub-categories (B1, B2, B3, B3A and B4) according to stake and prizes.

Category B1 machines may only be made available in casinos and have a maximum stake of £2.00 and a maximum prize of £4,000.

Category B2 machines includes gaming machines known as fixed odds betting terminals where the stake and prizes from an individual game can be rolled over into the next game up to a maximum stake of £100.00 per game (or £15.00 per chip) and a maximum prize of £500.00. These machines will only be available in casinos and licensed betting offices. The licensed betting offices are restricted to making 4 machines available for use.

Category B3 machines may only be made available in casinos, bingo premises, betting premises and tracks with pool betting, and adult gaming centres. Bingo premises and adult gaming centres are limited to making 4 machines (from B3 and B3A) available for use. Maximum stake is £1.00 with a maximum prize of £500.00.

Category B3A machines enables a person to participate in a lottery but not in any other form of gambling. These machines will be available in casinos, bingo premises, betting premises and tracks with pool betting, adult gaming centres, members' clubs and miners welfare institutes. Bingo premises and adult gaming centres are limited to making 4 machines (from B3 and B3A) available for use. Maximum stake is £1.00 with a maximum prize of £500.00.

Category B4 machines will be permitted to be available in casinos, bingo premises, adult gaming centres, members' clubs, commercial clubs and miners welfare institutes. The maximum stake is £1.00 with a maximum prize of £250.00.

Category C Machines

Category C machines may be made available in all premises other than a Family Entertainment Centre (with a Licensing Authority permit) or travelling fair. The maximum stake is £1.00 with a maximum prize of £70.00.

Category D Machines

Category D machines may be made available in all of the locations where gaming machines of Category A, B or C are available. In addition, they may be made available in unlicensed family entertainment centres and travelling fairs, the maximum stake is 10p (30p if stake is in money's worth (tokens etc.)) and the maximum prize is £5.00 (£8.00 if prize is in money's worth (tokens etc.) or £15.00 if the prize is a combination of a money prize and money's worth (tokens etc.), of which no more than £8.00 can be paid in money).

No person under the age of 18 years shall have access to any gaming machine other than those in Category D.

Large Casinos may offer up to 150 machines of Category B, C or D.

Small Casinos may offer up to 80 machines of Category B, C or D

Clubs and miners welfare institutes may offer up to 3 machines of Category B, C or D