

ABERDEENSHIRE LICENSING BOARDS

GAMBLING ACT 2005

APPLICATION FORM FOR CLUB GAMING PERMIT AND CLUB MACHINE PERMIT

For use BY MEMBERS CLUBS, COMMERCIAL CLUBS AND MINER'S WELFARE INSTITUTES

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.

To: The Depute Clerk to the:- (please tick the appropriate box)	<i>Please send your application to :-</i> Depute Clerk to the Licensing Board Aberdeenshire Council Viewmount Arduthie Road Stonehaven AB39 2DQ
<input type="checkbox"/> North Board	
<input type="checkbox"/> Central Board	
<input type="checkbox"/> South Board	

SECTION A – Type of Application

1. Please indicate type of application by ticking one of the appropriate boxes below

- Application for club gaming permit
- Application for club machine permit
- Application to renew a club gaming permit
- Application to renew a club machine permit

SECTION B – Existing Registration under Gaming Act 1968

(to be completed if the applicant wishes to apply as an existing Part 2 or Part 3 operator. Do NOT complete if applying to renew a permit).

Part 1

2. Did the applicant have a Part 2 or Part 3 Registration under the Gaming Act 1968 that had effect on 31st August 2007? Yes No
3. If the answer to question 2 is "YES" please indicate the date on which the registration is due to expire (e.g. the date it was fixed to expire when the registration was granted or last renewed)
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4. If the date given in answer to question 3 is a date before 31 August 2007, was the applicant's registration renewed on or after 1st September 2007? Yes No

Please give date of renewal

5. If the answer to question 2 is "NO" was the applicant first registered under Part 2 or Part 3 of the Gaming Act 1968 on or after 1st September 2007?

Yes No

Please give date of registration.....

6. If the answer to either question 2 or 5 is "yes" please indicate which type of registration:

Part 2 Registration:

Part 3 Registration:

Part 2

7. Does this application relate to the same (or substantially the same) premises as those to which the registration relates? Yes No

8. Is this application made before the 'relevant date'? Yes No

(the 'relevant date' is the date on which the registration is due to expire, except where the applicant is registered on or after 1st September 2007, in which case the 'relevant date' for a Part 2 registration is the last day of the period of one year beginning on the date on which it is registered and for a Part 3 registration is the last day of the period of five years beginning on the date on which it is registered.)

The applicant may apply as an existing operator if:

- (a) The answer to questions 2, 4, 7 and 8 is "Yes".
- (b) The answer to questions 5, 7 and 8 is "Yes".

If the applicant is applying as an existing operator:

- Relevant documentations must be provided – see Section C.
- The appropriate fee for an existing operator must be paid.

SECTION C – Contact Details of the Applicant

9. Name of Applicant

.....

10. Address (including postcode) of Premises in which the applicant operates

.....

.....

11. Telephone Number of Applicant:

12. E-mail address of Applicant (if correspondence by e-mail is preferred)

.....

SECTION D – Information about the Applicant

If the applicant is a miners’ welfare institute, complete questions 13-16:

13. Is the applicant established and conducted for social and recreational purposes?

Yes No

14. Are the applicant’s affairs managed by a group of individuals of whom at least two thirds are miners’ representatives? Yes No

15. Does the applicant operate in premises the use of which is regulated in accordance with a charitable trust? Yes No

16. If the answer to question 15 is “yes” has the charitable trust received money from any of the following:

- (a) The Miner’s Welfare Fund established by Section 20 of the Mining Industry Act 1930
- (b) The former body corporate which was known as the Coal Industry Social Welfare Organisation and incorporated under the Companies Act 1948; or
- (c) The charitable trust known as the Coal Industry Social Welfare Organisation?

Yes No

If the applicant is a members’ club or commercial club, complete questions 17 to 22

17. Is the applicant established with the purpose of functioning only for a limited period of time? Yes No

18. Does the applicant have at least 25 individual members? Yes No

19. Is the applicant established and conducted for the benefit of its members?

Yes No

20. Is the applicant established or conducted as a commercial enterprise?

Yes No

21. Describe the purpose(s) for which the applicant is mainly or wholly established and conducted

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

22. if the applicant is established or conducted wholly or mainly for the purpose of the provision of facilities for gaming, please specify the kinds of gaming:

.....
.....

SECTION E – General information about person applying on behalf of applicant

23. Name.

24. Capacity:

25. Address (including postcode):

.....

.....

26. Daytime telephone number:

27. E-mail address (if correspondence by e-mail is preferred)

.....

SECTION F – Contact details for correspondence associated with this application

29. Please tick one box as appropriate.

See address in Section C See address in Section E See address below

Address (including postcode)

.....

.....

Contact Telephone Number:

E-mail Address (if correspondence by e-mail is preferred)

.....

SECTION G – Declaration

30. Please complete the following declarations and checklist:

I (*full name*).....

- a. **Make this application on behalf of the applicant and have authority to bind the applicant.**
- b. **Confirm that I am aware of the relevant code of practice issued by the Gambling Commission under Section 24 of the Gambling Act 2005 about the location and operation of a gaming machine.**
- c. **Confirm that I am aware that the permit to which this application relates will be subject to the relevant conditions specified in Section 271 or 273 of the Gambling Act 2005.**
- d. **Confirm that I am aware that the applicant must send a copy of this application and any accompanying documents to the Gambling Commission and the Chief Constable within a period of seven days beginning on the date this application is made.**
- e. **Checklist (tick as appropriate)**

Payment of the appropriate fee of £ is enclosed. (Cheques should be made payable to Aberdeenshire Council)

A copy of the existing club permit or club machine permit is enclosed (*only applies to applications to renew a permit*)

A copy of the registration certificate issued under Part 2 of the Gaming Act 1968 is enclosed. (*only if the applicant wishes to apply as an existing Part 2 operator*)

A copy of the registration certificate issued under Part 3 of the Gaming Act 1968 is enclosed (*only if the applicant wishes to apply as an existing Part 3 operator*)

Confirm that, to the best of my knowledge, the information contained in this application is true. I understand that it is an offence under Section 342 of the Gambling Act 2005 to give information which is false or misleading in, or in relation to, this application.

Dated:

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

Print Name:

Capacity:

Official Use Only

Date of Receipt of Application	
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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 Club Gaming Permit or Club Gaming Machine Permit
- The determination of your application for a Club Gaming Permit or Club Gaming Machine Permit
- The issue of any Club Gaming Permit or Club Gaming Machine Permit Granted
- Inclusion on the Register of Club Gaming Permits or Club Gaming Machine Permits available for public inspection
- Ensuring compliance with the terms of your Club Gaming Permit or Club Gaming Machine Permit
- The processing of any complaints made in respect of your Club Gaming Permit or Club Gaming Machine Permit
- The determination of any complaints made in respect of your Club Gaming Permit or Club 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*
- *The Gambling Commission*
- *Some information will also be shared with the Public via the Register of Club Gaming Permits and Club Gaming Machine Permits*
- *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

CLUB GAMING PERMITS AND CLUB MACHINE PERMITS

GENERAL GUIDANCE NOTES

There are **2 types** of permit that a club can apply for:

1. **Club Gaming Permit; or**
2. **Club Machine Permit**

1. Club Gaming Permit

The Licensing Board may grant a Club Gaming permit to **members' clubs** (but not commercial clubs).

A Club Gaming Permit authorises the provision of:

- Up to 3 gaming machines of category B, C or D (in any combination)
- Equal chance gaming; and
- Prescribed games of chance.

The Licensing Board cannot add conditions to the permit but the following will automatically apply –

- Only members or guests of members may participate in the gaming
- Nobody under the age of 18 has access to a category B or C gaming machine; and
- The club complies with any codes of practice issued by the Gambling Commission about the location and operation of its gaming machines.

A Club Gaming Permit will allow clubs to offer gaming facilities as detailed above in addition to those they are allowed to offer under their exempt gaming allowance (section 269 and 270 of the Act).

2. Club Machine Permit

The Licensing Board may grant a Club Machine Permit to a **Members' Club or a Commercial Club**.

A Club Machine Permit authorises the provision of:

- Up to 3 gaming machines, each of which must be of category B, C or D (in any combination)

Application for Club Gaming Permit/Club Machine Permit

An application for a Club Gaming Permit or Club Machine Permit must

- (a) Be made on the appropriate application form
- (b) Specify the premises in respect of which the permit is sought

when the application is made by an **existing operator** the application must also be accompanied by a copy of the applicant's registration certificate.

The fee for existing operators is **£100** and for new operators **£200**.

Within **7 days** of making the application, the **applicant** must send a copy of the application and any accompanying documents to

- (a) The Gambling Commission; and
- (b) The Chief Constable

The Gambling Commission and/or the Chief Constable may lodge an objection to the application within the period of **28 days** from the date on which the application was made to the Licensing Board.

An objection is made by sending **2 copies** of a written statement setting out the reasons for the objection,

A permit lasts **10 years** and is due for **renewal** not earlier than **3 months** and not later than **6 weeks** before the expiry date. The application fee for renewal is **£200**.

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

When considering an application for a permit the Licensing Board must

- (a) Grant it, or
- (b) Refuse it.

After granting or refusing an application, the Licensing Board must **as soon as is reasonably practicable** –

- (a) Give notice of the decision and, where an objection was made, the reasons for the decision, to:
 - (i) The applicant
 - (ii) The Gambling Commission, and
 - (iii) The Chief Constable
- (b) Issue the permit (if appropriate)

The Licensing Board **may not** attach conditions to a permit.

Variation of Permit

A permit can be **varied** to meet changing circumstances. The application fee is **£100** and the application must be accompanied by the **permit** or a statement explaining why it is not reasonably practicable to produce the permit.

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