



# Betting and Gaming Duties Act 1981

## 1981 CHAPTER 63

### PART II

#### GAMING DUTIES

##### *Gaming machine licence duty*

#### **[<sup>F1</sup>21 Gaming machine licence duty.**

- (1) Except in the cases specified in Part I of Schedule 4 to this Act, no [<sup>F2</sup>amusement machine]] (other than [<sup>F3</sup>an excepted machine]) shall be provided [<sup>F4</sup>for play] on any premises situated in [<sup>F5</sup>the United Kingdom] unless there is for the time being in force [<sup>F6</sup>a licence granted under this Part of this Act with respect to the premises [<sup>F7</sup>or the machine].
  - (2) Such a licence shall be known as [<sup>F8</sup>an amusement machine licence][<sup>F9</sup>and, if it is granted with respect to a machine, rather than with respect to premises, as a special amusement machine licence.]]
  - [<sup>F10</sup>(3) [<sup>F11</sup>An amusement machine licence] may be granted for a period of a month, or of any number of months not exceeding twelve, beginning on any day of any month]
- [<sup>F12</sup>(3AA) A special amusement machine licence shall not be granted except where—
- (a) the machine with respect to which it is granted is of a description of machine for which special amusement machine licences are available;
  - (b) such conditions as may be prescribed by regulations made by the Commissioners are satisfied in relation to the application for the licence, the machine and the person by whom the application is made; and
  - (c) the licence is for twelve months.
- (3AB) Special amusement machine licences shall be available for amusement machines of each of the following descriptions—
- (a) machines that are not gaming machines; and
  - (b) small prize machines.]

*Status: Point in time view as at 10/07/2003. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Betting and Gaming Duties Act 1981, Section 21. (See end of Document for details)*

[<sup>F13</sup>(3A) For the purposes of this section an excepted machine is—

(a) a two-penny machine, or

[<sup>F14</sup><sup>F15</sup>(b) a [<sup>F16</sup>ten-penny machine]] which is a small prize machine; or

[<sup>F14</sup>(c) a fifty-penny machine that is not a gaming machine.]]

[<sup>F17</sup><sup>F18</sup>(3B) For the purposes of this section an amusement machine is a “fifty-penny machine” if, and only if—

(a) where it is a machine on which a game can be played solo, the cost for each time the game is played on it solo—

(i) does not exceed 50p, or

(ii) where the machine provides differing numbers of games in different circumstances, cannot exceed 50p;

and

(b) where it is a machine on which a game can be played by more than one person at a time, the cost per player for each time the game is played on it simultaneously by more than one player—

(i) does not exceed 50p, or

(ii) where the machine provides differing numbers of games in different circumstances, cannot exceed 50p.]]

(3E) For the purposes of this section a game is played solo if it is played by one person at a time (whether or not against a previous player).

(4) .....

#### Textual Amendments

- F1** S. 21 substituted by [Finance Act 1984 \(c. 43, SIF 12:2\)](#), s. 7(1)(2) **Sch. 3 Pt. I para. 2**
- F2** Words in s. 21(1) substituted (1.5.1995) by 1995 c. 4, s. 14, **Sch. 3 para. 2(1)(a)**.
- F3** Words in s. 21(1) substituted (27.7.1993 with application in relation to licences for any period beginning on or after 1.11.1993) by 1993 c. 34, s. 16(2)(9)
- F4** Words in s. 21(1) substituted (1.5.1995) by 1995 c. 4, s. 14, **Sch. 3 para. 2(1)(a)**.
- F5** Words substituted by [Finance Act 1985 \(c. 54, SIF 12:2\)](#), s. 8, **Sch. 5 Pt. I para. 1(1)**
- F6** Words following “force” in subsection (1) to the end of subsection (2) substituted (1.5.1995) by 1995 c. 4, s. 6, **Sch. 3 para. 3(2)**.
- F7** Words in s. 21(1) inserted (29.4.1996) by 1996 c. 8, s. 12(1).
- F8** Words in s. 21(2) substituted (1.5.1995) by 1995 c. 4, s. 14, **Sch. 3 para. 2(1)(b)**.
- F9** Words in s. 21(2) inserted (29.4.1996) by 1996 c. 8, s. 12(2).
- F10** S. 21(3) substituted (3.5.1994) by 1994 c. 9, s. 6, **Sch. 3 para. 1(2)**.
- F11** Words in s. 21(3) substituted (1.5.1995) by 1995 c. 4, s. 14, **Sch. 3 para. 2(1)(c)**.
- F12** [S. 21\(3AA\)\(3AB\)](#) inserted (29.4.1996) by 1996 c. 8, s. 12(3).
- F13** [S. 21\(3A\)](#) inserted (27.7.1993 with application in relation to licences for any period beginning on or after 1.11.1993) by 1993 c. 34, s. 16(3)(9)
- F14** [S. 21\(3A\)\(c\)](#) substituted (24.7.2002 with effect as mentioned in s. 8(6) of the amending Act) for s. 21(3A)(c)(d) by [Finance Act 2002 \(c. 23\)](#), s. 8(2)
- F15** [S. 21\(3A\)\(b\)\(c\)](#) substituted (1.4.1998 with effect in relation to the provision of an amusement machine at any time on or after 1.4.1998) by 1998 c. 36, s. 13(1)(2).
- F16** Words in [s. 21\(3A\)\(b\)](#) substituted (28.7.2000 with effect as mentioned in [Sch. 2 para. 7\(1\)](#) of the amending Act) by 2000 c. 17, s. 17, **Sch. 2 para. 2**

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**F17** S. 21(3B) substituted (24.7.2002 with effect as mentioned in s. 8(6) of the amending Act) by Finance Act 2002 (c. 23), s. 8(3)

**F18** S. 21(3B) substituted (10.7.2003) for s. 21(3B)-(3D) by Finance Act 2003 (c. 14), s. 10(1)

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**Modifications etc. (not altering text)**

**C1** S. 21(3) extended (1.5.1994 with effect as mentioned in Sch. 3 para. 5 of the amending act) by 1994 c. 9, s. 6, Sch. 3 para. 5(5)(6).

S. 21(3) extended (3.5.1994 with effect in relation to gaming machine licences granted for any period beginning on or after 1.4.1994) by 1994 c. 9, s. 6, Sch. 3 para. 4(3)(4).

**Status:**

Point in time view as at 10/07/2003. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Betting and Gaming Duties Act 1981, Section 21.