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STATUTORY INSTRUMENTS

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**1996 No. 1423**

**CUSTOMS AND EXCISE**

**The Amusement Machine Licence Duty  
(Special Licences) Regulations 1996**

<i>Made</i>	- - - -	<i>5th June 1996</i>
<i>Laid before the House of Commons</i>	- - - -	<i>7th June 1996</i>
<i>Coming into force</i>	- -	<i>1st July 1996</i>

The Commissioners of Customs and Excise, in exercise of the powers conferred upon them by section 21(3AA) of, and paragraph 5 of Schedule 4 to the Betting and Gaming Duties Act 1981<sup>(1)</sup> and of all other powers enabling them in that behalf, hereby make the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Amusement Machine Licence Duty (Special Licences) Regulations 1996 and shall come into force on 1st July 1996.

**Interpretation**

2. In these Regulations—

- “the Act” means the Betting and Gaming Duties Act 1981;
- “qualified applicant” has the meaning given in regulation 3 below;
- “special licence” means a special amusement machine licence.

**Qualified applicants**

3.—(1) No person shall apply for a special licence unless he is a qualified applicant.

(2) A person is a qualified applicant if—

- (a) he is applying for at least ten special licences that will all take effect on the same day; or

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<sup>(1)</sup> 1981 c. 63; section 21(3AA) was inserted by section 12(3) of the Finance Act 1996 (c. 8); paragraph 5 of Schedule 4 was amended by section 14 of, and paragraph 8(1) of Schedule 3 to the Finance Act 1995 (c. 4) and section 12(6) of the Finance Act 1996; section 33(1) defines “the Commissioners” as meaning the Commissioners of Customs and Excise.

- (b) he is the holder of one or more special licences and will be the holder of at least ten special licences that will all be in force on the day when any special licence he is applying for takes effect.

#### **Directions concerning special licences**

4. The Commissioners may by a notice they publish that has not been withdrawn by a further notice direct the holder of a special licence—

- (a) to display it in such manner and on such premises as the Commissioners see fit; and
- (b) to mark any machine to which it relates with such labels and marks as the Commissioners may require.

#### **Application of Schedule 4 to the Act**

5.—(1) Except as otherwise provided by this regulation, Schedule 4 to the Act shall apply to special licences as it applies to amusement machine licences granted with respect to premises.

(2) Paragraphs 8(1)(2) and 12(3) of that Schedule shall not apply to special licences.

(3) Paragraph 11(1) of that Schedule(4) shall not apply unless, if the special licence is surrendered, its holder will (having regard to any other special licences surrendered at the same time) hold at least ten, or cease to hold any, special licences.

New King's Beam House 22 Upper Ground  
London SE1 9PJ  
5th June 1996

*D. J. Howard*  
Commissioner of Customs and Excise

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(2) Paragraph 8(1) was amended by section 6 of, and paragraph 3(1) and (5) of Schedule 3 to the Finance Act 1994 (c. 9) and by section 14 of, and paragraph 11(1) of Schedule 3 to the Finance Act 1995 (c. 4).

(3) Paragraph 12 was amended by section 6 of, and paragraph 3(1) and (7) of Schedule 3 to the Finance Act 1994 (c. 9) and by section 14 of, and paragraph 11(1) of Schedule 3 to the Finance Act 1995 (c. 4).

(4) Paragraph 11(1) was substituted by section 6 of, and paragraph 5(1) and (3) of Schedule 3 to the Finance Act 1994 (c. 9) and was amended by section 14 of, and paragraph 11(1) of Schedule 3 to the Finance Act 1995 (c. 4).

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations, which come into force on 1 July 1996, determine who may apply for a special amusement machine licence. They also allow the Commissioners to make directions concerning the display of a special amusement machine licence and the marking of any machine to which a special licence applies. Regulation 5 is concerned with the application of Schedule 4 to the Betting and Gaming Duties Act 1981 (c. 63) to special licences. Generally the Schedule applies except that—

- (a) special licences will only be transferable where the holder dies;
- (b) a person may not surrender a special licence if he would be left holding between one and nine special licences after that surrender;
- (c) the requirements to be observed by a licence holder imposed by paragraph 12 of the Schedule will not apply.