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STATUTORY INSTRUMENTS

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**2007 No. 2319**

**The Gaming Machine (Circumstances of Use) Regulations 2007**

**Payment limits**

7.—(1) Subject to regulation 9, where a gaming machine is made available for use, a person must not be able, by means of a single action, to make a payment in respect of the use of the machine which exceeds, in any case to which paragraphs (2) to (7) apply, the amount specified in the relevant paragraph.

(2) In relation to—

- (a) a Category A machine where the payment is of money or money's worth, and
- (b) a Category B or C machine, where the payment is of money,

the amount is £20.

(3) In relation to a Category B or C machine where—

- (a) the payment is of money's worth, and
- (b) either—
  - (i) the machine is manufactured on or after 1st September 2007, or
  - (ii) it is a non-compliant machine,

the amount is £20.

(4) In relation to a Category B1, B2 or B3 machine where—

- (a) the payment is of money's worth,
- (b) the payment satisfies—
  - (i) the supervision condition in paragraph (8),
  - (ii) the collection condition in paragraph (9), or
  - (iii) partly satisfies the supervision condition, with the payment of the remaining amount satisfying the collection condition,
- (c) the machine is manufactured before 1st September 2007, and
- (d) immediately before that date the machine is designed or adapted for payments of money's worth to be made in relation to its use,

the amount is £100.

(5) In relation to a Category B1, B2 or B3 machine which meets the conditions in sub-paragraphs (a), (c) and (d) of paragraph (4), but in respect of which the condition in sub-paragraph (b) is not met, the amount is £20.

(6) In relation to a Category B3A, B4 or C machine where—

- (a) the payment is of money's worth, and
- (b) the machine is manufactured before 1st September 2007,

the amount is £20.

(7) In relation to a Category D machine, where the payment is of money or money's worth, the amount is £2.

(8) The supervision condition is that a payment of money's worth in respect of the use of a Category B1, B2 or B3 gaming machine must—

- (a) be made by means of a document or object which is purchased or obtained from a person acting in the course of a business carried on by an authorised person; or
- (b) be processed by a person acting in the course of such a business.

(9) The collection condition is that a payment of money's worth in respect of the use of a Category B1, B2 or B3 gaming machine must be made by means of—

- (a) a document or object collected as a prize from use of a gaming machine, or
- (b) a document or object delivered by a gaming machine as a means of returning an amount held to the credit of the person using the machine.

(10) In this regulation—

“authorised person” means a person who holds an operating licence which authorises making gaming machines available for use;

“non-compliant machine” means a Category B gaming machine manufactured before 1st September 2007 which does not comply with the condition in paragraph (4)(d); and

“payment of money's worth” includes circumstances where—

- (a) a person pays money in relation to use of a gaming machine, and
- (b) that payment is made otherwise than by inserting money into the machine.

(11) Where a person makes a payment in respect of a gaming machine, only those amounts of the payment which are—

- (a) used to pay a charge for use, or
- (b) held to the credit of a person using the machine,

are to be counted for the purposes of paragraphs (1) to (7).

(12) Nothing in this regulation shall prevent a person, by means of a series of actions, from making one or more payments which exceed the limits specified in paragraphs (2) to (7) provided that in each case the amount paid by means of a single action complies with the relevant limit.