

# GAMBLING COMMISSION

## **Licence conditions and codes of practice**

**January 2018**

**In effect from 4 April 2018**

# Contents

If using an electronic version of this document, please click on the headings to move to the relevant section or provision.

<b>General introduction</b>	<b>4</b>
<b>Part I: Operating licence conditions</b>	<b>5</b>
<b>1 Qualified persons and personal licences</b>	<b>5</b>
1.1 Qualified persons	5
1.2 Personal licences	6
<b>2 Technical standards, equipment specifications, remote gambling equipment and gambling software</b>	<b>8</b>
2.1 Key equipment	8
2.2 Gambling software	8
2.3 Technical standards and equipment specifications	9
<b>3 Peer to peer gaming, other networks and hosting</b>	<b>10</b>
<b>4 Protection of customer funds</b>	<b>13</b>
4.1 Segregation of funds	13
4.2 Disclosure to customers	13
<b>5 Payment</b>	<b>14</b>
<b>6 Provision of credit by licensees and the use of credit cards</b>	<b>14</b>
<b>7 General ‘fair and open’ provisions</b>	<b>15</b>
<b>8 Display of licensed status</b>	<b>16</b>
<b>9 Types and rules of casino and other games</b>	<b>17</b>
<b>10 Tipping of casino employees</b>	<b>17</b>
<b>11 Lotteries</b>	<b>18</b>
11.1 Lotteries – societies and local authorities	18
11.2 Lotteries – managers	20
<b>12 Anti-money laundering</b>	<b>22</b>
<b>13 Pool betting</b>	<b>23</b>
<b>14 Access to premises</b>	<b>23</b>
<b>15 Information requirements</b>	<b>24</b>
15.1 Reporting suspicion of offences etc	24
15.2 Reporting key events and other reportable events	25
15.3 General and regulatory returns	29
<b>16 Responsible placement of digital adverts</b>	<b>29</b>

## Contents (continued)

<b>Part II:</b>	<b>Code of practice provisions</b>	<b>30</b>
Introduction to code of practice		30
1	General - Cooperation and responsibility for third parties	31
2	Financial requirements - Anti-money laundering	32
3	Protection of children and other vulnerable persons	33
3.1	Combating problem gambling	33
3.2	Access to gambling by children and young persons	34
3.3	Gambling management tools and responsible gambling information	45
3.4	Customer interaction	47
3.5	Self-exclusion	49
3.6	Employment of children and young persons	55
3.7	Provision of credit by licensees and the use of credit cards	59
3.8	Money lending between customers	60
3.9	Identification of individual customers	61
4	'Fair and open' provisions	62
4.1	Fair terms	62
4.2	Display of rules and supervision of games	62
4.3	Additional consumer information	66
5	Marketing	67
6	Complaints and disputes	72
7	Gambling licensees' staff	73
8	Information requirements	74
9	Gaming machines in gambling premises	75
10	Assessing local risk	76
<b>Part III:</b>	<b>Personal licence conditions</b>	<b>77</b>
<b>Index of all provisions</b>		<b>78</b>

# General introduction

1 This document sets out the Gambling Commission's general licence conditions and associated code of practice provisions (LCCP) under the Gambling Act 2005 (the Act).

2 The LCCP document sets out:

**Part I: (in orange)** the suite of general conditions attached to operating licences

**Part II: (in blue)** the principal code of practice, distinguishing between 'social responsibility' provisions and 'ordinary' provisions (the social responsibility provisions are in shaded boxes within the text)

**Part III: (in purple)** the suite of general conditions attached to personal licences.

3 An [index](#) to the provisions is provided at the end of this document, and if using an electronic version of this document, links are provided from both the contents and index pages to aid navigation.

4 Copies of LCCP can be obtained from the Commission's website: [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk) or by writing to:

Gambling Commission  
Victoria Square House  
Victoria Square  
Birmingham B2 4BP  
T 0121 230 6666  
F 0121 230 6720  
E [info@gamblingcommission.gov.uk](mailto:info@gamblingcommission.gov.uk)

5 The Commission also produces sector-specific extracts of LCCP and these will be made available on the website. Further information about the history of LCCP (such as the results of completed consultations) and potential future amendments to LCCP can also be found on the website.

6 This version of LCCP comes into force on 4 April 2018 for all operators and personal licence holders.

7 Relevant requirements of the conditions and code provisions have been notified in draft to the European Commission in accordance with Directive (EU) 2015/1535.

# Part I: Suite of general conditions attached to operating licences under Section 75 of the Gambling Act 2005 (the Act)

## 1 Qualified persons and personal licences

### 1.1 Qualified persons

#### **Licence condition 1.1.1**

##### **Qualified persons – qualifying position**

##### **All operating licences, except ancillary remote licences, issued to small-scale operators**

- 1 In this condition the terms ‘small-scale operator’, ‘qualifying position’ and ‘qualified person’ have the meanings respectively ascribed to them by the Gambling Act 2005 (Definition of Small-scale Operator) Regulations 2006.
- 2 Schedule X<sup>1</sup> lists those individuals notified to the Commission as qualified persons.
- 3 If, whilst the licensee remains a small-scale operator, an individual begins or ceases to occupy a qualifying position in relation to the licensee, the licensee must within 28 days apply to the Commission under section 104(1)(b) of the Act for amendment of the details of the licence set out in Schedule X<sup>1</sup>.
- 4 An application for amendment under section 104(1)(b) of the Act may be made in advance of an individual beginning or ceasing to occupy a qualifying position provided it specifies the date from which the change to which it relates is to be effective.
- 5 In this condition ‘qualified person’ has the same meaning as in the Gambling Act 2005 (Definition of Small-scale Operator) Regulations 2006.

<sup>1</sup> The schedules mentioned here will be attached to individual licences.

#### **Licence condition 1.1.2**

##### **Qualified persons – tracks**

##### **All non-remote general betting operating licences issued to small-scale operators**

- 1 Schedule Y<sup>1</sup> to this licence lists those of the licensee’s employees whose details have been provided to the Commission as authorised by the licensee to accept bets on the licensee’s behalf on a track otherwise than under the supervision of a qualified person present on the same track.
- 2 Should the licensee wish to add an individual to the list or remove the name of an individual from the list the licensee must make application to the Commission under section 104(1)(b) of the Act for amendment of that detail of the licence. Any employee the licensee wishes to add to the list may act unsupervised pending amendment of the licence provided a valid amendment application has been lodged with the Commission.
- 3 In this condition ‘qualified person’ has the same meaning as in the Gambling Act 2005 (Definition of Small-scale Operator) Regulations 2006.

<sup>1</sup> The schedules mentioned here will be attached to individual licences.

## 1.2 Personal licences

### Licence condition 1.2.1

#### Specified management offices – personal management licences

**All casino, bingo, general and pool betting, betting intermediary, gaming machine general, gaming machine technical, gambling software and lottery managers licences, except ancillary remote licences**

- 1** Subject to **6** and **7** below, licensees must ensure:
  - a** that each individual who occupies one of the management offices specified in **2** below in respect of the licensee or in connection with the licensed activities holds a personal licence authorising the performance of the functions of that office (hereafter ‘a personal management licence’); and
  - b** that at least one person occupies at least one of those offices.
- 2** The specified management offices are those offices (whether or not held by a director in the case of a licensee which is a company, a partner in the case of a licensee which is a partnership or an officer of the association in the case of a licensee which is an unincorporated association) the occupier of which is by virtue of the terms of their appointment responsible for:
  - a** the overall management and direction of the licensee’s business or affairs
  - b** the licensee’s finance function as head of that function
  - c** the licensee’s gambling regulatory compliance function as head of that function
  - d** the licensee’s marketing function as head of that function
  - e** the licensee’s information technology function as head of that function in so far as it relates to gambling-related information technology and software
  - f** oversight of the day to day management of the licensed activities at an identified number of premises licensed under Part 8 of the Act or across an identified geographical area
  - g** in the case of casino and bingo licences only, oversight of the day to day management of a single set of premises licensed under Part 8 of the Act.
- 3** The person responsible for the licensee’s gambling regulatory compliance function as head of that function shall not, except with the Commission’s express approval, occupy any other specified management office.
- 4** Licensees must take all reasonable steps to ensure that anything done in the performance of the functions of a specified management office is done in accordance with the terms and conditions of the holder’s personal management licence.
- 5** Where an individual is authorised by a personal licence and that licence comes under review under section 116(2) of the Act, the operating licensee must comply with any conditions subsequently imposed on that licence by the Commission about redeployment, supervision, or monitoring of the individual’s work and any requirements of the Commission in respect of such matters applicable during the period of the review.
- 6** Paragraphs **1** to **5** above shall not apply to a licensee for so long as the licensee is a ‘small-scale operator’ as defined in the Gambling Act 2005 (Definition of Small-scale Operator) Regulations 2006 (‘the Regulations’).
- 7** During the period of 3 years commencing with the date on which a licensee ceases to be a small-scale operator paragraphs **1** to **6** above shall apply subject to the proviso that the phrase ‘each individual’ in paragraph **1a** shall not include any individual who was a ‘qualified person’ (as defined in the Regulations) in relation to the licensee 28 days immediately prior to the licensee ceasing to be a small-scale operator.

### **Licence condition 1.2.2**

#### **Specified management offices – casino personal functional licences**

##### **All non-remote casino operating licences, except ancillary remote licences**

- 1** In addition to paragraphs **1** to **6** in licence condition **1.2.1**, licensees must ensure that if any of the following operational functions:
  - a** dealer in respect of casino games
  - b** cashier
  - c** inspector
  - d** security staff employed to watch gaming
  - e** supervisor of gaming activities

is performed in connection with the licensed activities, it is performed by an individual who holds a personal licence authorising performance of the function (hereafter 'a personal functional licence'). Licensees must take all reasonable steps to ensure that anything done in the performance of those functions is done in accordance with the terms and conditions of the personal functional licence.

### **Licence condition 1.2.3**

#### **Specified management offices – lottery personal management licences**

##### **All lottery operating licences issued to non-commercial societies and local authorities**

- 1** Subject to **5** below, licensees must ensure that the individual who occupies the management office specified in **2** below in or in respect of the licensee or in connection with the licensed activities holds a personal licence authorising the performance of the functions of that office (hereafter 'a personal management licence').
- 2** The specified management office is that director's post in the case of a licensee which is a company, that partner in the case of a licensee which is a partnership, or that office in a licensee which is an unincorporated association or local authority, the occupier of which has overall management responsibility for the promotion of the lottery.
- 3** Licensees must take all reasonable steps to ensure that anything done in the performance of the functions of a specified management office is done in accordance with the terms and conditions of the holder's personal management licence.
- 4** Where an individual is authorised by a personal licence and that licence comes under review under section 116(2) of the Act, the operating licensee must comply with any conditions subsequently imposed on that licence by the Commission about redeployment, supervision, or monitoring of the individual's work and any requirements of the Commission in respect of such matters applicable during the period of the review.
- 5** Paragraphs **1** to **4** above shall not apply to a licensee for so long as the licensee is a 'small-scale operator' as defined in the Gambling Act 2005 (Definition of Small-scale Operator) Regulations 2006.

## 2 Technical standards, equipment specifications, remote gambling equipment and gambling software

### 2.1 Key equipment

#### Licence condition 2.1.1

##### Location of key equipment

##### All remote casino, bingo and betting licences other than ancillary licences and remote betting intermediary (trading room only) licences

- 1 Licensees must not add to any of the remote gambling equipment listed in Schedule R to their licence or relocate any of that equipment from the jurisdiction stated in the Schedule without first obtaining a variation of that detail of the licence on application pursuant to section 104(1)(b) of the Act.
- 2 For the purposes of this condition, in the case of geographical areas which are subject to the laws of both a state or provincial government and a federal government 'jurisdiction' means the area of the state or province; but England, Wales and Scotland are to be treated as a single jurisdiction

#### Licence condition 2.1.2

##### Access to (and provision of data from) key equipment

##### All remote casino, bingo and betting licences other than ancillary licences and remote betting intermediary (trading room only) licences

- 1 Licensees must, on request, permit an enforcement officer to inspect any of their remote gambling equipment and/or provide to the Commission copies of data held on such equipment in such format and manner as the Commission may request.

### 2.2 Gambling software

#### Licence condition 2.2.1

##### Gambling software

##### All remote casino, bingo and betting licences other than ancillary licences and remote betting intermediary (trading room only) licences

- 1 All gambling software<sup>1</sup> used by the licensee must have been manufactured by the holder of a gambling software operating licence. All such gambling software must also be supplied to the licensee by a holder of a gambling software operating licence. Such software must only be installed or adapted by the holder of such a licence.

<sup>1</sup> As defined in section 41(2)&(3) of the Act



## 2.3 Technical standards and equipment specifications

### Licence condition 2.3.1

#### Technical standards

**All non-remote gaming machine technical and gambling software licences and remote operating licences, including remote gaming machine technical, remote gambling software and betting ancillary remote licences, but not remote betting intermediary (trading rooms only) licences**

- 1 Licensees must comply with the Commission's technical standards and with requirements set by the Commission relating to the timing and procedures for testing.

### Licence condition 2.3.2

#### Bingo equipment specifications

**Non-remote bingo operating licences and bingo ancillary remote licences**

- 1 Licensees must comply with the Commission's specifications for bingo equipment.

### Licence condition 2.3.3

#### Casino equipment specifications

**Non-remote casino operating licences and casino ancillary remote licences**

- 1 Licensees must comply with the Commission's specifications for casino equipment.

## 3 Peer to peer gaming, other networks and hosting

### 3.1 Peer to peer gaming, other networks and hosting

#### Licence condition 3.1.1

#### Peer to peer gaming

#### Remote casino licences (except ancillary remote and casino (game host) licences)

All licensees who provide facilities for peer to peer gaming in circumstances in which they do not contract directly with all of the players using those facilities ('network operators') must have, put into effect and monitor the effectiveness of, policies and procedures designed to ensure that:

- 1 every player using the facilities in Great Britain ('a domestic player') is doing so pursuant to a contract entered into between that player and the network operator, or that player and another holder of a Gambling Commission remote casino operating licence;
- 2 every player who is not a domestic player but who participates in a game of chance in which a domestic player also participates is doing so pursuant to a contract between that player and the network operator, or that player and another holder of a Gambling Commission remote casino operating licence, or a gambling operator not licensed by the Gambling Commission through which participants use the facilities outside Great Britain and which:
  - a holds all licences or permissions (if any) required in relation to its provision of facilities for peer to peer gaming by the laws of the state or states in which it is domiciled or incorporated;
  - b has been approved by the network operator, after conducting due diligence enquiries into those individuals who appear to the network operator to have a material financial interest in it, as suitable to provide those facilities; and, in particular,
  - c has in place policies and procedures in respect of the identification of customers which in the network operator's reasonable opinion satisfy requirements as to customer due diligence broadly equivalent to those set out in Directive 2005/60/EC ('the Third Money Laundering Directive') or any subsequent replacement for or re-enactment thereof;
- 3 the arrangements between the network operator and any remote casino licence holder through which domestic players access their facilities, and with gambling operators not licensed by the Gambling Commission through which players use their facilities outside Great Britain, provide in clear terms which operator is to be responsible for the handling of which categories of customer complaint and dispute; in particular such arrangements must provide how a dispute involving players from more than one jurisdiction is to be handled;
- 4 the network operator's arrangements for the sharing of information both with any remote casino licence holder through which domestic players access their facilities and with gambling operators not licensed by the Gambling Commission through which participants use the facilities outside Great Britain are such as to enable all parties to discharge effectively their respective regulatory obligations, in particular in relation to:
  - a prevention of money laundering; combating the financing of terrorism; and where applicable, the Proceeds of Crime Act.
  - b investigation of suspected cheating,
  - c combating of problem gambling, and
  - d investigation of customer complaints.

### Licence condition 3.1.2

#### Other networks

#### All remote casino, bingo, and betting licences (except ancillary remote and host licences)

- 1** Subject to **2** below, all licensees who provide facilities for gambling, other than peer to peer gaming, in circumstances in which they do not contract directly with all of the participants using those facilities ('network operators') must have, put into effect and monitor the effectiveness of policies and procedures designed to ensure that:
  - a** every participant using the facilities in Great Britain ('a domestic customer') is doing so pursuant to a contract entered into between that player and the network operator, or that player and another holder of a Gambling Commission remote operating licence of the same kind as that held by the network operator ('a relevant licence');
  - b** the arrangements between the network operator and any holder of a relevant licence through which domestic customers access their facilities, and with gambling operators not licensed by the Gambling Commission through which customers use their facilities outside Great Britain, provide in clear terms which operator is to be responsible for the handling of which categories of customer complaint and dispute; in particular such arrangements must provide how a dispute involving customers from more than one jurisdiction is to be handled;
  - c** the network operator's arrangements for the sharing of information both with any holder of a relevant licence and with gambling operators not licensed by the Gambling Commission through which participants use the facilities outside Great Britain are such as to enable all parties to discharge effectively their respective regulatory obligations, in particular in relation to:
    - i** prevention of money laundering; combating the financing of terrorism; and where applicable, the Proceeds of Crime Act,
    - ii** investigation of suspected cheating,
    - iii** combating of problem gambling, and
    - iv** investigation of customer complaints.
- 2** Paragraph **1** above does not apply to the provision to the holder of a non-remote bingo operating licence (H) of facilities for the playing of games of bingo organised by H in premises in respect of which a bingo premises licence has effect (eg the National Bingo Game).

### Licence condition 3.1.3

#### Hosting

#### All casino (game host), bingo (game host), general betting (host) (real events) and general betting (host) (virtual events) licences

- 1** Subject to **2** below, all licensees who provide facilities for gambling in circumstances in which they do not contract directly with any of the participants using those facilities ('hosts') must ensure that:
  - a** every participant using the facilities in Great Britain ('a domestic customer') is doing so pursuant to a contract entered into between that player and the holder of a Gambling Commission remote casino, bingo, general betting (real events) or general betting (virtual events) operating licence ('a relevant licence');
  - b** the arrangements between the host and any holder of a relevant licence through which domestic customers access their facilities, and with gambling operators not licensed by the Gambling Commission through which customers use their facilities outside Great Britain, provide in clear terms which operator is to be responsible for the handling of which categories of customer complaint and dispute; in particular such arrangements must provide how a dispute involving customers from more than one jurisdiction is to be handled;
  - c** the host's arrangements for the sharing of information both with any holder of a relevant licence and with gambling operators not licensed by the Gambling Commission through which participants use the facilities outside Great Britain are such as to enable all parties to discharge effectively their respective regulatory obligations, in particular in relation to:
    - i** prevention of money laundering; combating the financing of terrorism; and where applicable, the Proceeds of Crime Act,
    - ii** investigation of suspected cheating,
    - iii** combating of problem gambling, and
    - iv** investigation of customer complaints.
- 2** Paragraph **1** above does not apply to the provision to the holder of a non-remote bingo operating licence (H) of facilities for the playing of games of bingo organised by H in premises in respect of which a bingo premises licence has effect (eg the National Bingo Game).

## 4 Protection of customer funds

### 4.1 Segregation of funds

#### Licence condition 4.1.1

##### Segregation of funds

**All remote operating licences, except gaming machine technical, gambling software, host, ancillary remote bingo and ancillary remote casino licences**

- 1 Licensees who hold customer funds must ensure that these are held in a separate client bank account or accounts.
- 2 In this condition 'customer funds' means the aggregate value of funds held to the credit of customers including, without limitation:
  - a cleared funds deposited with the licensee by customers to provide stakes in, or to meet participation fees in respect of, future gambling,
  - b winnings or prizes which the customer has chosen to leave on deposit with the licensee or for which the licensee has yet to account to the customer, and
  - c any crystallised but as yet unpaid loyalty or other bonuses, in each case irrespective of whether the licensee is a party to the gambling contract.

### 4.2 Disclosure to customers

#### Licence condition 4.2.1

##### Disclosure to customers

**All operating licences, except gaming machine technical, gambling software, host, ancillary remote bingo and ancillary remote casino licences**

- 1 Licensees who hold customer funds must set out clearly in the terms and conditions under which they provide facilities for gambling information about whether customer funds are protected in the event of insolvency, the level of such protection and the method by which this is achieved.
- 2 Such information must be according to such rating system and in such form the Commission may from time to time specify. It must be provided in writing to each customer, in a manner which requires the customer to acknowledge receipt of the information and does not permit the customer to utilise the funds for gambling until they have done so, both on the first occasion on which the customer deposits funds and on the occasion of any subsequent deposit which is the first since a change in the licensee's terms in relation to protection of such funds.
- 3 In this condition 'customer funds' means the aggregate value of funds held to the credit of customers including, without limitation:
  - a cleared funds deposited with the licensee by customers to provide stakes in, or to meet participation fees in respect of, future gambling;
  - b winnings or prizes which the customer has chosen to leave on deposit with the licensee or for which the licensee has yet to account to the customer; and
  - c any crystallised but as yet unpaid loyalty or other bonuses, in each case irrespective of whether the licensee is a party to the gambling contract.

## 5 Payment

### 5.1 Cash and cash equivalents, payment methods and services

#### Licence condition 5.1.1

##### Cash and cash equivalents

##### All operating licences except gaming machine technical, gambling software and host licences

- 1 Licensees, as part of their internal controls and financial accounting systems, must implement appropriate policies and procedures concerning the usage of cash and cash equivalents (eg bankers drafts, cheques and debit cards and digital currencies) by customers, designed to minimise the risk of crimes such as money laundering, to avoid the giving of illicit credit to customers and to provide assurance that gambling activities are being conducted in a manner which promotes the licensing objectives.
- 2 Licensees must ensure that such policies and procedures are implemented effectively, kept under review, and revised appropriately to ensure that they remain effective, and take into account any applicable learning or guidelines published by the Gambling Commission from time to time.

#### Licence condition 5.1.2

##### Payment methods services

##### All remote casino, bingo and betting operating licences, except ancillary, host and remote betting intermediary (trading room only) licences

- 1 Licensees must only accept payment from customers using their gambling facilities in Great Britain by a method which involves the provision of payment services as defined in Schedule 1 Part 1 of the Payment Services Regulations 2009 (SI 2009 No 209) if the provider of those services is a 'payment service provider' within the definition of that term in regulation 2 of those Regulations.

## 6 Provision of credit by licensees and the use of credit cards

### 6.1 Provision of credit

#### Licence condition 6.1.1

##### Provision of credit

##### All gaming machine general operating licences for adult gaming centres and family entertainment centres

- 1 Licensees must neither:
  - a provide credit themselves in connection with gambling; nor
  - b participate in, arrange, permit or knowingly facilitate the giving of credit in connection with gambling.

## 7 General 'fair and open' provisions

### 7.1 Compliance with terms

#### **Licence condition 7.1.1**

#### **Compliance with terms (consumer rights)**

#### **All operating licences except gaming machine technical and gambling software licences**

- 1** Licensees must satisfy themselves that none of the terms on which gambling is offered are unfair terms within the meaning of the Consumer Rights Act 2015 and must comply with those terms.
- 2** An accurate summary of the contractual terms on which gambling is offered must be made available to customers and set out in plain and intelligible language.
- 3** Customers must be notified of material changes to terms before they come into effect.

## 8 Display of licensed status

### 8.1 Display of licensed status

#### Licence condition 8.1.1

##### Display of licensed status – remote operators

**All remote casino, bingo and betting licences other than ancillary, host, remote betting intermediary (trading room only), remote general betting (limited) and remote general betting (standard) (remote platform) licences**

- 1 Licensees providing facilities for remote gambling must display on every screen from which customers are able to access gambling facilities provided in reliance on this licence:
  - a a statement that they are licensed and regulated by the Gambling Commission; and
  - b a link (which will be supplied by the Commission) to their current licensed status as recorded on the Commission's website.
- 2 Such statement and link must be in the format, provided by the means, and contain the information from time to time specified by the Commission in its technical standards applicable to the kind of facilities for gambling provided in accordance with this licence or otherwise notified to licensees for the purposes of this condition.
- 3 Licensees may also display on screens accessible from Great Britain information about licences or other permissions they hold from regulators in, or by virtue of the laws of, jurisdictions outside Great Britain provided it is made plain on those screens that the licensee provides facilities for gambling to persons in Great Britain in reliance on their Gambling Commission licence(s).

#### Licence condition 8.1.2

##### Display of licensed status – B2B operators

**All gaming machine technical, gambling software and host licences**

- 1 Licensees offering the supply of gaming machines or gambling software on websites must:
  - a display the following information on the first page of the website which offers gaming machines or gambling software in reliance on the licence:
    - i a statement that they are licensed and regulated by the Gambling Commission;
    - ii their licence number; and
    - iii a link to the Commission's website.
  - b display at least the information at a above on each page of the website which offers gaming machines or gambling software in reliance on the licence; and
  - c where they offer on pages of, or by means of a link from, their website, the supply of gaming machines or gambling software which are not provided in reliance on their licence, clearly distinguish those products which are regulated by the Commission from those which are not.



## 9 Types and rules of casino and other games

### 9.1 Casino and bingo games

#### **Licence condition 9.1.1**

##### **Rules of casino games**

##### **All non-remote casino operating licences**

- 1 Licensees must not offer or permit to be played casino games that appear on any list of games prohibited by the Commission.

#### **Licence condition 9.1.2**

##### **Prohibited bingo prize games**

##### **All non-remote bingo operating licences**

- 1 Licensees must not offer or permit to be played prize gaming games that appear on any list of games prohibited by the Commission.

## 10 Tipping of casino employees

### 10.1 Tipping of casino employees

#### **Licence condition 10.1.1**

##### **Tipping – personal licence holders**

##### **All non-remote casino operating licences**

- 1 Licensees must only permit tipping of staff holding personal licences where a tronc system is operated; that is to say, where all tips are pooled and distributed amongst the employees concerned. A separate tronc may be operated for each of a number of categories of licensed staff.

# 11 Lotteries

## 11.1 Lotteries – societies and local authorities

### Licence condition 11.1.1

#### Lotteries – societies and local authorities

##### All lottery operating licences issued to non-commercial societies or local authorities

- 1 Licensees must ensure that at least 20% of the proceeds of any lottery promoted in reliance on the licence are applied to a purpose for which the promoting non-commercial society is conducted or the promoting local authority has power to incur expenditure.
- 2 The proceeds of any lottery promoted in reliance on this licence must not exceed £4,000,000 and the aggregate of the proceeds of lotteries promoted wholly or partly in a calendar year in reliance on the licence must not exceed £10,000,000.
- 3 The rules of any lottery promoted in reliance on this licence must be such as to ensure:
  - a that it is not possible for the purchaser of a ticket in the lottery to win by virtue of that ticket (whether in money, money's worth, or partly the one and partly the other and including any winnings arising from a rollover) more than:
    - i £25,000
    - ii if more, 10% of the proceeds of the lottery.
  - b that membership of the class among whom prizes are allocated does not depend on making any payment (apart from payment of the price of a ticket).
- 4 A lottery promoted in reliance on this licence must not be linked to any other lottery, free draw or prize competition.
- 5 For the purposes of this condition:
  - a two or more lotteries are linked if any of them is so structured that a person who wins a prize in that lottery will also win a prize in some or all of the others, unless the maximum amount which a person can win is no more than £400,000 in aggregate. In determining whether two or more lotteries are linked it is immaterial how many of them are promoted in reliance on this licence
  - b a lottery is linked to a free draw or prize competition if:
    - i a person's participation in, or his being allocated a prize in, the lottery is a means of establishing his eligibility to enter the draw or competition and
    - ii the arrangements for the lottery and/or the draw or competition are such that a person may win more than £400,000 in aggregate as a result of his participation in the lottery and the draw or competition.
- 6 If a lottery, whilst not a linked lottery, has the feature that by selecting the same numbers, or combination of numbers in the lottery and in one or more other lottery or lotteries the participant in those lotteries may win prizes which, in aggregate, exceed £400,000, no advertisement for, nor other marketing of, the lottery may make any reference to that feature.
- 7 Licensees must ensure that each person who purchases a ticket in a lottery promoted on behalf of a non-commercial society in reliance on this licence receives a document which:
  - a identifies the promoting society;
  - b states the name and address of a member of the society who is designated, by persons acting on behalf of the society, as having responsibility within the society for the promotion of the lottery; and
  - c either states the date of the draw (or each draw) in the lottery, or enables the date of the draw (or each draw) in the lottery to be determined.
- 8 Licensees must display 'licensed by the Gambling Commission' and details of the Gambling Commission website on lottery tickets.
- 9 The price payable for purchasing each ticket in a lottery promoted in reliance on this licence:

- a** must be the same;
  - b** must be shown on the ticket or in a document received by the purchaser; and
  - c** must be paid to the promoter of the lottery before any person is given a ticket or any right in respect of membership of the class among whom prizes are to be allocated.
- 10** For the purposes of these conditions, reference to a person receiving a document includes a reference to a message being sent or displayed to him electronically in a manner which enables him, without incurring significant expense or delay, to:
  - a** retain the message electronically; or
  - b** print it.
- 11** Licensees must lodge with the Commission a description of, and a copy of the rules of, any lottery intended to be promoted in reliance on this licence, and any amendment to the rules of a lottery previously notified to the Commission, at least 28 days before any tickets in such lottery, or amended lottery, are put on sale.
- 12** Lottery tickets must not be sold to a person in any street. For these purposes 'street' includes any bridge, road, lane, footway, subway, square, court, alley or passage (including passages through enclosed premises such as shopping malls) whether a thoroughfare or not. But, by way of exception, tickets may be sold in a street from a static structure such as a kiosk or display stand. Tickets may also be sold door to door. Licensees must ensure that they have any necessary local authority permissions, such as a street trading licence.
- 13** Accurate accounting records must be kept in relation to all lotteries promoted in reliance on this licence showing:
  - a** the total proceeds of each lottery;
  - b** the amount allocated to prizes in each lottery;
  - c** the amount of proceeds allocated to expenses, and details of those expenses, for each lottery;
  - d** the amount applied directly to the purposes of the society or purposes for which the local authority has power to incur expenditure as the case may be; and
  - e** the number of sold and unsold tickets in each lottery.
- 14** Such records must be made available to the Commission for inspection on request and retained for at least three years from the date of any lottery to which they relate.
- 15** In addition, in respect of each lottery promoted in reliance on this licence, a lottery submission must be sent to the Commission within three months of the date of determination of the lottery or, in the case of an 'instant lottery', within three months of the last date on which tickets in the lottery were on sale providing the information set out in paragraph **13** above. Every such submission must contain or be accompanied by a declaration that the information given in it is correct and must be shown to have been approved before submission by:
  - a** the holder of a personal management licence
  - b** a 'qualified person' as defined in the Gambling Act 2005 (Definition of Small-scale Operator) Regulations 2006 or
  - c** except where the licensee is a local authority, the designated person named on the lottery tickets as having responsibility for the promotion of the lottery.
- 16** Where a society or local authority instructs an External Lottery Manager to make the submission on their behalf, they must ensure that the details on the submission are verified and approved by one of the people named above from the relevant society or local authority.
- 17** For any calendar year in which the cumulative proceeds of lotteries promoted in reliance on this licence exceed £1,000,000 the licensee must provide the Commission with written confirmation from a qualifying auditor confirming that the proceeds of those lotteries have been fully accounted for in their annual audited accounts. Such confirmation must be provided within ten months of the date to which the accounts are made up.
- 18** A qualifying auditor means a person who is eligible for appointment as a statutory auditor under section 1212 Companies Act 2006 or any statutory modification or re-enactment thereof but, in the case of a lottery promoted by or on behalf of a non-commercial society, is not:

- a** a member of the society
- b** a partner, officer or employee of such a member or
- c** a partnership of which a person falling within **a** or **b** is a partner.

## 11.2 Lotteries – managers

### Licence condition 11.2.1

#### Lotteries - managers

#### All lottery operating licences issued to external lottery managers

- 1** Licensees must ensure that at least 20% of the proceeds of any lottery promoted in reliance on the licence are paid to the promoting non-commercial society or local authority to apply to a purpose for which the promoting society is conducted or the local authority has power to incur expenditure.
- 2** The proceeds of any lottery promoted in reliance on this licence must not exceed £4,000,000 and the aggregate of the proceeds of lotteries promoted wholly or partly in a calendar year on behalf of the same non-commercial society or local authority in reliance on the licence must not exceed £10,000,000.
- 3** The rules of any lottery promoted in reliance on this licence must be such as to ensure:
  - a** that it is not possible for the purchaser of a ticket in the lottery to win by virtue of that ticket (whether in money, money's worth, or partly the one and partly the other and including any winnings arising from a rollover) more than:
    - i** £25,000
    - ii** if more, 10% of the proceeds of the lottery
  - b** that membership of the class among whom prizes are allocated does not depend on making any payment (apart from payment of the price of a ticket).
- 4** A lottery promoted in reliance on this licence must not be linked to any other lottery, free draw or prize competition.
- 5** For the purposes of this condition:
  - a** two or more lotteries are linked if any of them is so structured that a person who wins a prize in that lottery will also win a prize in some or all of the others, unless the maximum amount which a person can win is no more than £400,000 in aggregate. In determining whether two or more lotteries are linked it is immaterial how many of them are promoted in reliance on this licence
  - b** a lottery is linked to a free draw or prize competition if:
    - i** a person's participation in, or his being allocated a prize in, the lottery is a means of establishing his eligibility to enter the draw or competition and
    - ii** the arrangements for the lottery and/or the draw or competition are such that a person may win more than £400,000 in aggregate as a result of his participation in the lottery and the draw or competition.
- 6** If a lottery, whilst not a linked lottery, has the feature that by selecting the same numbers, or combination of numbers in the lottery and in one or more other lottery or lotteries the participant in those lotteries may win prizes which, in aggregate, exceed £400,000, no advertisement for, nor other marketing of, the lottery may make any reference to that feature.
- 7** Licensees must ensure that each person who purchases a ticket in a lottery promoted in reliance on this licence on behalf of a non-commercial society, receives a document which:
  - a** identifies the promoting society

- b** states the name and address of a member of the society who is designated, by persons acting on behalf of the society, as having responsibility within the society for the promotion of the lottery
  - c** either states the date of the draw (or each draw) in the lottery, or enables the date of the draw (or each draw) in the lottery to be determined.
- 8** Licensees must display 'licensed by the Gambling Commission' and details of the Gambling Commission website on lottery tickets.
- 9** The price payable for purchasing each ticket in a lottery promoted in reliance on this licence:
  - a** must be the same
  - b** must be shown on the ticket or in a document received by the purchaser
  - c** must be paid to the promoter of the lottery before any person is given a ticket or any right in respect of membership of the class among whom prizes are to be allocated.
- 10** For the purposes of these conditions, reference to a person receiving a document includes a reference to a message being sent or displayed to him electronically in a manner which enables him, without incurring significant expense or delay, to:
  - a** retain the message electronically or
  - b** print it.
- 11** Licensees must lodge with the Commission a description of, and a copy of the rules of, any lottery intended to be promoted in reliance on this licence, and any amendment to the rules of a lottery previously notified to the Commission, at least 28 days before any tickets in such lottery, or amended lottery, are put on sale.
- 12** Lottery tickets must not be sold to a person in any street. For these purposes 'street' includes any bridge, road, lane, footway, subway, square, court, alley or passage (including passages through enclosed premises such as shopping malls) whether a thoroughfare or not. But, by way of exception, tickets may be sold in a street from a static structure such as a kiosk or display stand. Tickets may also be sold door to door. Licensees must ensure that they have any necessary local authority permissions, such as a street trading licence.
- 13** Licensees must have arrangements in place to ensure separation between lottery proceeds they hold on behalf of non-commercial societies or local authorities and their own trading income and that such lottery proceeds are legally protected by means of separate bank accounts having trustee status or equivalent legal protection for each society or local authority in the event of the licensee's insolvency, in which event the proceeds will be paid to the society or local authority.
- 14** Licensees must ensure that following the determination of a lottery all lottery proceeds are properly allocated between prizes, expenses and profits and have procedures in place designed to ensure that lottery profits belonging to non-commercial societies or local authorities whose lotteries they manage in reliance on this licence are accounted for in a timely manner to the society or local authority.

## 12 Anti-money laundering

### 12.1 Prevention of money laundering and terrorist financing

#### **Licence condition 12.1.1**

##### **Anti-money laundering**

##### **Prevention of money laundering and terrorist financing**

##### **All operating licences except gaming machine technical and gambling software licences**

- 1** Licensees must conduct an assessment of the risks of their business being used for money laundering and terrorist financing. Such risk assessment must be appropriate and must be reviewed as necessary in the light of any changes of circumstances, including the introduction of new products or technology, new methods of payment by customers, changes in the customer demographic or any other material changes, and in any event reviewed at least annually.
- 2** Following completion of and having regard to the risk assessment, and any review of the assessment, licensees must ensure they have appropriate policies, procedures and controls to prevent money laundering and terrorist financing.
- 3** Licensees must ensure that such policies, procedures and controls are implemented effectively, kept under review, revised appropriately to ensure that they remain effective, and take into account any applicable learning or guidelines published by the Gambling Commission from time to time.

#### **Licence condition 12.1.2**

##### **Anti-money laundering**

##### **Measures for operators based in foreign jurisdictions**

##### **All remote casino operating licences where any of the licensee's remote gambling equipment is located outside Great Britain**

- 1** Licensees must comply with Parts 2 and 3 of the Money Laundering Regulations 2007 (UK Statutory Instrument No. 2157 of 2007) as amended by the Money Laundering (Amendment) Regulations 2007 (UK Statutory Instrument No. 3299 of 2007), or the equivalent requirements of any UK Statutory Instrument by which those regulations are amended or superseded insofar as they relate to casinos (the MLR) whether or not the MLR otherwise apply to their business.

## 13 Pool betting

### 13.1 Pool betting

#### **Licence condition 13.1.1**

##### **Pool betting**

##### **All pool betting operating licences, except those restricted to football pools**

- 1 Licensees must inform the Commission, within 14 days, in writing, of any person they authorise under section 93(2) of the Act to offer pool betting on a track in connection with a horserace or dog race in reliance on an occasional use notice. In doing so, they must include the terms and conditions under which this has been agreed, and provide contact details of the management and key staff of those that are authorised.
- 2 Licensees and any person they so authorise must produce and retain a record of the transactions relevant to each pool that they offer. The record must be capable of identifying individual bets into the pool and relating these to subsequent payment of winnings where applicable. Licensees must make this information available to the Commission on request.

#### **Licence condition 13.1.2**

##### **Pool betting – football pools**

##### **All pool betting operating licences which authorise football pools**

- 1 Licensees must inform the Commission, within 14 days, in writing, of any person they authorise under Section 93(3) of the Act in respect of football pool betting. In doing so, they must include the terms and conditions under which this has been agreed.
- 2 Licensees and any person they so authorise must produce and retain a record of the transactions relevant to each pool that they offer. The record must be capable of identifying individual bets into the pool and relating these to the subsequent payment of winnings where applicable. Licensees must make this information available to the Commission on request.

#### **Licence condition 13.1.3**

##### **Pool betting – annual accounts**

##### **All pool betting operating licences**

- 1 Licensees must produce annual accounts which should be certified by a qualified independent accountant. Licensees must make copies available to the Commission on request.

## 14 Access to premises

### 14.1 Access to premises

#### **Licence condition 14.1.1**

##### **Access to premises**

##### **All operating licences**

- 1 Licensees must have and put into effect policies and procedures (including staff training programmes) designed to ensure that their staff co-operate with the Commission's enforcement officers in the proper performance of their compliance functions and are made aware of those officers' rights of entry to premises contained in Part 15 of the Act.



## 15 Information requirements

### 15.1 Reporting suspicion of offences etc

#### Licence condition 15.1.1

##### Reporting suspicion of offences etc - non-betting licences

**All operating licences except betting, betting intermediary, ancillary remote betting, betting host and remote betting intermediary (trading rooms only) licences**

- 1 Licensees must as soon as reasonably practicable provide the Commission or ensure that the Commission is provided with any information that they know relates to or suspect may relate to the commission of an offence under the Act, including an offence resulting from a breach of a licence condition or a code provision having the effect of a licence condition.

#### Licence condition 15.1.2

##### Reporting suspicion of offences etc - betting licences

**All betting operating licences including betting intermediary, ancillary remote betting, betting host and remote betting intermediary (trading rooms only) licences**

- 1 Licensees must as soon as reasonably practicable provide the Commission or ensure the Commission is provided with any information from whatever source that they:
  - a know relates to or suspect may relate to the commission of an offence under the Act, including an offence resulting from a breach of a licence condition or a code provision having the effect of a licence condition
  - b suspect may lead the Commission to consider making an order to void a bet.
- 2 Licensees who accept bets, or facilitate the making or acceptance of bets between others, on the outcome of horse races or other sporting events governed by one of the sport governing bodies for the time being included in Part 3 of Schedule 6 to the Act must also provide the relevant sport governing body with sufficient information to conduct an effective investigation if the licensee suspects that they have any information from whatever source that may:
  - a lead the Commission to consider making an order to void a bet
  - b relate to a breach of a rule on betting applied by that sport governing body.
- 3 In **2b** above, 'rule on betting' includes any rule about bets the making or acceptance of which would be a regulated activity within the meaning of section 22 of the Financial Services and Markets Act 2000 ('spread betting').



## 15.2 Reporting key events and other reportable events

### Licence condition 15.2.1

#### Reporting key events

##### All operating licences

A key event is an event that could have a significant impact on the nature or structure of a licensee's business. Licensees must notify the Commission, or ensure the Commission is notified, in such form or manner as the Commission may from time to time specify, of the occurrence of any of the following key events as soon as reasonably practicable and in any event within five working days of the licensee becoming aware of the event's occurrence<sup>1</sup>.

#### Operator status

- 1 In the case of licensees which are companies, a petition being presented for their winding up or the winding up of any group company of theirs, or they or any group company being placed in administration or receivership or their directors proposing to creditors a composition in satisfaction of its debts or a scheme of arrangement of its affairs.
- 2 In the case of licensees which are bodies corporate, but not companies, any event substantially equivalent to those listed at 1 above.
- 3 In the case of a licensee who is an individual (or a partner in a partnership licensee) their being presented with a petition for their bankruptcy or sequestration or their entering into an individual voluntary arrangement.

#### Relevant persons and positions

- 4 In the case of licensees who are companies or other bodies corporate having a share capital, the name and address of any person who (whether or not already a shareholder or member) becomes a shareholder or member holding 3% or more of the issued share capital of the licensee or its holding company.
- 5 Any investment in a licensee which is not by way of subscription for shares.
- 6 The taking of any loan by the licensee, or by a group company who then makes an equivalent loan to the licensee, from any person not authorised by the Financial Conduct Authority: a copy of the loan agreement must be supplied.
- 7 The entering into an arrangement whereby a third party provides services to, or grants any licence concession or permission to, the licensee other than for full value: full details of the arrangements must be supplied.
- 8 The appointment of a person to, or a person ceasing to occupy, a 'key position': a 'key position' in relation to a licensee is:
  - a in the case of a small-scale operator, a 'qualifying position' as defined in the Gambling Act 2005 (Definition of Small-scale Operator) Regulations 2006
  - b in the case of an operator which is not a small-scale operator, a 'specified management office' as set out in (current) LCCP licence condition 1.2
  - c a position the holder of which is responsible for the licensee's anti-money laundering procedures, including suspicious activity reporting
  - d any other position for the time being designated by the Commission as a 'key position'. (Notification is required whether or not the person concerned is required to hold a personal management licence and whether or not the event notified requires the licensee to apply for a variation to amend a detail of their licence.)
- 9 Any change to the structure or organisation of the licensee's business which affects a 'key position' or the responsibilities of its holder.

## Financial events

- 10** Any material change in the licensee's banking arrangements, in particular the termination of such arrangements or a particular facility and whether by the licensee or the provider of the arrangements.
- 11** Any breach of a covenant given to a bank or other lender.
- 12** Any default by the licensee or, where the licensee is a body corporate, by a group company in making repayment of the whole or any part of a loan on its due date.
- 13** Any court judgments (in whatever jurisdiction) against the licensee or, where the licensee is a body corporate, a group company, remaining unpaid 14 days after the date of judgment.
- 14** Where the licensee is required to have their accounts independently audited, any qualification to an auditors' report; and any unplanned change of auditor including a change prompted by a dispute or resulting from auditors being unable or unwilling to sign an unqualified audit report.
- 15** Any change in the licensee's arrangements for the protection of customer funds in accordance with the general licence condition 4 relating to the protection of customer funds (where applicable).
- 16** Where the licensee holds customer funds in a separate bank account, any deficit on reconciliation of such bank account.
- 17** Any change in the licensee's arrangements as to the methods by which, and/or the payment processors through which, the licensee accepts payment from customers using their gambling facilities (this key event applies to remote casino, bingo and betting operating licences, except ancillary and remote betting intermediary (trading room only) licences).

## Legal or regulatory proceedings or reports

- 18** The grant, withdrawal or refusal of any application for a licence or other permission made by the licensee, or in the case of a licensee which is a body corporate, any group company of theirs, to a gambling regulator in another jurisdiction. In the case of a withdrawal or refusal of the application, the licensee must also notify the reasons for such withdrawal or refusal. (This condition does not apply to applications for licences or other permissions to carry on activities which would fall outside the scope of a Gambling Commission operating licence if carried out in Britain or with customers in Great Britain.)
- 19a** Any investigation by a professional, statutory, regulatory or government body (in whatever jurisdiction) into the licensee's activities, or the activities in relation to the licensed entity of a personal licence holder or a person occupying a qualifying position employed by them, where such an investigation could result in the imposition of a sanction or penalty which, if imposed, could reasonably be expected to raise doubts about the licensee's continued suitability to hold a Gambling Commission licence.
- 19b** Any criminal investigation by a law enforcement agency in any jurisdiction in relation to which:
  - the licensee is involved (including, but not limited to investigations of crimes allegedly committed against the licensee or involving the gambling facilities provided under the licence), AND
  - the circumstances are such that the Commission might reasonably be expected to question whether the licensee's measures to keep crime out of gambling had failed.Notification of the event must occur as soon as practicable after the licensee becomes aware of any such investigation in which the licensee is involved and measures may have failed.
- 20** The receipt of any report from a professional, statutory or other regulatory or government body (in whatever jurisdiction) of the outcome of a compliance assessment in relation to the gambling activity of the licensee or, where the licensee is a body corporate, of any group company in which at least one person who holds a key position in or in respect of the licensee

holds a key position: a copy of the report should be provided where available to the licensee.

- 21** The referral to the licensee's Board, or persons performing the function of an audit or risk committee, of material concerns raised by a third party (such as an auditor) about the provision of facilities for gambling which are expressed (in whatever terms) as requiring attention as a high priority: a summary of the nature of the concerns must be provided.
- 22** The imposition by the licensee of a disciplinary sanction, including dismissal, against the holder of a personal licence or a person occupying a qualifying position for gross misconduct; or the resignation of a personal licence holder or person occupying a qualifying position following commencement of disciplinary proceedings in respect of gross misconduct against that person.
- 23** The commencement (in whatever jurisdiction) of any material litigation against the licensee or, where the licensee is a body corporate, a group company: the licensee must also notify the outcome of such litigation.
- 24** The making of a disclosure pursuant to section 330, 331, 332 or 338 of the Proceeds of Crime Act 2002 or section 19, 20, 21, 21ZA, 21ZB or 21A of the Terrorism Act 2000 (a suspicious activity report): the licensee should inform the Commission of the unique reference number issued by the United Kingdom Financial Intelligence Unit of the National Crime Agency in respect of each disclosure and for the purposes of this key event the five working day period referred to above runs from the licensee's receipt of the unique reference number. The licensee should also indicate whether the customer relationship has been discontinued at the time of the submission.

#### **Gambling facilities**

- 25a** Any breach in the licensee's information security that adversely affects the confidentiality of customer data or prevents customers from accessing their accounts for longer than 24 hours.
- 25b** Where a gaming system fault has resulted in under or overpayments to a player (this includes instances where a fault causes an incorrect prize/win value to be displayed).
- 26** Any change in the identity of the ADR entity or entities for the handling of customer disputes, as required by the social responsibility code provision on complaints and disputes.
- 27** The reference of a dispute to an ADR entity other than one in respect of which contact details were given in accordance with the social responsibility code provision on complaints and disputes; the reason for selection of that ADR entity should be given.
- 28** In the case of remote gambling, the commencement or cessation of trading on website domains (*including mobile sites or mobile device applications*) or broadcast media through which the licensee provides gambling facilities.

In this condition:

'body corporate' has the meaning ascribed to that term by section 1173 of the Companies Act 2006 or any statutory modification or re-enactment thereof

- a. in respect of a company, 'holding company' and 'subsidiary' have the meaning ascribed to that term by section 1159 of the Companies Act 2006 or any statutory modification or re-enactment thereof
- b. a 'group company' is any subsidiary or holding company of the licensee and any subsidiary of such holding company.

<sup>1</sup> Key events can be reported securely online at the Commission's website through our eServices system [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk)  
Alternatively, for operators unable to access this system, you can report a key event by email to: [key.events@gamblingcommission.gov.uk](mailto:key.events@gamblingcommission.gov.uk)

**Licence condition 15.2.2**  
**Other reportable events**  
**All operating licences**

- 1** Licensees must also notify the Commission in such form or manner as the Commission may from time to time specify, or ensure that the Commission is so notified, as soon as reasonably practicable of the occurrence of any of the following events<sup>1</sup>:
  - a** the conclusion of a dispute referred to an ADR entity and in such case providing the Commission with a copy of the decision or note of the outcome<sup>2</sup>.
  - b** any outcome adverse to the licensee of any proceedings taken against the licensee (in whatever jurisdiction) by a customer in relation to a gambling transaction; but excluding proceedings allocated to the County Court small claims track or equivalent in jurisdictions outside England and Wales.
  - c** their becoming aware that a group company which is not a Commission licensee is advertising remote gambling facilities to those residing in a jurisdiction in or to which it has not previously advertised or their becoming aware of a sustained or meaningful generation of the 3% / 10% threshold being exceeded by the group.

In this condition:

- a** 'group company' has the same meaning as in condition 15.2.1; and
- b** without prejudice to section 327 of the Act, 'advertising' includes: having a home page directed towards a jurisdiction and written in, or in one of, that jurisdiction's official language(s), having arrangements enabling that jurisdiction's currency to be selected for gambling or the use of payment methods available only in that jurisdiction, and providing a specific customer service facility referable to that jurisdiction.

<sup>1</sup> Events required to be notified to the Commission by 15.2.1 or 15.2.2 may be reported securely online at the Commission's website through our eServices system [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk) or by email to: [key.events@gamblingcommission.gov.uk](mailto:key.events@gamblingcommission.gov.uk)

<sup>2</sup> In respect of the referral of disputes to an ADR entity the licensee's attention is drawn to social responsibility code provision **6**.

## 15.3 General and regulatory returns

### Licence condition 15.3.1

#### General and regulatory returns

##### All operating licences

- 1 On request, licensees must provide the Commission with such information as the Commission may require about the use made of facilities provided in accordance with this licence, and the manner in which gambling authorised by this licence and the licensee's business in relation to that gambling are carried on, including in particular information about:
  - a the numbers of people making use of the facilities and the frequency of such use
  - b the range of gambling activities provided by the licensee and the numbers of staff employed in connection with them
  - c the licensee's policies in relation to, and experiences of, problem gambling.
- 2 In particular within 28 days of the end of each quarterly period or, for those only submitting annual returns, within 42 days of the end of each annual period, licensees must submit a Regulatory Return to the Commission containing such information as the Commission may from time to time require<sup>1</sup>.

<sup>1</sup>Regulatory returns can be submitted securely online at the Commission's website through our eServices system available at [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk)

## 16 Responsible placement of digital adverts

### Licence condition 16.1.1

#### Responsible placement of digital adverts

##### All licences

- 1 Licensees must:
  - a ensure that they do not place digital advertisements on websites providing unauthorised access to copyrighted content;
  - b take all reasonable steps to ensure that third parties with whom they contract for the provision of any aspect of their business related to the licensed activities do not place digital advertisements on websites providing unauthorised access to copyrighted content; and
  - c ensure that the terms upon which they contract with such third parties enable them, subject to compliance with any dispute resolution provisions, to terminate the third party's contract promptly if, in the Licensee's reasonable opinion, the third party has been responsible for placing digital advertisements for the licensed activities on such websites.

## Part II: Code of practice

### Introduction

This is the Commission's principal code of practice, issued under section 24 of the Gambling Act 2005.

There are two types of code provisions in this document:

- social responsibility code provisions: compliance with these is a condition of licences; therefore any breach of them by an operator may lead the Commission to review the operator's licence with a view to suspension, revocation or the imposition of a financial penalty and would also expose the operator to the risk of prosecution; these provisions are set out in shaded boxes
- ordinary code provisions: these do not have the status of operator licence conditions but set out good practice. Operators may adopt alternative approaches to those set out in ordinary code provisions if they have actively taken account of the ordinary code provision and can demonstrate that an alternative approach is reasonable in the operator's particular circumstances; or that to take an alternative approach would be acting in a similarly effective manner. Ordinary codes of practice are admissible in evidence in criminal or civil proceedings and must be taken into account in any case in which the court or tribunal think them relevant, and by the Commission in the exercise of its functions; any departure from ordinary code provisions by an operator may be taken into account by the Commission on a licence review, but cannot lead to imposition of a financial penalty; these code provisions are in the unshaded boxes in this section.

# Code provisions

## 1 General

### 1.1 Cooperation and responsibility for third parties

#### **Ordinary Code Provision 1.1.1** **Cooperation with the Commission** **All licences**

- 1 As made plain in its *Statement of principles for licensing and regulation*, the Commission expects licensees to conduct their gambling operations in a way that does not put the licensing objectives at risk, to work with the Commission in an open and cooperative way and to disclose anything which the Commission would reasonably need to be aware of in exercising its regulatory functions. This includes, in particular, anything that is likely to have a material impact on the licensee's business or on the licensee's ability to conduct licensed activities compliantly. Licensees should have this principle in mind in their approach to, and when considering their compliance with, their obligations under the conditions attached to their licence and in relation to the following provisions of this code.

#### **Social responsibility code provision 1.1.2** **Responsibility for third parties – all licences** **All licences**

- 1 Licensees must take responsibility for third parties with whom they contract for the provision of any aspect of the licensee's business related to the licensed activities and ensure that the terms on which they contract with such third parties:
  - a require the third party to conduct themselves in so far as they carry out activities on behalf of the licensee as if they were bound by the same licence conditions and subject to the same codes of practice as the licensee
  - b oblige the third party to provide such information to the licensee as they may reasonably require in order to enable the licensee to comply with their information reporting and other obligations to the Commission
  - c enable the licensee, subject to compliance with any dispute resolution provisions of such contract, to terminate the third party's contract promptly if, in the licensee's reasonable opinion, the third party is in breach of contract (including in particular terms included pursuant to this code provision) or has otherwise acted in a manner which is inconsistent with the licensing objectives.

#### **Social responsibility code provision 1.1.3** **Responsibility for third parties - remote** **Remote licences**

- 1 Remote licensees must ensure in particular:
  - a that third parties who provide user interfaces enabling customers to access their remote gambling facilities:
    - i include a term that any such user interface complies with the Commission's technical standards for remote gambling systems; and
    - ii enable them, subject to compliance with any dispute resolution provisions of such contract, to terminate the third party's contract promptly if, in the licensee's reasonable opinion, the third party is in breach of that term.
  - b that the terms on which they contract with their affiliates (that is those who are given a right to advertise, or provide a hyperlink to, a licensee's gambling website) enable them to terminate, subject to compliance with any dispute resolution provisions of such contract, the affiliate's rights promptly if, in the licensee's reasonable opinion, the affiliate is in breach of a relevant advertising code of practice.



## 2 Financial requirements

### 2.1 Anti-money laundering

#### **Ordinary code provision 2.1.1**

##### **Anti-money laundering - casino**

###### **All remote and non-remote casino licences**

- 1 In order to help prevent activities related to money laundering and terrorist financing, licensees should act in accordance with the Commission's guidance on anti-money laundering, *The Prevention of Money Laundering and Combating the Financing of Terrorism - Guidance for remote and non-remote casinos*.

#### **Ordinary code provision 2.1.2**

##### **Anti-money laundering – other than casino**

###### **All licences except casino licences**

- 1 As part of their procedures for compliance with the requirements in respect of the prevention and detection of money laundering in the Proceeds of Crime Act 2002 and the Terrorism Act 2000, licensees should take into account the Commission's advice on the Proceeds of Crime Act 2002, *Duties and responsibilities under the Proceeds of Crime Act 2002 - Advice for operators (excluding casino operators)*.



## 3 Protection of children and other vulnerable persons

### 3.1 Combating problem gambling

#### **Social responsibility code provision 3.1.1**

#### **Combating problem gambling**

#### **All licences**

- 1 Licensees must have and put into effect policies and procedures intended to promote socially responsible gambling including the specific policies and procedures required by the provisions of section 3 of this code.
- 2 Licensees must make an annual financial contribution to one or more organisation(s) which between them research into the prevention and treatment of gambling-related harm, develop harm prevention approaches and identify and fund treatment to those harmed by gambling.

## 3.2 Access to gambling by children and young persons

### Social responsibility code provision 3.2.1

#### Access to gambling by children and young persons – casinos SR code

##### All non-remote casino licences

- 1 Licensees must have and put into effect policies and procedures designed to prevent underage gambling, and monitor the effectiveness of these.
- 2 Licensees must ensure that their policies and procedures take account of the structure and layout of their gambling premises.
- 3 Licensees must designate one or more supervisors for each casino entrance.
- 4 A supervisor's responsibilities include ensuring compliance with this section of the code.
- 5 A supervisor must implement the following procedures:
  - a checking the age of customers who appear to be, or are suspected of being, underage
  - b refusing entry to anyone unable to produce an acceptable form of identification, ie one which:
    - i contains a photograph from which the individual can be identified
    - ii states the individual's date of birth
    - iii is valid
    - iv is legible and shows no signs of tampering or reproduction
  - c taking action when there are unlawful attempts to enter the premises, including removing anyone who appears to be underage and cannot produce an acceptable form of identification.
- 6 Licensees must not deliberately provide facilities for gambling in such a way as to appeal particularly to children or young people, for example by reflecting or being associated with youth culture.
- 7 In premises restricted to adults, service must be refused in any circumstances where any adult is accompanied by a child or young person.
- 8 Licensees must take all reasonable steps to ensure that all staff understand their responsibilities for preventing underage gambling. This must include appropriate training which must cover all relevant prohibitions against inviting children or young persons to gamble or to enter gambling premises, and the legal requirements on returning stakes and not paying prizes to underage customers.
- 9 Licensees must conduct test purchasing or take part in collective test purchasing programmes as a means of providing reasonable assurance that they have effective policies and procedures to prevent underage gambling, and must provide their test purchase results to the Commission.

### **Ordinary code provision 3.2.2**

#### **Access to gambling by children and young persons – casinos ordinary code**

##### **All non-remote casino licences**

- 1** There should be a sufficient number of supervisors at casino entrances to enable a considered judgement to be made about the age of everyone attempting to enter the casino and to take the appropriate action (for example checking identification) whilst at the same time not allowing others to enter unsupervised. The nature of this task means that it cannot be properly accomplished only by using CCTV; it will require a physical presence. Heavily used entrances may require more than one designated supervisor.
- 2** Supervisors may be assisted by other door keepers provided the supervisor retains the responsibility for compliance with this section of the code and deals personally with any case where there is any doubt or dispute as to someone's eligibility to enter.
- 3** The Commission considers acceptable forms of identification to include: any identification carrying the PASS logo (for example Citizencard or Validate); a military identification card; a driving licence (including provisional licence) with photocard; or a passport.
- 4** Licensees should put into effect procedures that require their staff to check the age of any customer who appears to them to be under 21.
- 5** Licensees should consider permanent exclusion from premises of any adult accompanied by a child or young person on more than one occasion to premises restricted to adults, or if there is reason to believe the offence was committed knowingly or recklessly.
- 6** Procedures should be put into effect for dealing with cases where a child or young person repeatedly attempts to gamble on premises restricted to adults, including oral warnings, reporting the offence to the Gambling Commission and the police, and making available information on problem gambling.
- 7** In providing training to staff on their responsibilities for preventing underage gambling, licensees should have, as a minimum, policies for induction training and refresher training.

### **Social responsibility code provision 3.2.3**

#### **Access to gambling by children and young persons – AGC SR code**

##### **All adult gaming centre licences**

- 1** Licensees must have and put into effect policies and procedures designed to prevent underage gambling, and monitor the effectiveness of these.
- 2** This must include procedures for:
  - a** checking the age of apparently underage customers
  - b** removing anyone who appears to be under age and cannot produce an acceptable form of identification
  - c** taking action when there are attempts by under-18s to enter the premises.
- 3** Licensees must ensure that their policies and procedures take account of the structure and layout of their gambling premises.
- 4** Licensees must not deliberately provide facilities for gambling in such a way as to appeal particularly to children or young people, for example by reflecting or being associated with youth culture.
- 5** In premises restricted to adults, service must be refused in any circumstances where any adult is accompanied by a child or young person.
- 6** Licensees must take all reasonable steps to ensure that all staff understand their responsibilities for preventing underage gambling. This must include appropriate training which must cover all relevant prohibitions against inviting children or young persons to gamble or to enter gambling premises, and the legal requirements on returning stakes and not paying prizes to underage customers.
- 7** Licensees must only accept identification which:
  - a** contains a photograph from which the individual can be identified
  - b** states the individual's date of birth
  - c** is valid
  - d** is legible and has no visible signs of tampering or reproduction.
- 8** Licensees in fee category C or higher must conduct test purchasing or take part in collective test purchasing programmes, as a means of providing reasonable assurance that they have effective policies and procedures to prevent underage gambling, and must provide their test purchase results to the Commission.

### **Ordinary code provision 3.2.4**

#### **Access to gambling by children and young persons – AGC ordinary code**

##### **All adult gaming centre licences**

- 1** The Commission considers acceptable forms of identification to include any identification carrying the PASS logo (for example Citizencard or Validate); a military identification card; a driving licence (including a provisional licence) with photocard; or a passport.
- 2** Licensees should put into effect procedures that require their staff to check the age of any customer who appears to them to be under 21.
- 3** Licensees should consider permanent exclusion from premises for any adult accompanied by a child or young person on more than one occasion to premises restricted to adults, or if there is reason to believe the offence was committed knowingly or recklessly.

- 4 Procedures should be put into effect for dealing with cases where a child or young person repeatedly attempts to gamble on premises restricted to adults, including oral warnings, reporting the offence to the Gambling Commission and the police, and making available information on problem gambling.
- 5 Licensees in fee categories A or B should consider how they monitor the effectiveness of their policies and procedures for preventing underage gambling (for example by taking part in a collective test purchasing programme) and should be able to explain to the Commission or licensing authority what approach they have adopted.
- 6 In providing training to staff on their responsibilities for preventing underage gambling, licensees should have, as a minimum, policies for induction training and refresher training.

### **Social responsibility code provision 3.2.5**

#### **Access to gambling by children and young persons – bingo and FEC SR code**

##### **All non-remote bingo and family entertainment centre licences**

- 1 Licensees must have and put into effect policies and procedures designed to prevent underage gambling, and monitor the effectiveness of these.
- 2 This must include procedures for:
  - a checking the age of apparently underage customers
  - b refusing entry to any adult-only areas to anyone unable to produce an acceptable form of identification
  - c taking action when there are unlawful attempts to enter the adult-only areas.
- 3 Licensees must ensure that their policies and procedures take account of the structure and layout of their gambling premises.
- 4 Licensees must not permit children or young people to gamble in the adults-only areas of premises to which they have access. If there is a 'no under-18s' premises policy, licensees must pay particular attention to the procedures they use at the entrance to the premises to check customers' ages.
- 5 Licensees must take all reasonable steps to ensure that all staff understand their responsibilities for preventing underage gambling. This must include appropriate training which must cover:
  - a all relevant prohibitions against inviting children or young persons to gamble on age-restricted products or to enter age-restricted areas;
  - b the legal requirements on returning stakes and not paying prizes to underage customers; and
  - c procedures for challenging any adult who may be complicit in allowing a child or young person to gamble.
- 6 Licensees must only accept identification which:
  - a contains a photograph from which the individual can be identified
  - b states the individual's date of birth
  - c is valid
  - d is legible and has no visible signs of tampering or reproduction.
- 7 Licensees in fee category C or higher must conduct test purchasing or take part in collective test purchasing programmes, as a means of providing reasonable assurance that they have effective policies and procedures to prevent underage gambling, and must provide their test purchase results to the Commission.

### **Ordinary code provision 3.2.6**

#### **Access to gambling by children and young persons – bingo and FEC ordinary code All non-remote bingo and family entertainment centre licences**

- 1** The Commission considers acceptable forms of identification to include: any identification carrying the PASS logo (for example Citizencard or Validate); a military identification card; a driving licence (including a provisional licence) with photocard; or a passport.
- 2** Licensees should require a person who appears to relevant staff to be under the age of 21 to be asked to produce proof of age, either at the point of entry to the gambling area or as soon as it comes to the attention of staff that they wish to access gambling facilities.
- 3** Licensees should have procedures for dealing with cases where an adult knowingly or recklessly allows a child or young person to gamble. These procedures might include refusing to allow the adult to continue to gamble, removing them from the premises, and reporting the incident to the police or local authorities, or taking action where forged identification is produced.
- 4** Procedures should be put into effect for dealing with cases where a child or young person repeatedly attempts to gamble on their premises, including oral warnings, reporting the offence to the Gambling Commission and the police, and making available information on problem gambling to the child or young person concerned.
- 5** Where it is likely that customers' young or otherwise vulnerable children will be left unattended on or adjacent to their premises, licensees should consider reminding customers of their parental responsibilities and assess whether there is a need to develop procedures for minimising the risk to such children.
- 6** Licensees in fee categories A or B should consider how they monitor the effectiveness of their policies and procedures for preventing underage gambling (for example by taking part in a collective test purchasing programme) and should be able to explain to the Commission or licensing authority what approach they have adopted.
- 7** In providing training to staff on their responsibilities for preventing underage gambling, licensees should have, as a minimum, policies for induction training and refresher training.

### **Social responsibility code provision 3.2.7**

#### **Access to gambling by children and young persons – betting SR code**

**Paragraphs 1, 2 and 4-7 : all non-remote betting and remote betting intermediary (trading rooms only) licences**

**Paragraph 3: all non-remote betting licences (except general betting (limited) licences) and remote betting intermediary (trading rooms only) licences**

**Paragraph 8: non-remote pool betting licences**

**Paragraph 9: non-remote general betting (standard) licences in fee category C or above**

- 1 Licensees must have and put into effect policies and procedures designed to prevent underage gambling, and monitor the effectiveness of these.
- 2 This must include procedures for:
  - a checking the age of apparently underage customers
  - b removing from adult-only licensed premises anyone who appears to be underage and cannot produce an acceptable form of identification
  - c taking action when there are attempts by under-18s to enter adult-only premises
  - d refusing entry to any adult-only area of a track to anyone unable to produce an acceptable form of identification
  - e taking action when there are unlawful attempts to enter the adult-only areas.
- 3 Licensees must ensure that their policies and procedures take account of the structure and layout of their gambling premises
- 4 Licensees must not deliberately provide facilities for gambling in such a way as to appeal particularly to children or, except in the case of football pools, young people, for example by reflecting or being associated with youth culture.
- 5 In premises restricted to adults, service must be refused in any circumstances where any adult is accompanied by a child or young person.
- 6 Licensees must take all reasonable steps to ensure that all staff understand their responsibilities for preventing underage gambling. This must include appropriate training which must cover all relevant prohibitions against inviting children or young persons to gamble or to enter gambling premises, and the legal requirements on returning stakes and not paying prizes to underage customers.
- 7 Licensees must only accept identification which:
  - a contains a photograph from which the individual can be identified
  - b states the individual's date of birth
  - c is valid
  - d is legible and has no visible signs of tampering or reproduction.
- 8 In the case of non-remote pool betting licensees, where pool entries or payments are collected door to door by the licensee or the licensee's authorised agent the licensee's procedures must include procedures for:
  - a checking the age of apparently underage entrants to the pool; and
  - b taking action when there are unlawful attempts to enter the pool.
- 9 Licensees must conduct test purchasing or take part in collective test purchasing programmes, as a means of providing reasonable assurance that they have effective policies and procedures to prevent underage gambling, and must provide their test purchase results to the Commission.



### **Ordinary code provision 3.2.8**

#### **Access to gambling by children and young persons – betting ordinary code**

##### **Paragraphs 1 to 5 inclusive: all non-remote betting and remote betting intermediary (trading rooms only) licences**

##### **Paragraph 6: all non-remote betting licences (except non-remote general betting (standard) licences in fee category C or above) and remote betting intermediary (trading rooms only) licences**

- 1 The Commission considers acceptable forms of identification to include any identification carrying the PASS logo (for example Citizencard or Validate); a military identification card; a driving licence (including a provisional licence) with photocard; or a passport.
- 2 Licensees should put into effect procedures that require their staff to check the age of any customer who appears to them to be under 21.
- 3 Licensees should consider permanent exclusion from premises for any adult accompanied by a child or young person on more than one occasion to premises restricted to adults, or if there is reason to believe the offence was committed knowingly or recklessly.
- 4 Procedures should be put into effect for dealing with cases where a child or young person repeatedly attempts to gamble on premises restricted to adults, including oral warnings, reporting the offence to the Gambling Commission and the police, and making available information on problem gambling.
- 5 In providing training to staff on their responsibilities for preventing underage gambling, licensees should have, as a minimum, policies for induction training and refresher training.
- 6 Licensees should consider how they monitor the effectiveness of their policies and procedures for preventing underage gambling (for example by taking part in a collective test purchasing programme) and should be able to explain to the Commission or licensing authority what approach they have adopted.

### **Social responsibility code provision 3.2.9**

#### **Access to gambling by children and young persons – lottery SR code**

##### **All non-remote lottery licences**

- 1 Licensees must have and put into effect policies and procedures designed to minimise the risk of lottery tickets being sold to children (that is, persons under 16). This must include procedures for:
  - a checking the age of apparently underage purchasers of lottery tickets
  - b taking action when there are unlawful attempts to purchase tickets.
- 2 Licensees must take all reasonable steps to ensure that all those engaged in the promotion of lotteries in reliance on the licence understand their responsibilities for preventing underage gambling, returning stakes and not paying prizes to underage customers.

### **Ordinary code provision 3.2.10**

#### **Access to gambling by children and young persons – lottery ordinary code**

##### **All non-remote lottery licences**

- 1 Licensees should require a person who appears to be under the age of 16 to be asked to produce proof of identity and age before purchasing a lottery ticket.



### **Social responsibility code provision 3.2.11**

#### **Access to gambling by children and young persons – remote SR code**

**All remote licences (including ancillary remote betting licences), except lottery licences, gaming machine technical, gambling software, host, ancillary remote casino, ancillary remote bingo, remote betting intermediary (trading rooms only) and remote betting (standard) (remote platform) licences**

- 1** Licensees must have and put into effect policies and procedures designed to prevent underage gambling, and monitor the effectiveness of these.
- 2** Such procedures must include:
  - a** warning potential customers that underage gambling is an offence;
  - b** requiring customers to affirm that they are of legal age;
  - c** regularly reviewing their age verification systems and implementing all reasonable improvements that may be made as technology advances and as information improves;
  - d** ensuring that relevant staff are properly trained in the use of their age verification procedures; in particular customer services staff must be appropriately trained in the use of secondary forms of identification when initial verification procedures fail to prove that an individual is of legal age;
  - e** enabling their gambling websites to permit filtering software to be used by adults (such as parents or within schools) in order to restrict access to relevant pages of those sites;
  - f** in the case of any UK resident customer who deposits money using any type of payment method other than a credit card, and unless the licensee has established that a third party has satisfactorily carried out age verification, the following age verification procedures:
    - i** verifying additional information about the customer, such as carrying out searches of credit reference and other databases that list names and addresses of individuals over the age of 18;
    - ii** carrying out secondary age verification checks in any circumstances which give the operator reason to suspect that the person may be underage;
    - iii** not permitting the customer to withdraw any winnings from their account until age verification has been satisfactorily completed; and
    - iv** in any event, a requirement that if age verification has not been satisfactorily completed within 72 hours of the customer applying to register to gamble and depositing money:
      - o the account will be frozen
      - o no further gambling will be permitted until age verification has been successfully completed
      - o if on completion of age verification the customer is shown to be underage, the operator must return to the customer any money paid in respect of the use of the gambling facilities, but no winnings shall be paid
  - g** in the case of any non-UK resident customer who deposits money using any type of payment method other than a credit card, and unless the licensee has established that a third party has satisfactorily carried out age verification, the following age verification procedures:
    - i** taking all reasonable steps to make use of information available for age verification purposes from whichever country the potential customer is resident in; and
    - ii** each of the following steps, unless they can not reasonably be implemented or, in the case of the fourth bullet point, a period of more than 72 hours was reasonably required:
      - o verifying additional information about the customer, such as carrying out searches of credit reference and other databases that list names and addresses of individuals over the age of 18

- carrying out secondary age verification checks in any circumstances which give the operator reason to suspect that the person may be underage
- not permitting the customer to withdraw any winnings from their account until age verification has been satisfactorily completed
- a requirement that if age verification has not been satisfactorily completed within 72 hours of the customer applying to register to gamble and depositing money:
  - the account will be frozen;
  - no further gambling will be permitted until age verification has been successfully completed; and
  - if on completion of age verification the customer is shown to be underage all deposits held by the operator are returned to the customer and no winnings paid.

**h** in the case of any customer who registers to gamble and deposits money using a credit card, conducting a programme of random checks of credit card users for compliance with age restrictions.

### **Ordinary code provision 3.2.12**

#### **Access to gambling by children and young persons – remote ordinary code**

**All remote licences (including ancillary remote betting licences), except gaming machine technical, gambling software, host, ancillary remote bingo, ancillary remote casino and remote betting intermediary (trading rooms only) licences**

- 1 Licensees should, and should request their contracted partners to, draw attention to parental responsibility as part of the purchasing process of facilities such as mobile phones and interactive television.

### **Social responsibility code provision 3.2.13**

#### **Access to gambling by children and young persons – remote lottery SR code**

**All remote lottery licences**

- 1 Licensees must have and put into effect policies and procedures designed to prevent underage gambling, and monitor the effectiveness of these.
- 2 Such procedures must include:
  - a warning potential customers that underage gambling is an offence;
  - b requiring customers to affirm that they are of legal age;
  - c regularly reviewing their age verification systems and implementing all reasonable improvements that may be made as technology advances and as information improves;
  - d ensuring that relevant staff are properly trained in the use of their age verification procedures; in particular anyone who sell lottery tickets including canvassers and customer services staff must be appropriately trained in the use of secondary forms of identification when initial verification procedures fail to prove that an individual is of legal age;
  - e enabling their gambling websites to permit filtering software to be used by adults (such as parents or within schools) in order to restrict access to relevant pages of those sites;
  - f in the case of any GB resident customer who deposits money using any type of payment method other than a credit card, and unless the licensee has established that a third party has satisfactorily carried out age verification, the following age verification procedures apply:
    - i in the case of both subscription lotteries and low frequency lotteries<sup>1</sup>, and provided it is clear in the terms and conditions that those under the age of 16 are not permitted to participate and that the prizes will not be paid out to those found

to be under 16, customers must be required to verify their age before being able to make any subscription or purchase entry into the lottery. (The operator is expected to conduct a programme of random checks of users who self verify for compliance with age restrictions);

- ii** in every other case verifying additional information about the customer, such as carrying out searches of credit reference and other databases that list names and addresses of individuals over the age of 16;
  - iii** carrying out secondary age verification checks in any circumstances which give the operator reason to suspect that the person may be underage;
  - iv** not permitting the customer to withdraw any winnings from their account until age verification has been satisfactorily completed; and
  - v** in any event, in a case which falls within ii above, a requirement that if age verification has not been satisfactorily completed within 72 hours of the customer applying to register to gamble and depositing money:
    - o the account will be frozen
    - o no further gambling will be permitted until age verification has been successfully completed
    - o if, on completion of age verification the customer is shown to be underage, the operator must return to the customer any money paid in respect of the use of gambling facilities, but no winnings shall be paid.
- g** in the case of any non-UK resident customer who deposits money using any type of payment method other than a credit card, and unless the licensee has established that a third party has satisfactorily carried out age verification, the following age verification procedures:
- i** taking all reasonable steps to make use of information available for age verification purposes from whichever country the potential customer is resident in; and
  - ii** each of the following steps, unless they cannot reasonably be implemented or, in the case of the fourth bullet point, a period of more than 72 hours was reasonably required:
    - o verifying additional information about the customer, such as carrying out searches of credit reference and other databases that list names and addresses of individuals over the age of 18
    - o carrying out secondary age verification checks in any circumstances which give the operator reason to suspect that the person may be underage
    - o not permitting the customer to withdraw any winnings from their account until age verification has been satisfactorily completed
    - o a requirement that if age verification has not been satisfactorily completed within 72 hours of the customer applying to register to gamble and depositing money:
      - the account will be frozen;
      - no further gambling will be permitted until age verification has been successfully completed; and
      - If on completion of age verification the customer is shown to be underage all deposits held by the operator are returned to the customer and no winnings paid.
- h** in the case of any customer who registers to gamble and deposits money using a credit card, conducting a programme of random checks of credit card users for compliance with age restrictions.

<sup>1</sup> For the purposes of this code, a 'low frequency lottery' is one of a series of separate lotteries promoted on behalf of the same non-commercial society or local authority, or as part of the same multiple society lottery scheme, in respect of which there is a period of at least two days between each lottery draw.

**Ordinary code provision 3.2.14****Access to gambling by children and young persons – remote lottery ordinary code****All remote society lottery licences**

- 1 Where operators consider the lottery will be more likely to attract underage play – eg where the prize is of particular appeal to children (those under the age of 16) such as concert tickets, games consoles, large prizes - operators should ensure that age verification measures are appropriate to the risk of attempted underage play. In these circumstances it is unlikely that self-verification alone will be sufficient.

### 3.3 Gambling management tools and responsible gambling information

#### **Social responsibility code provision 3.3.1**

##### **Responsible gambling information**

##### **All licences, except gaming machine technical, gambling software, host, ancillary remote bingo, ancillary remote casino and remote betting (remote platform) licences**

- 1 Licensees must make information readily available to their customers on how to gamble responsibly and how to access information about, and help in respect of, problem gambling.
- 2 The information must cover:
  - a any measures provided by the licensee to help individuals monitor or control their gambling, such as restricting the duration of a gambling session or the amount of money they can spend
  - b timers or other forms of reminders or 'reality checks' where available
  - c self-exclusion options
  - d information about the availability of further help or advice.
- 3 The information must be directed to all customers whether or not licensees also make available material which is directed specifically at customers who may be 'problem gamblers'.
- 4 For gambling premises, information must be available in all areas where gambling facilities are provided and adjacent to ATMs. Information must be displayed prominently using methods appropriate to the size and layout of the premises. These methods may include the use of posters, the provision of information on gambling products, or the use of screens or other facilities in the gambling premises. Information must also be available in a form that may be taken away and may also be made available through the use of links to be accessed online or using smart technology. Licensees must take all reasonable steps to ensure that this information is also readily accessible in locations which enable the customer to obtain it discreetly.

#### **Ordinary code provision 3.3.2**

##### **Responsible gambling information – foreign languages**

##### **All licences, except gaming machine technical, gambling software, host, ancillary remote bingo and ancillary remote casino licences**

- 1 Licensees who market their services in one or more foreign languages should make available in that, or those, foreign languages:
  - a the information on how to gamble responsibly and access to help referred to above
  - b the players' guides to any game, bet or lottery required to be made available to customers under provisions in this code
  - c the summary of the contractual terms on which gambling is offered, which is required to be provided to customers as a condition of the licensee's operating licence.

#### **Social responsibility code provision 3.3.3**

##### **Betting B2 - time and monetary thresholds**

##### **All non-remote betting licences**

- 1 Licensees must ensure that any B2 machines that they make available for use require customers to make an active choice whether to set time and monetary thresholds for customer and staff alerts. Such thresholds must comply with any relevant requirements set out in the Commission's machine technical standards.

### **Social responsibility code provision 3.3.4**

#### **Remote time-out facility**

**All remote licences except: any remote lottery licence the holder of which does not provide facilities for participation in instant win lotteries, ancillary remote betting licences, remote betting (remote platform), gaming machine technical, gambling software, host, ancillary remote bingo, ancillary remote casino and remote betting intermediary (trading room only) licences.**

- 1** Licensees must offer a 'time out' facility for customers for the following durations:
  - a** 24 hours
  - b** one week
  - c** one month or
  - d** such other period as the customer may reasonably request, up to a maximum of 6 weeks.

## 3.4 Customer interaction

### **Social responsibility code provision 3.4.1**

#### **Customer interaction – SR code**

##### **All licences, except non-remote lottery, gaming machine technical, gambling software and host licences**

- 1** Licensees must put into effect policies and procedures for customer interaction where they have concerns that a customer's behaviour may indicate problem gambling. The policies must include:
  - a** identification of the appropriate level of management who may initiate customer interaction and the procedures for doing so
  - b** the types of behaviour that will be logged/reported to the appropriate level of staff and which may trigger customer interaction at an appropriate moment
  - c** the circumstances in which consideration should be given to refusing service to customers and/or barring them from the operator's gambling premises
  - d** training for all staff on their respective responsibilities, in particular so that they know who is designated to deal with problem gambling issues
  - e** specific provision for making use of all relevant sources of information to ensure effective decision making, and to guide and deliver effective customer interactions, including in particular
    - i** provision to identify at risk customers who may not be displaying obvious signs of, or overt behaviour associated with, problem gambling: this should be by reference to indicators such as time or money spent
    - ii** specific provision in relation to customers designated by the licensee as 'high value', 'VIP' or equivalent
  - f** specific provision for interacting with customers demonstrating signs of agitation, distress, intimidation, aggression or other behaviours that may inhibit customer interaction
- 2** For gambling premises, licensees must ensure that their policies and procedures take account of the structure and layout of the gambling premises.
- 3** But such policies and procedures must be consistent with, and implemented with due regard to, licensees' duties in respect of the health and safety of their staff.

### **Ordinary code provision 3.4.2**

#### **Customer interaction – ordinary code**

##### **All licences except non-remote lottery, gaming machine technical, gambling software and host licences**

- 1** Operators should work together to share experience and deliver good practice across the full range of social responsibility requirements for customer interaction.
- 2** Operators should keep a record of customer interactions, and where an interaction has been ruled out, the reasons for this. Where an interaction has taken place at a later date, this should also be recorded.
- 3** In providing training to staff on their responsibilities for customer interaction, licensees should have, as a minimum, policies for induction training and refresher training.

### **Social responsibility code provision 3.4.3**

#### **Customer Interaction – lotteries SR code**

##### **All lottery licences**

- 1** Licensees who are non-commercial societies or external lottery managers must:
  - a** set an upper limit on the value of lottery tickets which may be sold to a person, whether as part of a single transaction or over a given period of time, without customer interaction;
  - b** maintain records of all instances of customer interaction pursuant to (a) above and, in each case, whether purchase of tickets beyond the limits set was then permitted; and
  - c** ensure such records are made available to the Commission for inspection on request and retained for at least three years from the date of any lottery to which they relate.



## 3.5 Self-exclusion

### **Social responsibility code provision 3.5.1**

#### **Self-exclusion – non-remote and trading rooms SR code**

#### **All non-remote licences (except lottery, gaming machine technical and gambling software licences) and remote betting intermediary (trading rooms only) licences**

- 1 Licensees must have and put into effect procedures for self-exclusion and take all reasonable steps to refuse service or to otherwise prevent an individual who has entered a self-exclusion agreement from participating in gambling.
- 2 Licensees must, as soon as practicable, take all reasonable steps to prevent any marketing material being sent to a self-excluded customer.
- 3 Licensees must take steps to remove the name and details of a self-excluded individual from any marketing databases used by the company or group (or otherwise flag that person as an individual to whom marketing material must not be sent), within two days of receiving the completed self-exclusion notification.
- 4 This covers any marketing material relating to gambling, or other activities that take place on the premises where gambling may take place. However, it would not extend to blanket marketing which is targeted at a particular geographical area and where the excluded individual would not knowingly be included.
- 5 Licensees must close any customer accounts of an individual who has entered a self-exclusion agreement and return any funds held in the customer account. It is not sufficient merely to prevent an individual from withdrawing funds from their customer account whilst still accepting wagers from them. Where the giving of credit is permitted, the licensee may retain details of the amount owed to them by the individual, although the account must not be active.
- 6 Licensees must put into effect procedures designed to ensure that an individual who has self-excluded cannot gain access to gambling. These procedures must include:
  - a a register of those excluded with appropriate records (name, address, other details, and any membership or account details that may be held by the operator);
  - b photo identification (except where the Licensee can reasonably satisfy themselves that in the circumstances in which they provide facilities for gambling an alternative means of identification is at least as effective) and a signature;
  - c staff training to ensure that staff are able to administer effectively the systems; and
  - d the removal of those persons found in the gambling area or attempting to gamble from the premises.
- 7 Licensees must ensure that their procedures for preventing access to gambling by self-excluded individuals take account of the structure and layout of the gambling premises.
- 8 Licensees must, when administering the self-exclusion agreement, signpost the individual to counselling and support services.

### **Ordinary code provision 3.5.2**

#### **Self-exclusion – non-remote ordinary code**

#### **All non-remote licences and remote betting intermediary (trading rooms only) licences, but not gaming machine technical and gambling software licences**

- 1 Self-exclusion procedures should require individuals to take positive action in order to self-exclude. This can be a signature on a self-exclusion form.
- 2 Individuals should be able to self-exclude without having to enter gambling premises.

- 3** Before an individual self-excludes, licensees should provide or make available sufficient information about what the consequences of self-exclusion are.
- 4** Licensees should take all reasonable steps to extend the self-exclusion to premises of the same type owned by the operator in the customer's local area. In setting the bounds of that area licensees may take into account the customer's address (if known to them), anything else known to them about the distance the customer ordinarily travels to gamble and any specific request the customer may make.
- 5** Licensees should encourage the customer to consider extending their self-exclusion to other licensees' gambling premises in the customer's local area.
- 6** Customers should be given the opportunity to discuss self-exclusion in private, where possible.
- 7** Licensees should take steps to ensure that:
  - a** the minimum self-exclusion period offered is of a duration of not less than 6 nor more than 12 months
  - b** any self-exclusion may, on request, be extended for one or more further periods of at least 6 months each
  - c** a customer who has decided to enter a self-exclusion agreement is given the opportunity to do so immediately without any cooling-off period. However, if the customer wishes to consider the self-exclusion further (for example to discuss with problem gambling groups), the customer may return at a later date to enter into self-exclusion
  - d** at the end of the period chosen by the customer, the self-exclusion remains in place for a further 6 months, unless the customer takes positive action in order to gamble again
  - e** where a customer chooses not to renew the self-exclusion, and makes a positive request to begin gambling again during the 6 month period following the end of their initial self-exclusion, the customer is given one day to cool off before being allowed access to gambling facilities. The contact must be made via telephone or in person
  - f** notwithstanding the expiry of the period of self-exclusion chosen by a customer, no marketing material should be sent to them unless and until they have asked for or agreed to accept such material.
- 8** The licensee should retain the records relating to a self-exclusion agreement at least for the length of the self-exclusion agreement plus a further 6 months.
- 9** Please note that the Commission does not require the licensee to carry out any particular assessment or make any judgement as to whether the previously self-excluded individual should again be permitted access to gambling. The requirement to take positive action in person or over the phone is purely to a) check that the customer has considered the decision to access gambling again and allow them to consider the implications; and b) implement the one day cooling-off period and explain why this has been put in place.
- 10** Licensees should have, and put into effect, policies and procedures which recognise, seek to guard against and otherwise address, the fact that some individuals who have self-excluded might attempt to breach their exclusion without entering a gambling premises, for example, by getting another to gamble on their behalf.
- 11** Licensees should have effective systems in place to inform all venue staff of self-excluded individuals who have recently attempted to breach a self-exclusion in that venue, and the licensees neighbouring venues.
- 12** In providing training to staff on their responsibilities for self-exclusion, licensees should have, as a minimum, policies for induction training and refresher training.

### **Social responsibility code provision 3.5.3**

#### **Self-exclusion – remote SR code**

**All remote licences except: gaming machine technical, gambling software, host, ancillary remote bingo, ancillary remote casino, betting intermediary (trading room only) and remote betting (standard) (remote platform) licences**

**Paragraph 8 does not apply to ancillary remote betting licences, remote general betting (limited), or any remote lottery licence the holder of which does not provide facilities for participation in instant win lotteries**

- 1** Licensees must have and put into effect procedures for self-exclusion and take all reasonable steps to refuse service or to otherwise prevent an individual who has entered a self-exclusion agreement from participating in gambling.
- 2** Licensees must, as soon as practicable, take all reasonable steps to prevent any marketing material being sent to a self-excluded customer.
- 3** Licensees must take steps to remove the name and details of a self-excluded individual from any marketing databases used by the company or group (or otherwise flag that person as an individual to whom marketing material must not be sent), within two days of receiving the completed self-exclusion notification.
- 4** This covers any marketing material relating to gambling. However, it would not extend to blanket marketing which is targeted at a particular geographical area and where the excluded individual would not knowingly be included.
- 5** Licensees must close any customer accounts of an individual who has entered a self-exclusion agreement and return any funds held in the customer account. It is not sufficient merely to prevent an individual from withdrawing funds from their customer account whilst still accepting wagers from them. Where the giving of credit is permitted, the licensee may retain details of the amount owed to them by the individual, although the account must not be active.
- 6** Licensees must put into effect procedures designed to ensure that an individual who has self-excluded cannot gain access to gambling. These procedures must include:
  - a** a register of those excluded with appropriate records (name, address, other details, and any membership or account details that may be held by the operator);
  - b** a record of the card numbers to be excluded;
  - c** staff training to ensure that staff are able to administer effectively the systems; and
  - d** the removal of access from those persons found to have gambled or who have attempted to gamble on the facilities.
- 7** Licensees must when administering the self-exclusion signpost the individual to counselling and support services.
- 8** Customers must be given the opportunity to self-exclude by contacting customer services and in addition by entering an automated process using remote communication. In order to avoid inadvertent self-exclusion it is acceptable for an automated process to include an additional step that requires the customer to confirm that they wish to self-exclude. The licensee must ensure that all staff who are involved in direct customer service are aware of the self-exclusion system in place, and are able to direct that individual to an immediate point of contact with whom/which to complete that process.

### Ordinary code provision 3.5.4

#### Self-exclusion – remote ordinary code

**All remote licences (including ancillary remote betting licences), except gaming machine technical, gambling software, host, ancillary remote bingo, ancillary remote casino, remote betting intermediary (trading rooms only) and remote betting (standard) (remote platform) licences**

- 1 Self-exclusion procedures should require individuals to take positive action in order to self-exclude:
  - a over the **internet**; this can be a box that must be ticked in order to indicate that they understand the system
  - b by **telephone**; this can be a direct question asking whether they understand the system.
- 2 Before an individual self-excludes, licensees should provide or make available sufficient information about what the consequences of self-exclusion are.
- 3 Licensees should encourage the customer to consider extending their self-exclusion to other remote gambling operators currently used by the customer.
- 4 Within the licensee's information about self-exclusion policies, the licensee should provide a statement to explain that software is available to prevent an individual computer from accessing gambling internet sites. The licensee should provide a link to a site where further information is available.
- 5 Licensees should take all reasonable steps to ensure that:
  - a the minimum self-exclusion period offered is of a duration of not less than 6 nor more than 12 months;
  - b any self-exclusion may, on request, be extended for one or more further periods of at least 6 months;
  - c the self-exclusion arrangements give customers the option of selecting a self-exclusion period of up to at least five years;
  - d a customer who has decided to enter a self-exclusion agreement is given the opportunity to do so immediately without any cooling-off period. However, if the customer wishes to consider the self-exclusion further (for example to discuss with problem gambling groups) the customer may return at a later date to enter into self-exclusion;
  - e at the end of the period chosen by the customer, self-exclusion remains in place, for a minimum of 7 years, unless the customer takes positive action to gamble again;
  - f where a customer chooses not to renew, and makes a positive request to begin gambling again, during the 7 year period following the end of their initial self-exclusion, the customer is given one day to cool off before being allowed to access gambling facilities. Contact must be made via phone or in person; re-registering online is not sufficient; and
  - g notwithstanding the expiry of the period of self-exclusion chosen by a customer, no marketing material should be sent to them unless and until they have asked for or agreed to accept such material.
- 6 The licensee should retain the records relating to a self-exclusion agreement for as long as is needed to enable the self-exclusion procedures set out in paragraph 5 above to be implemented.
- 7 Please note that the Commission does not require the licensee to carry out any particular assessment or make any judgement as to whether the previously self-excluded individual should again be permitted access to gambling. The requirement to take positive action in person or over the phone is purely to a) check that the customer has considered the decision to access gambling again and allow them to consider the implications; and b) implement the one day cooling-off period and explain why this has been put in place.
- 8 In providing training to staff on their responsibilities for self-exclusion, licensees should have, as a minimum, policies for induction training and refresher training.

### **Social responsibility code provision 3.5.5**

#### **Self-exclusion – remote multi-operator SR code**

**All remote licences except: any remote lottery licence the holder of which does not provide facilities for participation in instant win lotteries, ancillary remote betting, remote general betting (remote platform), remote betting intermediary (trading room only), remote general betting (limited), gaming machine technical, gambling software, host, ancillary remote bingo, and ancillary remote casino licences**

***This provision will come into force one month after notification by the Commission of the establishment of a national online multi-operator self-exclusion scheme***

- 1 Licensees must participate in the national multi-operator self-exclusion scheme.

### **Social responsibility code provision 3.5.6**

#### **Self-exclusion – multi-operator non-remote SR code**

**All non-remote casino, bingo and betting licences (except in respect of the provision of facilities for betting in reliance on a track premises licence) and holders of gaming machine general operating licences for adult gaming centres**

- 1 Licensees must offer customers with whom they enter into a self-exclusion agreement in respect of facilities for any kind of gambling offered by them at licensed gambling premises the ability to self-exclude from facilities for the same kind of gambling offered in their locality by any other holder of an operating licence to whom this provision applies, by participating in one or more available multi-operator self-exclusion schemes.

### **Ordinary code provision 3.5.7**

#### **Self-exclusion – multi-operator non-remote ordinary code**

**All non-remote casino, bingo and betting licences (except in respect of the provision of facilities for betting in reliance on a track premises licence) and holders of gaming machine general operating licences for adult gaming centres**

- 1 Licensees should contribute to and participate in the development and effective implementation of multi-operator self-exclusions schemes with the aim of making available to customers the ability to self-exclude from facilities for gambling provided by other licensed operators within their local area(s).

**Social responsibility code provision 3.5.8**  
**Self-exclusion – non-remote lottery SR code**  
**All non-remote lottery licences**

- 1** Licensees must have and put into effect procedures for self-exclusion and take all reasonable steps to refuse service or to otherwise prevent an individual who has entered a self-exclusion agreement from participating in gambling.
- 2** Licensees must, as soon as practicable, take all reasonable steps to prevent any marketing material being sent to a self-excluded customer.
- 3** Licensees must take steps to remove the name and details of a self-excluded individual from any marketing databases used by the company or group (or otherwise flag that person as an individual to whom marketing material must not be sent), within two days of receiving the completed self-exclusion notification.
- 4** This covers any marketing material relating to gambling, or other activities that take place on the premises where gambling may take place. However, it would not extend to blanket marketing which is targeted at a particular geographical area and where the excluded individual would not knowingly be included.
- 5** Licensees must close any customer accounts of an individual who has entered a self-exclusion agreement and return any funds held in the customer account. It is not sufficient merely to prevent an individual from withdrawing funds from their customer account whilst still accepting wagers from them. Where the giving of credit is permitted, the licensee may retain details of the amount owed to them by the individual, although the account must not be active.
- 6** Licensees must put into effect procedures designed to ensure that an individual who has self-excluded cannot gain access to gambling. These procedures must include:
  - a** a register of those excluded with appropriate records (name, address, other details, and any membership or account details that may be held by the operator);
  - b** a facility for someone self-excluding to provide a signature; and
  - c** staff training to ensure that staff are able to administer effectively the systems.
- 7** Licensees must, when administering the self-exclusion agreement, signpost the individual to counselling and support services.



## 3.6 Employment of children and young persons

### Ordinary code provision 3.6.1

#### Employment of children and young people – lottery and pool betting

##### All lottery licences and pool betting licences restricted to football pools

- 1 Licensees who employ young persons (16 and 17 year olds) to sell tickets, collect payments or pay out winnings should have and put into effect policies and procedures designed to ensure that all staff, including staff who are young persons themselves, are made aware that the law prohibits underage gambling, and that tickets may only be sold to persons aged 16 or over.

### Ordinary code provision 3.6.2

#### Employment of children and young people – bingo

##### All non-remote bingo licences

- 1 Licensees who employ children (under-16-year-olds) and young persons (those aged 16 or 17) should be aware that it is an offence:
  - a to employ them to provide facilities for playing bingo;
  - b for their contracts of employment to require them, or for them to be permitted, to perform a function in connection with a gaming machine; and
  - c to employ a child to perform any function on premises where, and at a time when, facilities are being provided for playing bingo.
- 2 As to **1b**, it should be noted that in the Commission's view the relevant provision of the Act applies to any function performed in connection with a gaming machine. This includes servicing or cleaning such a machine.
- 3 Accordingly, licensees should have and put into effect policies and procedures designed to ensure that:
  - a children and young persons are never asked to perform tasks within **1a or 1b**, above
  - b all staff, including those who are children and young persons themselves, are instructed about the laws relating to access to gambling by children and young persons.
- 4 Licensees should consider adopting a policy that:
  - a children are not employed to work on bingo licensed premises at any time when the premises are open for business
  - b neither children nor young persons are in any event asked to work in areas where gaming machines are situated.

### Ordinary code provision 3.6.3

#### Employment of children and young people – casino

##### All non-remote casino licences

- 1 Licensees who employ children (under-16-year-olds) and young persons (those aged 16 and 17) should be aware that it is an offence:
  - a to employ them to provide facilities for gambling;
  - b if gaming machines are sited on the premises, for their contracts of employment to require them, or for them to be permitted, to perform a function in connection with a gaming machine at any time; and
  - c to employ them to carry out any other function on casino licensed premises while any gambling activity is being carried on in reliance on the premises licence (except that they can be employed on a part of regional casino premises when that part of the

premises is not being used for the provision of facilities for gambling).

- 2 As to **1b**, it should be noted that in the Commission's view the relevant provision of the Act applies to any function performed in connection with a gaming machine. This includes servicing or cleaning such a machine.
- 3 Accordingly, licensees should have and put into effect policies and procedures designed to ensure that:
  - a children and young persons are never asked to perform tasks within **1a** or **1b** above
  - b all staff, including those who are children or young persons themselves, are instructed about the laws relating to access to gambling by children and young persons.
- 4 Licensees should consider adopting a policy that:
  - a children and young persons are not employed to work on casino licensed premises (other than in an area of a regional casino where gambling does not take place) at any time when the premises are open for business
  - b gaming machines are turned off if children and young persons are working on the premises outside the hours when the premises are open for business.

#### **Ordinary code provision 3.6.4**

##### **Employment of children and young people – betting**

##### **All non-remote general, pool betting and remote betting intermediary (trading rooms only) licences**

- 1 Licensees who employ children (under-16-year-olds) and young persons (those aged 16 and 17) should be aware that it is an offence:
  - a to employ children to provide facilities for gambling in connection with football pools;
  - b otherwise to employ children and young persons to provide facilities for gambling;
  - c if gaming machines are sited on the premises, for their contracts of employment to require them, or for them to be permitted, to perform a function in connection with a gaming machine at any time; and
  - d to employ them to carry out any other function on betting licensed premises while any gambling activity is being carried on in reliance on the premises licence.
- 2 As to **1c**, it should be noted that in the Commission's view the relevant provision of the Act applies to any function performed in connection with a gaming machine. This includes servicing or cleaning such a machine.
- 3 Accordingly, licensees should have and put into effect policies and procedures designed to ensure that:
  - a children are never asked to perform tasks within **1a** above
  - b children and young persons are never asked to perform tasks within **1b** above
  - c all staff, including those who are children or young persons themselves, are instructed about the laws relating to access to gambling by children and young persons.
- 4 Licensees should consider adopting a policy that:
  - a children and young persons are not employed to work on betting licensed premises at any time when the premises are open for business
  - b gaming machines are turned off if children and young persons are working on the premises outside the hours when the premises are open for business.



**Ordinary code provision 3.6.5**  
**Employment of children and young people – AGCs**  
**All adult gaming centre licences**

- 1** Licensees who employ children (under-16-year-olds) and young persons (those aged 16 and 17) should be aware that it is an offence:
  - a** to employ them to provide facilities for gambling;
  - b** if gaming machines are sited on the premises, for their contracts of employment to require them, or for them to be permitted, to perform a function in connection with a gaming machine at any time; and
  - c** to employ them to carry out any other function on adult gaming centre licensed premises while any gambling activity is being carried on in reliance on the premises licence.
- 2** As to **1b**, it should be noted that in the Commission's view the relevant provision of the Act applies to any function performed in connection with a gaming machine. This includes servicing or cleaning such a machine.
- 3** Accordingly, licensees should have and put into effect policies and procedures designed to ensure that:
  - a** children and young persons are never asked to perform tasks within **1a or 1b**, above
  - b** all staff, including those who are children or young persons themselves, are instructed about the laws relating to access to gambling by children and young persons.
- 4** Licensees should consider adopting a policy that:
  - a** children and young persons are not employed to work on adult gaming centre licensed premises at any time when the premises are open for business
  - b** gaming machines are turned off if children and young persons are working on the premises outside the hours when the premises are open for business.

**Ordinary code provision 3.6.6**  
**Employment of children and young people – FECs**  
**All family entertainment centre licences**

- 1** Licensees who employ children (under-16-year-olds) and young persons (those aged 16 and 17) should be aware that it is an offence:
  - a** to employ them to provide facilities for gambling; and
  - b** if gaming machines are sited on the premises, for their contracts of employment to require them, or for them to be permitted, to perform a function in connection with a gaming machine at any time.
- 2** As to **1b**, it should be noted that in the Commission's view the relevant provision of the Act applies to any function performed in connection with a gaming machine. This includes servicing or cleaning such a machine.
- 3** Accordingly, licensees should have and put into effect policies and procedures designed to ensure that:
  - a** children and young persons are never asked to perform tasks within **1a or 1b**, above; and
  - b** all staff, including those who are children or young persons themselves, are instructed about the laws relating to access to gambling by children and young persons.
- 4** Licensees should consider adopting a policy that:
  - a** children and young persons are not employed to carry out any work in an adult-only area of family entertainment licensed premises at a time when any gambling is taking place; and
  - b** gaming machines sited in adult-only areas are turned off if children and young persons are working on the premises outside the hours when the premises are open for business.

**Ordinary code provision 3.6.7**

**Employment of children and young people – remote**

**All remote licences, except remote lottery, remote pool betting, remote gaming machine technical, remote gambling software, ancillary remote bingo, ancillary remote casino and remote betting intermediary (trading rooms only) licences**

- 1** Licensees who employ children (under-16-year-olds) and young persons (those aged 16 and 17) should be aware that it is an offence to employ them to provide facilities for gambling.

**Ordinary code provision 3.6.8**

**Employment of children and young people – remote pool betting**

**All remote pool betting licences**

- 1** Licensees who employ children (under-16-year-olds) and young persons (those aged 16 and 17) should be aware that it is an offence:
  - a** to employ children to provide facilities for gambling in connection with football pools; and
  - b** otherwise to employ children and young persons to provide facilities for gambling.

## 3.7 Provision of credit by licensees and the use of credit cards

### Social responsibility code provision 3.7.1

#### Credit cards

**All non-remote general betting licences (except where betting is offered under a 2005 Act casino premises licence), pool betting, betting intermediary and all remote licences, except gaming machine technical, gambling software, host, ancillary remote casino, ancillary remote bingo and remote betting intermediary (trading rooms only) licences**

- 1** Licensees who choose to accept credit cards must:
  - a** accept payment by credit card for gambling only where that payment is made to a customer account
  - b** make available for gambling, funds deposited via credit card only after the card issuer has approved the transaction.

### Social responsibility code provision 3.7.2

#### Provision of credit

**All non-remote general betting licences(except where betting is offered under a 2005 Act casino premises licence), pool betting licences and all remote licences (including ancillary remote betting licences), except gaming machine technical, gambling software, host, ancillary remote casino, ancillary remote bingo and remote betting intermediary (trading rooms only) licences**

- 1** Licensees who choose to offer credit to members of the public who are not themselves gambling operators must also:
  - a** have procedures for checking and scoring applications for credit from such customers, for setting, and for the increase of, credit limits
  - b** explain these procedures to customers
  - c** set a maximum credit limit for each customer and not permit customers to exceed that limit without further application
  - d** apply a 24-hour delay between receiving a request for an increase in a credit limit and granting it in those cases where the limit exceeds that which the operator previously set
  - e** not require a minimum spend within a set time period
  - f** take all reasonable steps to ensure that offers of credit are not sent to vulnerable persons, including those who have self-excluded from gambling
  - g** ensure that information about an offer of credit includes a risk warning of what may happen in the event of default.

## 3.8 Money lending between customers

### Ordinary code provision 3.8.1

#### Money-lending - casinos

##### All non-remote casino licences

- 1 Licensees should take steps to prevent systematic or organised money lending between customers on their premises.
- 2 While the nature of those steps will depend to some extent on the layout and size of the premises, they should cover matters such as:
  - a systems for monitoring for such activity;
  - b instructions to staff concerning what they should do if they spot what they believe to be significant money lending and to managers about the ways in which they should handle and act on any such lending; and
  - c excluding from the premises, either temporarily or permanently as appropriate, any person whom the evidence suggests has become involved in organised or systematic money lending.
- 3 There should be appropriate arrangements in place to cover any cases where it appears that the lending may be commercial in nature or may involve money laundering. In the latter case, the requirements in respect of reporting suspicious transactions must be followed. In all cases where the operator encounters systematic or organised money lending, a report should be made to the Commission.

### Ordinary code provision 3.8.2

#### Money-lending – other than casinos

##### All non-remote bingo, general betting, adult gaming centre, family entertainment centre and remote betting intermediary (trading rooms only) licences

- 1 Licensees should seek to prevent systematic or organised money lending between customers on their premises. As a minimum, they should have arrangements in place to ensure staff are requested to report any instances of substantial money lending when they become aware of them.

## 3.9 Identification of individual customers

### Social responsibility code 3.9.1

#### Identification of individual customers - remote

**All remote licences (including ancillary remote betting licences) except gaming machine technical, gambling software, host, ancillary remote bingo, ancillary remote casino and remote betting intermediary (trading rooms only) licences**

- 1 Licensees must have and put into effect policies and procedures designed to identify separate accounts which are held by the same individual.
- 2 Where licensees allow customers to hold more than one account with them, the licensee must have and put into effect procedures which enable them to relate each of a customer's such accounts to each of the others and ensure that:
  - a if a customer opts to self-exclude they are effectively excluded from all gambling with the licensee unless they make it clear that their request relates only to some forms of gambling or gambling using only some of the accounts they hold with the licensee;
  - b all of a customer's accounts are monitored and decisions that trigger customer interaction are based on the observed behaviour and transactions across all the accounts;
  - c where credit is offered or allowed the maximum credit limit is applied on an aggregate basis across all accounts; and
  - d individual financial limits can be implemented across all of a customer's accounts.
- 3 Licensees which are companies or other bodies corporate must take all reasonable steps to comply with the above provision as if reference to a customer holding more than one account with them included a reference to a customer holding one or more accounts with them and one or more accounts with a group company.
- 4 A company is a 'group company' in relation to a licensee if it is the holding company of, subsidiary of, or shares a common holding company with, the licensee. For these purposes 'holding company' and 'subsidiary' have the meanings ascribed to them by section 1159 of the Companies Act 2006 or any statutory modification or re-enactment thereof.

## 4 'Fair and open' provisions

### 4.1 Fair terms

#### Social responsibility code provision 4.1.1

##### Fair terms

##### All licences, except gaming machine technical and gambling software licences

- 1 Licensees must be able to provide evidence to the Commission, if required, showing how they satisfied themselves that their terms are not unfair.

### 4.2 Display of rules and supervision of games

#### Social responsibility code provision 4.2.1

##### Display of rules - casino

##### All non-remote casino licences

- 1 In complying with any condition on a casino premises licence requiring the display of rules about gaming, licensees must ensure that the following are included:
  - a the rules of each type of casino game available to be played
  - b a player's guide to the house edge
  - c a player's guide to the rules of any equal chance games which are made available.

#### Social responsibility code provision 4.2.2

##### Display of rules - bingo

##### All non-remote bingo licences

- 1 In complying with any condition on a bingo premises licence or a 2005 Act large casino premises licence requiring the display of rules about gaming, licensees must ensure that the following are included:
  - a rules about each variant of bingo made available; and
  - b rules about any prize gaming made available.

#### Social responsibility code provision 4.2.3

##### Display of rules – remote SR code

##### All remote licences (including ancillary remote betting licences), except gaming machine technical, gambling software, ancillary remote bingo, ancillary remote casino and remote betting intermediary (trading rooms only) licences

- 1 Licensees must make the following available to customers:
  - a a player's guide to each gambling opportunity (bet, game or lottery) made available by the operator; and
  - b such additional information relating to the available gambling as the Commission shall from time to time publish to licensees: the current requirements are set out in the Commission's *Remote gambling and software technical standards*.

#### **Ordinary code provision 4.2.4**

##### **Display of rules - remote ordinary code**

**All remote licences (including ancillary remote betting licences), except gaming machine technical, gambling software, ancillary remote bingo, ancillary remote casino and remote betting intermediary (trading rooms only) licences**

- 1** Where practicable, the player's guide and additional information referred to in the social responsibility code **4.2.3** should be made available through the medium in which the remote gambling is to be conducted. Where that is not practicable, licensees should either:
  - a** send a copy of the guide and required additional information by post, fax or email; or
  - b** make these available to the customer in another medium to which he has access.

#### **Social responsibility code provision 4.2.5**

##### **Supervision of games**

##### **All non-remote casino licences**

- 1** Licensees must have and put into effect policies and procedures designed to ensure that proper supervision of gaming at tables is carried out by supervisors, pit bosses and croupiers in order to ensure the integrity of the gaming is not compromised. Such policies and procedures must take into account, but need not be limited by, any mandatory premises licence conditions relating to the layout of premises.

#### **Social responsibility code provision 4.2.6**

##### **Display of rules – betting**

**All general betting and betting intermediary licences, except remote betting intermediary (trading rooms only) licences**

- 1** Licensees must set out within the full rules that they make available, the core elements for the acceptance and settlement of bets. These rules must cover:
  - a** the circumstances under which the operator will void a bet;
  - b** treatment of errors, late bets and related contingencies;
  - c** availability of odds for any ante-post, early show or starting price betting, and treatment of place, forecast bets etc;
  - d** treatment of withdrawals, non-runners, and reformed markets;
  - e** maximum payout limiting liability for a specific betting product or generally;
  - f** any charges made to customers for the use of betting services or products, and how these are calculated (including deductions from winnings for commission, or in respect of withdrawn horses etc);
  - g** means or medium by which the outcome of an event will be determined;
  - h** the rules for the event itself to be specified (eg horserace bets only to be accepted; where the racing is subject to British Horseracing Authority rules);
  - i** where bets are accepted on 'pari-mutuel' terms; and
  - j** any special arrangements for settling bets on 'coupled' horses.
- 2** Where special rules have been agreed in relation to a particular bet these must not be overridden by any conflicting rules or subsequent rule changes.
- 3** Licensees must issue a betting slip or an electronic acknowledgement (other than in the case of telephone betting) for each transaction which includes information as to the operator's name and contact details, and words equivalent to 'Bets are accepted in accordance with the operator's rules'.

## **Social responsibility code 4.2.7**

### **Display of rules – on-course betting**

#### **All non-remote general betting licences**

- 1** When providing facilities for betting on-course, licensees must display on their 'joints' in an intelligible format:
  - a** any rules that differ from the relevant racecourse rules on betting, such as Tattersalls' 'Rules on Betting'<sup>1</sup>;
  - b** any types of unorthodox bets accepted (such as forecast betting, betting without the favourite, distance betting etc);
  - c** whether win-only or each way bets are accepted;
  - d** any concessions or bonuses offered;
  - e** all of the runners and the odds available to the public;
  - f** the operator's trading name;
  - g** the minimum bet accepted; and
  - h** any applicable maximum payout.
  
- 2** Licensees operating within the ring at horserace tracks<sup>2</sup> must issue customers with a betting slip or ticket for each transaction accepted. Betting slips or tickets must include the following information:
  - a** operator's name and contact details;
  - b** race day name or code, date and race number;
  - c** name and/or number of the selection;
  - d** the stake, odds and potential return or whether the bet will be settled according to Starting Price; and
  - e** the type of bet.
  
- 3** Any special rules which have been agreed in relation to a particular bet must not be overridden by any conflicting rules or subsequent rule changes.

<sup>1</sup> The references to Tattersalls' 'Rules on Betting' reflect the current position and may need to be amended in future

<sup>2</sup> Licensees operating under the provision of an occasional use notice (eg point-to-points) must ensure ledger systems are capable of providing the information listed here.

## **Ordinary code provision 4.2.8**

### **Betting integrity**

#### **All betting operating licences, including betting intermediary, ancillary remote betting and remote betting intermediary (trading rooms only) licences**

- 1** Where licensees offer to accept bets, or facilitate the making or acceptance of bets between others, on the outcome of a sport regulated by a sport governing body for the time being included in Part 3 of Schedule 6 of the Act, they should take all reasonable steps to familiarise themselves with the rules applied by that body on betting, in particular betting by registered participants.
  
- 2** Licensees should ensure that a condition of their accepting bets is that for a bet to be valid, customers placing such bets must not be in breach of any rules about irregular and/or suspicious betting or misuse of inside information relevant to a sports governing body, other professional body of which they are a member, or their employers. Where a breach of these rules is identified, licensees should then take steps to void the bet.



### **Social responsibility code provision 4.2.9**

#### **Display of rules – pool betting**

##### **All pool betting licences**

- 1** Licensees or any person they authorise to offer pool betting on their behalf under authority of section 93 of the Act must publish their rules relevant to the following:
  - a** the deduction levels for overheads, taxes, profits etc, expressed as a percentage, from each available pool;
  - b** the rounding of winning dividends to a whole unit;
  - c** the procedure for when there is no winner of the pool, and the circumstances in which the pool is carried over; and
  - d** the period of time in which a winning bet may be claimed from the pool operator.

### **Social responsibility code provision 4.2.10**

#### **Pool betting on dog races**

##### **All non-remote pool betting licences authorised to offer pool betting on dog races**

- 1** Licensees or any person they authorise to offer pool betting on their behalf under authority of section 93 of the Act, must only accept bets through equipment capable of communicating bets to a central recording system.
- 2** The equipment must supply the person placing the bet with a betting slip or ticket containing the following information:
  - a** the date on which the bet is made;
  - b** the amount of the stake;
  - c** the identity of the track, the number or time of the race and the pool in respect of which the bet is made;
  - d** the selection or selections or combination of selections as indicated; and
  - e** means of identifying the equipment recording the bet.
- 3** The central recording system must collect all bets made to each of the operator's pools and all information required to calculate the winnings of each pool and be capable of storing this information for subsequent retrieval if required by the Commission.
- 4** Licensees and any person they authorise to offer pool betting on their behalf under authority of section 93 of the Act must:
  - a** provide a public display system within sight of all of the operator's terminals capable of accepting pool bets situated on-course. The system must display the potential dividend returns in respect of win and place outcomes from each pool operated, and in at least one place the units staked on all types of combination bets offered. This information is to be updated whilst the pool market is open. Following conclusion of the event to which the pool relates, the total amount payable as winning dividends must be displayed as soon as practicable; and
  - b** display prominently the minimum stake that will be accepted as a bet.

## 4.3 Additional consumer information

### **Social responsibility code provision 4.3.1**

#### **Publication of percentage of lottery proceeds returned to the purposes of the society or local authority**

##### **All lottery operating licences issued to non-commercial societies and local authorities**

- 1 Each year, licensees must publish details on the percentage of the total proceeds of lotteries promoted in the previous calendar year in reliance on this licence applied to purposes for which the society is conducted, or purposes for which the local authority has power to incur expenditure. This should be through either their annual report, lottery page of their society website or any other means appropriate to the size and scale of the organisation

### **Social responsibility code provision 4.3.2**

#### **Marketing of all lotteries conducted under a single brand (branded lotteries)**

##### **All lottery operating licences issued to non-commercial societies, local authorities and external lottery managers**

- 1 Where a number of society lotteries are promoted under one brand (also known as a branded lottery<sup>1</sup>), whether with an ELM or not, licensees must ensure that it is clear to consumers (or potential consumers), which society lotteries are being promoted.
- 2 The requirement in (1) must be made clear to consumers within any marketing communications, advertisements, promotions or any information surrounding the draw, winners and beneficiaries; and through any ticket documentation.

<sup>1</sup> a scheme whereby multiple societies promote lotteries under a common brand name or image, either on rotation with other societies or as a regular occurrence for that single society.

## 5 Marketing

### 5.1 Rewards and bonuses

#### **Social responsibility code provision 5.1.1**

##### **Rewards and bonuses – SR code**

**All licences (including ancillary remote licences), except gaming machine technical and gambling software licences**

- 1 If a licensee makes available to any customer or potential customer any incentive or reward scheme or other arrangement under which the customer may receive money, goods, services or any other advantage (including the discharge in whole or in part of any liability of his) ('the benefit') the scheme must be designed to operate, and be operated, in such a way that:
  - a the circumstances in which, and conditions subject to which, the benefit is available are clearly set out and readily accessible to the customers to whom it is offered;
  - b neither the receipt nor the value or amount of the benefit is:
    - i dependent on the customer gambling for a pre-determined length of time or with a pre-determined frequency; or
    - ii altered or increased if the qualifying activity or spend is reached within a shorter time than the whole period over which the benefit is offered.
  - c if the value of the benefit increases with the amount the customer spends it does so at a rate no greater than that at which the amount spent increases; and further that:
  - d if the benefit comprises free or subsidised travel or accommodation which facilitates the customer's attendance at particular licensed premises the terms on which it is offered are not directly related to the level of the customer's prospective gambling.

#### **Ordinary code provision 5.1.2**

##### **Proportionate rewards**

**All licences (including ancillary remote licences), except gaming machine technical and gambling software licences**

- 1 Licensees should only offer incentive or reward schemes in which the benefit available is proportionate to the type and level of customers' gambling.

#### **Social responsibility code provision 5.1.3**

##### **Alcoholic drinks**

**All non-remote bingo and casino licences**

- 1 If licensees offer customers free or discounted alcoholic drinks for consumption on the premises they must do so on terms which do not in any way link the availability of such drinks to whether, or when, the customer begins, or continues, to gamble.
- 2 Licensees must not make unsolicited offers of free alcoholic drinks for immediate consumption by customers at a time when they are participating in gambling activities.

#### **Social responsibility code provision 5.1.4**

##### **Promotion by agents**

##### **All non-remote casino licences**

- 1** Where a licensee employs agents to promote its business (wherever that business is conducted), it must ensure that its agreement with any agent makes clear that the agent must not encourage players to play longer or wager more than the player might otherwise do. In particular, payments should not be directly dependent upon, nor directly calculated by reference to, the length of time for which, or frequency with which, the customer gambles. If the payment to the agent increases with the amount the customer spends it must do so at a rate no greater than that at which the amount spent increases.

#### **Ordinary code provision 5.1.5**

##### **Mailing of lottery tickets**

##### **All lottery licences**

- 1** With a view to minimising the risk of fraud, licensees who are non-commercial societies or external lottery managers should adopt one or more of the following measures:
  - a** prohibit the unsolicited mailing of tickets to non-members of the promoting society
  - b** limit the value of tickets sent to any one address which is not that of a member of the promoting society to £20
  - c** maintain records of tickets distributed and not returned.

**Ordinary code provision 5.1.6**  
**Compliance with advertising codes**  
**All licences, except lottery licences**

- 1** All advertising of gambling products and services should be undertaken in a socially responsible manner. In particular, licensees should comply with the advertising codes of practice issued by the Committee of Advertising Practice (CAP) and the Broadcast Committee of Advertising Practice (BCAP) which apply to the form and media in which they advertise their gambling facilities or services. For media not explicitly covered, licensees should apply the principles included in these codes of practice as if they were explicitly covered. Licensees should also follow any relevant industry code of practice on advertising, notably the Gambling Industry Code for Socially Responsible Advertising.
- 2** Licensees should also have regard to the CAP and BCAP 'Guidance on the rules for gambling advertisements' which contains a specific section on 'Misleadingness': 'free bets', or any equivalent guidance that either body may issue in future.
- 3** Marketing communications must not include a child or young person. No-one who is, or seems to be under 25 years old may be featured gambling. No-one may behave in an adolescent, juvenile or loutish way. However, the restriction on allowing people who are, or seem to be, under 25 years old (ie: those in the 18-24 age bracket) to appear in marketing communications need not be applied:
  - a** In the case of non-remote point of sale advertising material, provided that the images used depict the sporting or other activity that may be gambled on and not the activity of gambling itself and do not offend any other aspect of the advertising codes.
  - b** In the case of remote gambling, provided that the images 'appear in a place where a bet can be placed directly through a transactional facility, for instance, a gambling operator's own website. The individual may only be used to illustrate specific betting selections where the individual is the subject of the bet offered. The image or other depiction used must show them in the context of the bet and not in a gambling context' (as provided in the Gambling section of the CAP code)<sup>1</sup>.

<sup>1</sup>This is currently set out in CAP code rule 16.3.14.

## **Social responsibility code provision 5.1.7**

### **Marketing of offers**

#### **All licences**

- 1** Licensees must satisfy themselves that their marketing communications, advertisements, and invitations to purchase (within the meaning of the Consumer Protection from Unfair Trading Regulations 2008), including 'free bet' offers, do not amount to or involve misleading actions or misleading omissions within the meaning of those Regulations.
- 2** Licensees must abide by any relevant provision of the CAP or BCAP code, as the case may be, which relates to 'free bet', 'bonus' or similar offers and in that regard follow the CAP and BCAP 'Guidance on the rules for gambling advertisements'. In particular that:
  - a** Marketing communications (which include advertisements) must state significant limitations and qualifications. Qualifications may clarify but must not contradict the claims that they qualify.
  - b** Marketing communications that include a promotion and are significantly limited by time or space must include as much information about significant conditions as practicable and must direct consumers clearly to an easily accessible alternative source where all the significant conditions of the promotion are prominently stated. Participants should be able to retain those conditions or easily access them throughout the promotion.
  - c** Terms and conditions relating to consumers' understanding of a 'free bet' offer and of the commitments that they have to make in order to take advantage of such an offer should generally be stated in the advertisement itself. Where the advertisement is limited by time or space (for example a banner advertisement), significant conditions likely to affect a consumer's decision to participate in promotions should be displayed no further than one click away from the advertisement itself. If the significant conditions are not displayed with sufficient prominence, the advertisement will be seen as misleading.
- 3** The terms and conditions of each marketing incentive must be made available for the full duration of the promotion.

## **Ordinary code provision 5.1.8**

### **Online marketing in proximity to information on responsible gambling**

#### **All licences**

- 1** Licensees should ensure that no advertising or other marketing information, whether relating to specific offers or to gambling generally, appears on any primary web page/screen, or micro site that provides advice or information on responsible gambling.

### **Ordinary code provision 5.1.9**

#### **Compliance with advertising codes (lotteries)**

##### **All lottery licences**

- 1** All advertising of gambling products and services should be undertaken in a socially responsible manner. In particular, licensees should comply with the advertising codes of practice issued by the Committee of Advertising Practice (CAP) and the Broadcast Committee of Advertising Practice (BCAP) which apply to the form and media in which they advertise their gambling facilities or services. For media not explicitly covered, licensees should apply the principles included in these codes of practice as if they were explicitly covered. Licensees should also follow any relevant industry code of practice on advertising, notably the Gambling Industry Code for Socially Responsible Advertising.
- 2** Licensees should also have regard to any guidance that CAP and BCAP may issue about advertising lotteries.
- 3** No-one who is, or seems to be under 25 years old may be featured gambling.

## 6 Complaints and disputes

### 6.1 Complaints and disputes

#### **Social responsibility code provision 6.1.1**

#### **Complaints and disputes**

#### **All licences (including ancillary remote licensees) except gaming machine technical and gambling software licences**

- 1 Licensees must put into effect a written procedure for handling customer complaints and disputes.
- 2 Licensees must also ensure that they have arrangements in place for customers to be able to refer any dispute to an ADR entity if not resolved to the customer's satisfaction by use of their complaints procedure. It is permissible for licensees to have arrangements with more than one ADR entity and for customers to be directed to different ADR entities depending on the nature and subject matter of the dispute.
- 3 It is permissible for any such ADR entity to have terms enabling it to reject complaints referred for dispute resolution on the basis they are frivolous or vexatious but licensees may not refuse to refer disputes on that ground.
- 4 The services of any such ADR entity must be free of charge to the customer and must not be subject to terms which restrict, or purport to restrict, the customer's right to bring proceedings against the licensee in any court of competent jurisdiction. Such terms may, however, provide for an agreed resolution of a dispute (arrived at with the assistance of the ADR entity) to be binding on both parties.
- 5 In this code a 'complaint' means a complaint about any aspect of the licensee's conduct of the licensed activities, and a 'dispute' is any complaint which:
  - a relates to the outcome of the complainant's gambling transaction; and
  - b is not resolved at the first stage of the licensee's complaints procedure.
- 6 Licensees must ensure that:
  - a information about their complaints procedure is set out in their terms and conditions;
  - b such information is also readily accessible on the gambling premises or website as the case may be;
  - c such information includes details of how to make a complaint to the licensee and the relevant contact details;
  - d such information includes the identity (with contact details, which can be by way of a link from the licensee's website) of the ADR entity or entities to whom disputes can normally be referred and, where necessary, details of any limitation on the nature and subject matter of disputes with which a particular ADR entity deals
  - e customers are given a copy of the complaints procedure on request or on making a complaint; and
  - f all complaints are handled in accordance with the procedure.
- 7 Should licensees refer a dispute to an ADR entity other than one in respect of which contact details were given in accordance with 6 above they must, at the same time as making the reference, inform the Commission of the reference and reason for selection of the ADR entity concerned.
- 8 Licensees must keep a record of all complaints that are not resolved at the first stage of the complaints procedure.
- 9 Licensees must arrange for a copy of the decision on, or a note of the outcome of, each dispute referred to an ADR entity to be provided to the Commission, either by the ADR entity or by the licensee. This information should be provided in such format and within such timescale as the Commission may from time to time specify.



**10** Licensees must also arrange for any outcome adverse to the licensee of any proceedings taken against the licensee (in whatever jurisdiction) by a customer in relation to a gambling transaction to be notified to the Commission as a key event; but excluding proceedings allocated to the County Court small claims track or equivalent in jurisdictions outside England and Wales.

In this Code, 'ADR entity' means a person offering alternative dispute resolution services whose name appears on the list maintained by the Gambling Commission in accordance with *The Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015*.

## 7 Gambling licensees' staff

### 7.1 Gambling licensees' staff

#### **Social responsibility code provision 7.1.1**

##### **Gambling staff – casinos**

##### **All non-remote casino licences**

- 1 Licensees must have and put into effect policies and procedures to manage relationships between staff and customers, based on the principle that in carrying out their duties staff must not engage in any conduct which is, or could be, likely to prejudice the licensing objectives.

#### **Social responsibility code provision 7.1.2**

##### **Responsible gambling information for staff**

##### **All licences, including betting ancillary remote licences, but not other ancillary remote licences**

- 1 Licensees must take all reasonable steps to ensure that staff involved in the provision of facilities for gambling are made aware of advice on socially responsible gambling and of where to get confidential advice should their gambling become hard to control.

#### **Ordinary code provision 7.1.3**

##### **Gambling staff and irregular betting**

##### **All betting operating licences**

- 1 Licensees should have employment policies that:
  - require employees to report any indicators of irregular and/or suspicious betting to their employer; and
  - prohibit their employees from using information related to irregular and/or suspicious betting for the purpose of placing their own wagers, either with their employer or with other operators.

## 8 Information requirements

### 8.1 Information requirements

#### Ordinary code provision 8.1.1

##### Information requirements – ordinary code

###### All licences

- 1 As stated earlier in this code, the Commission expects licensees to work with the Commission in an open and cooperative way and to inform the Commission of any matters that the Commission would reasonably need to be aware of in exercising its regulatory functions. These include in particular matters that will have a material impact on the licensee's business or on the licensee's ability to conduct licensed activities compliantly and consistently with the licensing objectives.
- 2 Thus, licensees should notify the Commission, or ensure that the Commission is notified, as soon as reasonably practicable and in such form and manner as the Commission may from time to time specify<sup>1</sup>, of any matters which in their view could have a material impact on their business or affect compliance. The Commission would, in particular, expect to be notified of the occurrence of any of the following events in so far as not already notified in accordance with the conditions attached to the licensee's licence<sup>2</sup>:
  - a any material change in the licensee's structure or the operation of its business
  - b any material change in managerial responsibilities or governance arrangements
  - c any report from an internal or external auditor expressing, or giving rise to, concerns about material shortcomings in the management control or oversight of any aspect of the licensee's business related to the provision of gambling facilities.

<sup>1</sup> These matters can be reported securely online at the Commission's website through our eServices system

[www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk)

Alternatively, for operators unable to access this system, you can these events by email to:

[key.events@gamblingcommission.gov.uk](mailto:key.events@gamblingcommission.gov.uk)

<sup>2</sup> Events which **must** be reported, because the Commission considers them likely to have a material impact on the nature or structure of a licensee's business, are set out in general licence condition 15.2.1

#### Ordinary code provision 8.1.2

##### Provision of information in respect of cheating

###### All betting operating licences including betting intermediary, ancillary remote betting and remote betting intermediary (trading room only)

- 1 In considering their obligations under licence condition **15.1.2** licensees should in particular keep in mind the scope of the offence of cheating. The Commission would expect to be notified of any information a licensee has which causes them to know or suspect that there has been interference or attempted interference with:
  - a an event which has taken or is taking place in Great Britain on which bets have been or are likely to be or to have been placed (whether in Great Britain or elsewhere); or
  - b an event which has taken or is taking place outside Great Britain on which bets have been or are likely to be or to have been placed in Great Britain.

## 9 Gaming machines in gambling premises

### 9.1 Gaming machines in gambling premises

#### **Social responsibility code provision 9.1.1**

##### **Gaming machines in gambling premises – betting**

###### **All non-remote general betting operating licences, except where betting is offered under a 2005 Act casino premises licence**

- 1 Gaming machines may be made available for use in licensed betting premises only where there are also substantive facilities for non-remote betting, provided in reliance on this licence, available in the premises.
- 2 Facilities for gambling must only be offered in a manner which provides for appropriate supervision of those facilities by staff at all times.
- 3 Licensees must ensure that the function along with the internal and/or external presentation of the premises are such that a customer can reasonably be expected to recognise that it is a premises licensed for the purposes of providing betting facilities.

#### **Social responsibility code provision 9.1.2**

##### **Gaming machines in gambling premises – bingo**

###### **All non-remote bingo operating licences**

- 1 Gaming machines may be made available for use in licensed bingo premises only where there are also substantive facilities for non-remote bingo, provided in reliance on this licence, available in the premises.
- 2 Facilities for gambling must only be offered in a manner which provides for appropriate supervision of those facilities by staff at all times.
- 3 Licensees must ensure that the function along with the internal and/or external presentation of the premises are such that a customer can reasonably be expected to recognise that it is a premises licensed for the purposes of providing bingo facilities.

#### **Social responsibility code provision 9.1.3**

##### **Gaming machines in gambling premises – casino**

###### **All non-remote casino operating licences, except 2005 Act operating licences**

- 1 Gaming machines may be made available for use in licensed casino premises only where there are also substantive facilities for non-remote casino games and/or games of equal chance, provided in reliance on this licence, available in the premises.
- 2 Facilities for gambling must only be offered in a manner which provides for appropriate supervision of those facilities by staff at all times.
- 3 Licensees must ensure that the function along with the internal and/or external presentation of the premises are such that a customer can reasonably be expected to recognise that it is a premises licensed for the purposes of providing facilities for casino games and/or games of equal chance.

## 10 Assessing local risk

### 10.1 Assessing local risk

#### **Social responsibility code provision 10.1.1**

##### **Assessing local risk**

**All non-remote casino, adult gaming centre, bingo, family entertainment centre, betting and remote betting intermediary (trading room only) licences, except non-remote general betting (limited) and betting intermediary licences.**

- 1 Licensees must assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and have policies, procedures and control measures to mitigate those risks. In making risk assessments, licensees must take into account relevant matters identified in the licensing authority's statement of licensing policy<sup>1</sup>.
- 2 Licensees must review (and update as necessary) their local risk assessments:
  - a to take account of significant changes in local circumstances, including those identified in a licensing authority's statement of licensing policy;
  - b when there are significant changes at a licensee's premises that may affect their mitigation of local risks;
  - c when applying for a variation of a premises licence; and
  - d in any case, undertake a local risk assessment when applying for a new premises licence.

<sup>1</sup>This is the statement of licensing policy under the Gambling Act 2005.

#### **Ordinary code provision 10.1.2**

##### **Sharing local risk assessments**

**All non-remote casino, adult gaming centre, bingo, family entertainment centre, betting and remote betting intermediary (trading room only) licences, except non-remote general betting (limited) and betting intermediary licences**

- 1 Licensees should share their risk assessment with licensing authorities when applying for a premises licence or applying for a variation to existing licensed premises, or otherwise on request.

## Part III

### Suite of general conditions to be attached to personal licences under Section 75 of the Gambling Act 2005

#### Personal licence conditions

##### All personal licence holders

- 1** Personal licence holders must take all reasonable steps to ensure that the way in which they carry out their responsibilities in relation to licensed activities does not place the holder of the operating or any relevant premises licence in breach of their licence conditions.
- 2** Personal licence holders must keep themselves informed of developments in gambling legislation, codes of practice and any Commission guidance (whether issued on the Commission's website or communicated directly to licence holders) relevant to their role. Holders of personal functional licences must keep their technical competence in respect of their licensed activities up to date.
- 3** Personal licence holders must notify the Commission of the occurrence of any of the following key events within five working days, or as soon as reasonable practicable after the licensee becomes aware of the event's occurrence<sup>1</sup>:
  - a** their subjection to any criminal investigation which is listed under Schedule 7 Relevant Offences of the Gambling Act 2005;
  - b** their conviction of any offence listed under Schedule 7 – Relevant Offences of the Gambling Act 2005;
  - c** any current or pending investigation by a professional, statutory, regulatory or government body in Great Britain or abroad;
  - d** the imposition of any sanction or penalty against them following an investigation by any professional, statutory, regulatory or government body in Great Britain or abroad;
  - e** the imposition of a disciplinary sanction against them, including dismissal, for gross misconduct;
  - f** their resignation from a position for which a personal licence is required following commencement of disciplinary proceedings in respect of gross misconduct;
  - g** their disqualification from acting as a company director;
  - h** the presentation of a petition for their bankruptcy or sequestration or their entering into an individual voluntary agreement;
  - i** a change in their name or address.

<sup>1</sup> These matters can be reported securely online at the Commission's website through our eServices system

[www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk)

Alternatively, for operators unable to access this system, you can these events by email to:

[key.events@gamblingcommission.gov.uk](mailto:key.events@gamblingcommission.gov.uk)

# Index of licence conditions

If using an electronic version of this document, please click on the headings to move to the relevant provision.

<b>1</b>	<b>Qualified persons and personal licences</b>	<b>5</b>
1.1	<b>Qualified persons</b>	5
1.1.1 LC	– qualifying position	5
1.1.2 LC	– tracks	5
1.2	<b>Personal licences</b>	6
1.2.1 LC	– personal management licences	6
1.2.2 LC	– casino personal functional licences	7
1.2.3 LC	– lottery personal management licences	7
<b>2</b>	<b>Technical standards, equipment specifications, remote gambling equipment and gambling software</b>	<b>8</b>
2.1	<b>Key equipment</b>	8
2.1.1 LC	Location of key equipment	8
2.1.2 LC	Access to (and provision of data from) key equipment	8
2.2	<b>Gambling software</b>	8
2.2.1 LC	Gambling software	8
2.3	<b>Technical standards and equipment specifications</b>	9
2.3.1 LC	Technical standards	9
2.3.2 LC	Bingo equipment specifications	9
2.3.3 LC	Casino equipment specifications	9
<b>3</b>	<b>Peer to peer gaming, other networks and hosting</b>	<b>10</b>
3.1	<b>Peer to peer gaming, other networks and hosting</b>	10
3.1.1 LC	Peer to peer gaming	10
3.1.2 LC	Other networks	11
3.1.3 LC	Hosting	12
<b>4</b>	<b>Protection of customer funds</b>	<b>13</b>
4.1	<b>Segregation of funds</b>	13
4.1.1 LC	Segregation of funds	13
4.2	<b>Disclosure to customers</b>	13
4.2.1 LC	Disclosure to customers	13
<b>5</b>	<b>Payment</b>	<b>14</b>
5.1	<b>Payment services</b>	14
5.1.1 LC	Cash and cash equivalents	14
5.1.2 LC	Payment methods services	14
<b>6</b>	<b>Provision of credit by licensees and the use of credit cards</b>	<b>14</b>
6.1	<b>Provision of credit</b>	14
6.1.1 LC	Provision of credit	14
<b>7</b>	<b>General ‘fair and open’ provisions</b>	<b>15</b>
7.1	<b>Compliance with terms</b>	15
7.1.1 LC	Compliance with terms	15

## Index of licence conditions (continued)

<b>8</b>	<b>Display of licensed status</b>	<b>16</b>
8.1	<b>Display of licensed status</b>	16
	8.1.1 LC Display of licensed status – remote operators	16
	8.1.2 LC Display of licensed status – B2B operators	16
<b>9</b>	<b>Types and rules of casino and other games</b>	<b>17</b>
9.1	<b>Casino and bingo games</b>	17
	9.1.1 LC Rules of casino games	17
	9.1.2 LC Prohibited bingo prize games	17
<b>10</b>	<b>Tipping of casino employees</b>	<b>17</b>
10.1	<b>Tipping of casino employees</b>	17
	10.1.1 LC Tipping – personal licence holders	17
<b>11</b>	<b>Lotteries</b>	<b>18</b>
11.1	<b>Lotteries – societies and local authorities</b>	18
	11.1.1 LC Lotteries – societies and local authorities	18
11.2	<b>Lotteries – managers</b>	20
	11.2.1 LC Lotteries – managers	20
<b>12</b>	<b>Anti-money laundering</b>	<b>22</b>
12.1	<b>Prevention of money laundering and terrorist financing</b>	22
	12.1.1 LC Prevention of money laundering and terrorist financing	22
	12.1.2 LC Measures for operators based in foreign jurisdictions	22
<b>13</b>	<b>Pool betting</b>	<b>23</b>
13.1	<b>Pool betting</b>	23
	13.1.1 LC Pool betting	23
	13.1.2 LC Pool betting – football pools	23
	13.1.3 LC Pool betting – annual accounts	23
<b>14</b>	<b>Access to premises</b>	<b>23</b>
14.1	<b>Access to premises</b>	23
	14.1.1 LC Access to premises	23
<b>15</b>	<b>Information requirements</b>	<b>24</b>
15.1	<b>Reporting suspicion of offences etc</b>	24
	15.1.1 LC Reporting suspicion of offences etc - non-betting licences	24
	15.1.2 LC Reporting suspicion of offences etc - betting licences	24
15.2	<b>Reporting key events and other reportable events</b>	<b>25</b>
	15.2.1 LC Reporting key events	25
	15.2.2 LC Other reportable events	28
15.3	<b>General and regulatory returns</b>	<b>29</b>
	15.3.1 LC General and regulatory returns	29
<b>16</b>	<b>Responsible placement of digital adverts</b>	<b>29</b>
16.1	<b>Responsible placement of digital adverts</b>	29
	16.1.1 LC Responsible placement of digital adverts	29

# Index of code of practice provisions

If using an electronic version of this document, please click on the headings to move to the relevant provision.

<b>1</b>	<b>General - Cooperation and responsibility for third parties</b>	<b>31</b>
1.1	<b>Cooperation and responsibility for third parties</b>	31
1.1.1	OC Cooperation with the Commission	31
1.1.2	SR Responsibility for third parties – all licences	31
1.1.3	SR Responsibility for third parties – remote	31
<b>2</b>	<b>Financial requirements - Anti-money laundering</b>	<b>32</b>
2.1	<b>Anti-money laundering</b>	32
2.1.1	OC – casino	32
2.1.2	OC – other than casino	32
<b>3</b>	<b>Protection of children and other vulnerable persons</b>	<b>33</b>
3.1	<b>Combating problem gambling</b>	33
3.1.1	SR Combating problem gambling	33
3.2	<b>Access to gambling by children and young persons</b>	<b>34</b>
3.2.1	SR – casinos SR code	34
3.2.2	OC – casinos ordinary code	35
3.2.3	SR – AGC SR code	36
3.2.4	OC – AGC ordinary code	36
3.2.5	SR – bingo and FEC SR code	37
3.2.6	OC – bingo and FEC ordinary code	38
3.2.7	SR – betting SR code	39
3.2.8	OC – betting ordinary code	40
3.2.9	SR – lottery SR code	40
3.2.10	OC – lottery ordinary code	40
3.2.11	SR – remote SR code	41
3.2.12	OC – remote ordinary code	42
3.2.13	SR – remote lottery SR code	42
3.2.14	OC – remote lottery ordinary code	44
3.3	<b>Gambling management tools and responsible gambling information</b>	<b>45</b>
3.3.1	SR Responsible gambling information	45
3.3.2	OC Responsible gambling information – foreign languages	45
3.3.3	SR Betting B2 – time and monetary thresholds	45
3.3.4	SR Remote time-out facility	46
3.4	<b>Customer interaction</b>	<b>47</b>
3.4.1	SR Customer interaction – SR code	47
3.4.2	OC Customer interaction – ordinary code	47
3.4.3	SR Customer Interaction – lotteries SR code	48



## Index of code of practice provisions (continued)

<b>3.5</b>	<b>Self-exclusion</b>	<b>49</b>
3.5.1	SR – non-remote and trading rooms SR code	49
3.5.2	OC – non-remote ordinary code	49
3.5.3	SR – remote SR code	51
3.5.4	OC – remote ordinary code	52
3.5.5	SR – remote multi-operator SR code	53
3.5.6	SR – multi-operator non-remote SR code	53
3.5.7	OC – multi-operator non-remote ordinary code	53
3.5.8	SR – non-remote lottery SR code	54
<b>3.6</b>	<b>Employment of children and young persons</b>	<b>55</b>
3.6.1	OC – lottery and pool betting	55
3.6.2	OC – bingo	55
3.6.3	OC – casino	55
3.6.4	OC – betting	56
3.6.5	OC – AGCs	57
3.6.6	OC – FECs	57
3.6.7	OC – remote	58
3.6.8	OC – remote pool betting	58
<b>3.7</b>	<b>Provision of credit by licensees and the use of credit cards</b>	<b>59</b>
3.7.1	SR Credit cards	59
3.7.2	SR Provision of credit	59
<b>3.8</b>	<b>Money-lending between customers</b>	<b>60</b>
3.8.1	OC – casinos	60
3.8.2	OC – other than casinos	60
<b>3.9</b>	<b>Identification of individual customers</b>	<b>61</b>
3.9.1	SR Identification of individual customers – remote	61
<b>4</b>	<b>'Fair and open' provisions</b>	<b>62</b>
<b>4.1</b>	<b>Fair terms</b>	<b>62</b>
4.1.1	SR Fair terms	62
<b>4.2</b>	<b>Display of rules and supervision of games</b>	<b>62</b>
4.2.1	SR Display of rules – casino	62
4.2.2	SR Display of rules – bingo	62
4.2.3	SR Display of rules – remote SR code	62
4.2.4	OC Display of rules – remote ordinary code	63
4.2.5	SR Supervision of games	63
4.2.6	SR Display of rules – betting	63
4.2.7	SR Display of rules – on-course betting	64
4.2.8	OC Betting integrity	64
4.2.9	SR Display of rules – pool betting	65
4.2.10	SR Pool betting on dog races	65
<b>4.3</b>	<b>Additional consumer information</b>	<b>66</b>
4.3.1	SR Publication of % of lottery proceeds returned	66
4.3.2	SR Marketing of branded lotteries	66

## Index of code of practice provisions (continued)

<b>5</b>	<b>Marketing</b>		<b>67</b>
	<b>5.1</b>	<b>Rewards and bonuses</b>	<b>67</b>
		<b>5.1.1 SR</b> Rewards and bonuses – SR code	67
		<b>5.1.2 OC</b> Proportionate rewards	67
		<b>5.1.3 SR</b> Alcoholic drinks	67
		<b>5.1.4 SR</b> Promotion by agents	68
		<b>5.1.5 OC</b> Mailing of lottery tickets	68
		<b>5.1.6 OC</b> Compliance with advertising codes	69
		<b>5.1.7 SR</b> Marketing of offers	70
		<b>5.1.8 OC</b> Online marketing in proximity to information on responsible gambling	70
		<b>5.1.9 OC</b> Compliance with advertising codes (lotteries)	71
<b>6</b>	<b>Complaints and disputes</b>		<b>72</b>
	<b>6.1</b>	<b>Complaints and disputes</b>	<b>72</b>
		<b>6.1.1 SR</b> Complaints and disputes	72
<b>7</b>	<b>Gambling licensees' staff</b>		<b>73</b>
	<b>7.1</b>	<b>Gambling licensees' staff</b>	<b>73</b>
		<b>7.1.1 SR</b> Gambling staff – casinos	73
		<b>7.1.2 SR</b> Responsible gambling information for staff	73
		<b>7.1.3 OC</b> Gambling staff and irregular betting	73
<b>8</b>	<b>Information requirements</b>		<b>74</b>
	<b>8.1</b>	<b>Information requirements</b>	<b>74</b>
		<b>8.1.1 OC</b> Information requirements – ordinary code	74
		<b>8.1.2 OC</b> Provision of information in respect of cheating	74
<b>9</b>	<b>Gaming machines in gambling premises</b>		<b>75</b>
	<b>9.1</b>	<b>Gaming machines in gambling premises</b>	<b>75</b>
		<b>9.1.1 SR</b> – betting	75
		<b>9.1.2 SR</b> – bingo	75
		<b>9.1.3 SR</b> – casino	75
<b>10</b>	<b>Assessing local risk</b>		<b>76</b>
	<b>10.1</b>	<b>Assessing local risk</b>	<b>76</b>
		<b>10.1.1 SR</b> Assessing local risk	76
		<b>10.1.2 OC</b> Sharing local risk assessments	76

## Part III Personal licence conditions

**77**

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