

**Conditions and codes of practice applicable to
Personal management licences
Personal functional licences**

Extract of
LCCP January 2017 (updated April 2017)

Statutory conditions attached by virtue of the Act

Social responsibility

Statutory conditions applicable to performing management functions

By virtue of section 82 of the Act as modified by The Gambling (Personal Licences) (Modification of Part 5 of the Gambling Act 2005) Regulations 2006, this licence is subject to a condition that the licensee and persons for whom the licensee is responsible ensure compliance with any relevant social responsibility provision of a code of practice issued by the Commission.

The licensee is responsible for a person if the licensee is required, by the terms of their appointment, to take or share responsibility for the conduct of that person and that person performs an operational function in connection with an activity performed in reliance on an operating licence in connection with which the licensee performs the functions authorised by this licence.

The social responsibility provisions that are relevant to the activities authorised by this licence are set out in the Commission's publication "Licence Conditions and Codes of Practice" available on the Commission's website.

Statutory conditions applicable to performing operational functions

By virtue of section 82 of the Act, as modified by The Gambling (Personal Licences) (Modification of Part 5 of the Gambling Act 2005) Regulations 2006, this licence is subject to a condition that the licensee ensures compliance with any relevant social responsibility provision of a code of practice issued by the Commission.

The social responsibility provisions that are relevant to the activities authorised by this licence are set out in the Commission's publication "Licence Conditions and Codes of Practice" available on the Commission's website.

Return of stakes to children

By virtue of section 83 of the Act, as modified by The Gambling (Personal Licences) (Modification of Part 5 of the Gambling Act 2005) Regulations 2006, this licence is subject to a condition that if the licensee becomes aware that a child or young person is using or has used facilities for gambling provided in reliance on an operating licence and in connection with the provision of which the licensee is authorised to perform a specified operational function, the licensee:

- (a) must return any money paid in respect of the use of those facilities (whether by way of fee, stake or otherwise) by the child or young person as soon as is reasonably practicable, and
- (b) may not give a prize to the child or young person.

The above paragraph does not apply where the licensee does not have authority under the terms and conditions of their employment to act in the way required by that paragraph; but in such a case the licensee must take all reasonable steps to inform a person having the appropriate authority of the relevant matters relating to the child or young person concerned.

This condition does not apply to use of a Category D gaming machine.

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 occurrence¹:
 - 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.

¹ These matters can be reported securely online at the Commission's website through our eServices system www.gamblingcommission.gov.uk
Alternatively, for operators unable to access this system, you can these events by email to: key.events@gamblingcommission.gov.uk

Keeping gambling fair and safe for all

www.gamblingcommission.gov.uk