



CONTROLLED MACHINES (EXEMPTION) ORDER 2016

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Gaming (Amendment) Act 1984

CONTROLLED MACHINES (EXEMPTION) ORDER 2016

Approved by Tynwald:

Coming into Operation:

1 March 2016

The Isle of Man Gambling Supervision Commission makes the following Order under 1 (2) of the Gaming (Amendment) Act 1984¹.

1 Title

This Order is the Controlled Machines (Exemption) Order 2016.

2 Commencement

If approved by Tynwald, this Order comes into operation on 1 March 2016.

3 Interpretation

In this Order —

"**bookmaker's permit**" and "**betting office licence**" have the same meanings as in the *Gaming, Betting and Lotteries Act 1988*²;

"**exempt machine**" means an electronic device designed for the purpose of playing games that has the characteristics specified in article 4;

"**licensed person**" means the holder of a bookmaker's permit and a betting office licence.

4 Characteristics of exempt machines

- (1) An electronic device designed for the purpose of playing games of chance is an exempt machine if it has the following characteristics.
- (2) The machine must —
 - (a) provide the player access to information detailing the odds or pay table for a game or series of games; and

¹ 1984 c.17

² 1988 c.17

- (b) enable a player to set limits on the time for which the player may play and the amount the player may spend on a game or on a series of games.
- (3) The machine must provide that play may only be undertaken by a positive choice of a player by means of a "start" or "bet" button or screen icon.
- (4) The machine must enable a player to choose the amount staked.
- (5) The machine must not allow a stake to be made by means of a credit card or debit card.
- (6) The machine must not allow a stake to be made that could result in a win exceeding £500.
- (7) The machine must announce or display on it the result of a game or of a series of games.
- (8) The machine must have an on-screen balance meter that enables a player to track winnings and losses in the course of a game or of a series of games.
- (9) The machine must not be capable of pay out winnings in cash.
- (10) The machine must be capable of assuring that the amount that may be won in a single game may not exceed £500.

5 Exemption

An exempt machine is to be treated as not being a controlled machine for the purposes of the *Gaming (Amendment) Act 1984* if —

- (a) it is only available for playing games of chance with a licensed person;
- (b) a player is able to cash winnings at any time after completing a game or a series of games on the machine;
- (c) promotional material at the site of the machine does not encourage excessive play.

6 Revocation

The Controlled Machines (Exemption) Order 2008³ and the Controlled Machines (Exemption) Order 2015⁴ are revoked.

³ SD 920/08

⁴ SD 2015/0233

MADE 18 JANUARY 2016

RONALD CHARLES SPENCER

CHAIRMAN

JEREMY PAUL BRADLEY CARTER

MEMBER

HOWARD ROBERT CALLOW

MEMBER

TRACEY MARIE TURTON

SECRETARY

EXPLANATORY NOTE***(This note is not part of the Order)***

This Order replaces the *Controlled Machines (Exemption) Order 2008* and the *Controlled Machines (Exemption) Order 2015*.

Under this Order an electronic device designed for playing games of chance does not have to be number-based to be an exempt machine.