



The Scottish Parliament
Pàrlamaid na h-Alba

Local Government and Regeneration Committee

Call for evidence on inquiry on Fixed-odds Betting Terminals



The Scottish Parliament's Local Government and Regeneration Committee has today, Wednesday 8 July 2015, launched a call for written evidence as part of its consideration of the proposed new devolution of legislative competence relating to Fixed-odds Betting Terminals ("FOBTs").

Organisations and individuals are invited to submit written evidence to the Committee setting out their views on the proposed new power set out in Clause 45 of the Scotland Bill 2015-16. Views are also invited on the Scottish Government's alternative clause as set out in its response to the Interim Report from the Devolution (Further Powers) Committee on the Smith Commission and the UK Government's Proposals.

A copy of the Scotland Bill 2015-16, and its accompanying documents, are available on the UK Parliament's website at: <http://services.parliament.uk/bills/2015-16/scotland.html>

A copy of the Scottish Government's Response is available on the Devolution (Further Powers) Committee on the Smith Commission webpage (see pages 18 and 57): http://www.scottish.parliament.uk/S4_ScotlandBillCommittee/General%20Documents/SG_Response.pdf

Committee's Call for evidence

The Committee invites all interested parties to submit written evidence on the proposals for Clause 45 *Gaming machines on licensed betting premises*. It would be helpful if written submissions could address the following questions:

1. What would be the benefits and disadvantages for you as a consequence of the UK Government's proposed provision in the Scotland Bill 2015?
2. What would be the benefits and disadvantages for you as a consequence of the proposed alternative provision suggested by the Scottish Government?
3. Which of these approaches do you prefer, and why?
4. Are there any changes in this area of law you would like to see which are not covered by either proposal, and why?
5. Please make any further comment you feel is relevant to Committee's inquiry into FOBTs.

How to submit your evidence

Submissions should be limited to no more than four pages of A4. Responses should be sent, **wherever possible, electronically** and in MS Word format to the following email address: lgr.committee@scottish.parliament.uk. Emails containing submissions should be clearly titled as 'Submission to inquiry on FOBTs'.

The closing date for receipt of submissions is **5pm on Friday 28 August 2015**.

Before submitting your evidence please read the Parliament's policy on treatment of written evidence by subject and mandatory committees (see below).

Responses can also be sent by post to:

Clerk to the Local Government and Regeneration Committee
Committee Office
Room T3.40
Scottish Parliament
Edinburgh
EH99 1SP

Background to the inquiry

On 28 May 2015, the UK Government published [The Scotland Bill](#), which sets out its proposals in the form of legislative clauses to take forward the Smith Agreement.

Clause 45 of The Scotland Bill would devolve legislative competence in relation to gaming machines authorised by a betting premises licence where the maximum charge for a single play is more than £10 (given current stake limits this would only apply to B2 gaming machines). The Gambling Act 2005 would be amended so the Scottish Ministers would be able to vary the number of machines allowed on betting premises. The power will only apply to applications for new premises.

The [Scottish Government's Response](#) to the Interim Report from the Devolution (Further Powers) Committee on the Smith Commission and the UK Government Proposals states the Scotland Bill “does not fully deliver Smith Commission Recommendation 74. The reasoning given for this view is—

- The powers it provides to Scottish Ministers are limited to betting premises licences only; and
- The powers would only apply to future applications for betting premises licences.

For Committee information, contact:

David Cullum: 0131 348 5217

david.cullum@scottish.parliament.uk

Claire Menzies Smith: 0131 348 5219

claire.menzies-smith@scottish.parliament.uk

Ross Fairbairn: 0131 348 6040

ross.fairbairn@scottish.parliament.uk

For media information, contact:

Linda Peters: 0131 348 6269

linda.peters@scottish.parliament.uk

Policy on treatment of written evidence by subject and mandatory committees

This information lets you know how committees of the Scottish Parliament will deal with any information sent in response to calls for evidence and any subsequent correspondence.

Most people who submit evidence want it to be put in the public domain. In addition, the committees of the Scottish Parliament are committed to being open in their dealings in accordance with the Scottish Parliament's founding principles.

Our normal practice is to publish all relevant evidence that is sent to us on our website and we may also include it in the hard copy of any committee report. Therefore, if you wish your evidence to be treated as confidential, or for your evidence to be published anonymously, please contact the Clerk to the Committee, before you submit your evidence.

You should be aware that it is for the relevant committee to decide whether the evidence can be accepted on the basis that it will be seen in full by the committee but will not be published, or will be published in edited form or anonymously. See section on "Freedom of Information (Scotland) Act 2002" below.

There are a few situations where we do not publish all the evidence sent to us. This may be for practical reasons: for example, where the number of submissions we receive does not make this possible or where we receive a large number of submissions in very similar terms. In that case, we would normally publish only a list of the names of people who have submitted evidence.

In addition, there may be a few situations where we may not choose to publish your evidence or have to edit it before publication for legal reasons.

Data Protection Act 1998

The Parliament must comply with the Data Protection Act 1998. This affects what information about living people (personal data and sensitive personal data) we can make public.

Your evidence may contain personal data or sensitive personal data relating to you. In line with our normal practice, we will usually publish it, if relevant to the inquiry. We will not, however, publish your signature or personal contact information arising in your private life (for example, your home telephone number or home address).

We may also have to edit information which can identify change another living person who has not specifically given their consent to have information about them made public. In these situations, committee members will have access to the full text of your evidence, even if it has not been published in full.

If you consider that evidence that you plan to submit may raise any other issues concerning the Data Protection Act, please contact the Clerk to the Committee before you submit your evidence.

Potentially defamatory material

Typically, the Parliament will not publish defamatory statements or material. If we think your submission contains potentially defamatory material, usually, we will return it to you with an invitation to substantiate the comments or remove them. In these circumstances if the evidence is returned to us and it still contains material which we

consider may be defamatory, it may not be considered by the relevant committee and it may have to be destroyed.

Freedom of Information (Scotland) Act 2002

The Parliament is covered by the Freedom of Information (Scotland) Act 2002. This also affects the way that we deal with your evidence.

As stated above, if you wish your evidence to be treated as confidential, or for your evidence to be published anonymously, please contact the Clerk to the Committee, before you submit your evidence.

In particular you should be aware that if we receive a request for information under the Freedom of Information (Scotland) Act 2002, we may be required legally to release the information to the person who has made the request – even where the relevant committee has agreed to treat all or part of the information in confidence or publish it anonymously.

So, in the circumstances outlined above, while we can assure you that your document/name will not be circulated to the general public in the context of the relevant committee's current work, we are unable to give you a guarantee that the full document will never be released.