

## Equal Chance Gambling – what does this mean?

Examples include; bingo, dominoes, cribbage; or bridge. It also includes poker, although the proposed rules on stakes are different for poker.

## What equal chance gambling will be allowed?

Equal chance gambling in pubs will be allowed without the need for a permit, providing the following conditions are met:-

- the facilities will be limited to equal chance gaming;
- stakes and prizes do not exceed the limits set by statute (detailed below);
- no amount may be deducted or levied from the stakes or prizes;
- no participation fee can be charged;
- there can be no linking of games between different premises;
- under 18's cannot take part.

## What are the proposed limits on stakes and prizes for alcohol licensed premises?

- That the appropriate limit for all exempt equal chance gaming should be £5 per person per game.
- That, in addition, for poker there should be limits for each premises of £500 in any period of seven days and £100 on any day in total (stakes or prizes).
- That there shall be a code of practice that must be adhered to.

## Why are there additional limits for poker?

There are different risks for poker because of the escalating nature of the staking. This means that there is the potential for the “pot” or “kitty” to reach a significant size during the course of the game. Therefore individuals could find themselves losing large sums of money.

## What about bingo?

Low stake bingo will be allowed in alcohol-licensed premises. ‘High turnover’ bingo will need an operating licence from the Gambling Commission. The trigger for high turnover bingo is that the total stakes or prizes for bingo in any period of seven days exceed £2,000.

## What will the Codes of Practice cover?

Amongst the proposals are that playing cards/ chips to be provided by the premises, participants to be made aware of the limits on stakes and prizes, restrictions on numbers of customers able to play at any one time, a requirement that records are kept, and a commitment to exclude customers who breach the Act.

**Further information** can be obtained on the Gambling Commission's website – [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk).



# Gambling Act 2005

## Alcohol licensed premises and how the new law affects You!



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## **Gambling Act 2005**

This Act received Royal Assent in April 2005, introduces a comprehensive structure for gambling regulation. This new law affects anyone concerned with:

- Gaming Machines
- Bingo
- Casinos
- Betting
- Remote gambling
- Lotteries, and
- Prize competitions.

The Gambling Act will repeal the existing separate laws covering Gambling, namely the Gaming Act 1968; the Betting, Gaming and Lotteries Act 1963; and the Lotteries and Amusements Act 1976. It also brings certain types of gambling, e.g. internet gambling, into the legislation for the first time.

### **When will this begin?**

The new Act will come into effect on 1<sup>st</sup> September 2007.

### **How will the new Act affect my premises?**

Many pubs and clubs have gaming machines (NB this leaflet covers public houses only). The new Act clarifies some uncertainties as to what is and is not allowed by way of equal chance gambling. The proposed provisions of the new Act in relation to these two areas are explained later.

## **Gaming machines**

The 2005 Act introduces new arrangements for the licensing of gaming machines in pubs and other alcohol licensed premises. Responsibility for licensing of these was transferred from the licensing justices to licensing authorities in November 2005, following changes made as a result of the Licensing Act 2003. Licensing authorities will continue to be responsible for this task under the Gambling Act 2005.

### **Are there “grandfather rights”?**

Yes – existing Section 34 permits (issued under the Gaming Act 1968) which expire after 1<sup>st</sup> September, will continue to permit the holder to offer the number of machines specified on the permit.

### **When do applications need to be made?**

Permit holders will only be required to obtain the appropriate new permissions for their gaming machines under the 2005 Act when their existing Section 34 permit expires (or if the premises licence issued under the Licensing Act 2003 transfers, in which case an application must be made for a new permit at the same time).

### **What permissions will there be?**

The 2005 Act replaces Section 34 permits issued to alcohol licensed premises with two new permissions, depending on the number of machines pubs and other licensed premises want to provide: two, or more than two.

There will be an automatic entitlement to two machines without the need for a permit. The person who holds the relevant alcohol licence must notify the licensing authority that they are providing gaming machines and there will be a notification fee. The premises must also comply with the relevant code of practice in relation to the use of the gaming machines after 1<sup>st</sup> September 2007.

Pubs and other licensed premises which want to offer more than two gaming machines will need to apply to this authority for a licensed premises gaming machine permit at least two months before the existing licence expires. Pubs will qualify for special grandfather rights. This will mean that a pub will be entitled to a licensed premises gaming permit for the same amount of gaming machines as authorised by its Section 34 permit.

### **What do I have to do now?**

My existing permit expires on or before 30<sup>th</sup> August 2007. Holders of existing permits that expire on or before 30<sup>th</sup> August 2007 should apply to this authority for their permit to be renewed in the usual way. If the application is successful, the renewal will be granted, normally for three years.

My existing permit expires on or after 31<sup>st</sup> August 2007. Licence holders whose current permit expires on or after 31<sup>st</sup> August 2007 will need to apply to us at least two months before the date on which the Section 34 permit expires.