



Gambling Act 2005

2005 CHAPTER 19

PART 1

INTERPRETATION OF KEY CONCEPTS

Betting

9 Betting: general

- (1) In this Act “betting” means making or accepting a bet on—
 - (a) the outcome of a race, competition or other event or process,
 - (b) the likelihood of anything occurring or not occurring, or
 - (c) whether anything is or is not true.
- (2) A transaction that relates to the outcome of a race, competition or other event or process may be a bet within the meaning of subsection (1) despite the facts that—
 - (a) the race, competition, event or process has already occurred or been completed, and
 - (b) one party to the transaction knows the outcome.
- (3) A transaction that relates to the likelihood of anything occurring or not occurring may be a bet within the meaning of subsection (1) despite the facts that—
 - (a) the thing has already occurred or failed to occur, and
 - (b) one party to the transaction knows that the thing has already occurred or failed to occur.

Commencement Information

11 S. 9 in force at 1.10.2005 by S.I. 2005/2455, art. 2(1), Sch. (with art. 3)

Status: Point in time view as at 01/09/2007.

Changes to legislation: There are currently no known outstanding effects for the Gambling Act 2005, Cross Heading: Betting. (See end of Document for details)

10 Spread bets, &c.

- (1) For the purposes of section 9(1) “bet” does not include a bet the making or accepting of which is a regulated activity within the meaning of section 22 of the Financial Services and Markets Act 2000 (c. 8).
- (2) An order under section 22 of that Act which has the effect that a class of bet becomes or ceases to be a regulated activity may, in particular, include transitional provision relating to the application of this Act to that class of bet.
- (3) This section is subject to section 38(3).

Commencement Information

- I2** S. 10(1)(2) in force at 1.10.2005 by S.I. 2005/2455, art. 2(1), Sch. (with art. 3)
- I3** S. 10(3) in force at 1.9.2007 by S.I. 2006/3272, art. 2(4)(5), Sch. 3B (with arts. 7-11, 7-12, Sch. 4) (as inserted by S.I. 2007/2169, arts. 3, 6, Sch.)

11 Betting: prize competitions

- (1) For the purposes of section 9(1) a person makes a bet (despite the fact that he does not deposit a stake in the normal way of betting) if—
 - (a) he participates in an arrangement in the course of which participants are required to guess any of the matters specified in section 9(1)(a) to (c),
 - (b) he is required to pay to participate, and
 - (c) if his guess is accurate, or more accurate than other guesses, he is to—
 - (i) win a prize, or
 - (ii) enter a class among whom one or more prizes are to be allocated (whether or not wholly by chance).
- (2) In subsection (1) a reference to guessing includes a reference to predicting using skill or judgment.
- (3) Schedule 1 makes further provision about when a person is to be or not to be treated for the purposes of subsection (1)(b) as being required to pay to participate in an arrangement.
- (4) In subsection (1)(c) “prize” includes any money, articles or services—
 - (a) whether or not described as a prize, and
 - (b) whether or not consisting wholly or partly of money paid, or articles or services provided, by the members of the class among whom the prizes are allocated.

Commencement Information

- I4** S. 11 in force at 1.10.2005 by S.I. 2005/2455, art. 2(1), Sch. (with art. 3)

12 Pool betting

- (1) For the purposes of this Act betting is pool betting if made on terms that all or part of winnings—

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- (a) shall be determined by reference to the aggregate of stakes paid or agreed to be paid by the persons betting,
 - (b) shall be divided among the winners, or
 - (c) shall or may be something other than money.
- (2) For the purposes of this Act pool betting is horse-race pool betting if it relates to horse-racing in Great Britain.

Commencement Information

I5 S. 12 in force at 1.10.2005 by S.I. 2005/2455, art. 2(1), Sch. (with art. 3)

13 Betting intermediary

- (1) In this Act “betting intermediary” means a person who provides a service designed to facilitate the making or acceptance of bets between others.
- (2) For the purposes of this Act acting as a betting intermediary is providing facilities for betting.

Commencement Information

I6 S. 13 in force at 1.10.2005 by S.I. 2005/2455, art. 2(1), Sch. (with art. 3)

Status:

Point in time view as at 01/09/2007.

Changes to legislation:

There are currently no known outstanding effects for the Gambling Act 2005, Cross Heading: Betting.