



Gambling Act 2005

2005 CHAPTER 19

PART 1 **E+W+S**

INTERPRETATION OF KEY CONCEPTS

Cross-category activities

16 **Betting and gaming** **E+W+S**

- (1) This section applies to a transaction which satisfies—
 - (a) the definition of betting in section 9, and
 - (b) the definition of gaming in section 6.
- (2) A transaction to which this section applies which is pool betting (within the meaning of section 12) shall be treated for the purposes of this Act as betting (and not as gaming).
- (3) Any other transaction to which this section applies shall be treated for the purposes of this Act as gaming (and not as betting).
- (4) This section is subject to regulations under section 6(6).

Commencement Information

- II** [S. 16](#) in force at 1.10.2005 by [S.I. 2005/2455](#), [art. 2\(1\)](#), [Sch.](#) (with [art. 3](#))

17 **Lotteries and gaming** **E+W+S**

- (1) This section applies to an arrangement which satisfies—
 - (a) the definition of a game of chance in section 6, and
 - (b) the definition of a lottery in section 14.
- (2) An arrangement to which this section applies shall be treated for the purposes of this Act as a game of chance (and not as a lottery) if a person who pays in order to join the

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

class amongst whose members prizes are allocated is required to participate in, or to be successful in, more than three processes before becoming entitled to a prize.

- (3) An arrangement to which this section applies shall, subject to subsection (2), be treated for the purposes of this Act as a lottery (and not as a game of chance) if—
- (a) it satisfies paragraph 1(1)(a) and (b) of Schedule 11,
 - (b) it satisfies paragraph 10(1)(a) and (b) of Schedule 11,
 - (c) it satisfies paragraph 11(1)(a) and (b) of Schedule 11,
 - (d) it satisfies paragraph 12(1)(a) and (b) of Schedule 11,
 - (e) it satisfies paragraph 20(1)(a) and (b) of Schedule 11,
 - (f) it satisfies paragraph 30(1)(a) and (b) of Schedule 11, or
 - (g) it is promoted in reliance on a lottery operating licence.
- (4) Any other arrangement to which this section applies shall be treated for the purposes of this Act as a game of chance (and not as a lottery).
- (5) This section is subject to regulations under section 6(6) or 14(7).

Commencement Information

I2 S. 17 in force at 1.10.2005 by S.I. 2005/2455, art. 2(1), Sch. (with art. 3)

18 Lotteries and betting **E+W+S**

- (1) This section applies to a transaction which satisfies the definition of participating in a lottery in section 14 and also—
- (a) satisfies the definition of pool betting in section 12, or
 - (b) satisfies the definition of betting in section 9 by virtue of section 11.
- (2) A transaction to which this section applies shall be treated for the purposes of this Act as participating in a lottery (and not as betting) if—
- (a) it satisfies paragraph 1(1)(a) and (b) of Schedule 11,
 - (b) it satisfies paragraph 10(1)(a) and (b) of Schedule 11,
 - (c) it satisfies paragraph 11(1)(a) and (b) of Schedule 11,
 - (d) it satisfies paragraph 12(1)(a) and (b) of Schedule 11,
 - (e) it satisfies paragraph 20(1)(a) and (b) of Schedule 11,
 - (f) it satisfies paragraph 30(1)(a) and (b) of Schedule 11, or
 - (g) it is promoted in reliance on a lottery operating licence.
- (3) Any other transaction to which this section applies shall be treated for the purposes of this Act as betting (and not as participating in a lottery).
- (4) This section is subject to regulations under section 14(7).

Commencement Information

I3 S. 18 in force at 1.10.2005 by S.I. 2005/2455, art. 2(1), Sch. (with art. 3)

Changes to legislation:

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