



# Gambling Act 2005

## 2005 CHAPTER 19

### PART 13

#### PRIZE GAMING

#### **288 Meaning of “prize gaming”**

Gaming is prize gaming for the purposes of this Act if neither the nature nor the size of a prize played for is determined by reference to—

- (a) the number of persons playing, or
- (b) the amount paid for or raised by the gaming.

#### **289 Prize gaming permits**

- (1) A person does not commit an offence under section 33 or 37 by providing facilities for prize gaming if—
  - (a) the gaming satisfies the conditions specified in section 293, and
  - (b) the facilities are provided in accordance with a prize gaming permit.
- (2) A prize gaming permit is a permit issued by a licensing authority authorising a person to provide facilities for gaming with prizes on specified premises.
- (3) Schedule 14 makes further provision about prize gaming permits.

#### **290 Gaming and entertainment centres**

- (1) A person does not commit an offence under section 33 or 37 by providing facilities for prize gaming if—
  - (a) the gaming satisfies the conditions specified in section 293, and
  - (b) the facilities are provided in—
    - (i) an adult gaming centre, or
    - (ii) a licensed family entertainment centre.

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*Status: This is the original version (as it was originally enacted).*

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- (2) A person does not commit an offence under section 33 or 37 by providing facilities for equal chance prize gaming if—
- (a) the gaming satisfies the conditions specified in section 293, and
  - (b) the facilities are provided on premises in respect of which a family entertainment centre gaming machine permit has effect.

## **291 Bingo halls**

- (1) A person does not commit an offence under section 33 or 37 by providing facilities for prize gaming in premises in respect of which a bingo premises licence has effect.
- (2) A condition may be attached under section 75 or 78 to an operating licence so as—
- (a) to prevent facilities for a specified description of game from being provided in reliance on subsection (1), or
  - (b) to provide for subsection (1) to apply, whether generally or only in connection with a specified description of game, subject to specified conditions or only in specified circumstances.
- (3) A condition attached under section 78 by virtue of subsection (2) above may, in particular, relate to a matter listed in section 91(1).
- (4) Subsection (1) may not be disapplied or modified—
- (a) by way of a condition attached to an operating licence under section 77, or
  - (b) by way of a condition attached to a premises licence under section 167, 168 or 169.

## **292 Fairs**

A person does not commit an offence under section 33 or 37 by providing facilities for equal chance prize gaming if—

- (a) the gaming satisfies the conditions specified in section 293,
- (b) the facilities are provided at a travelling fair, and
- (c) facilities for gambling (in whatever form) amount together to no more than an ancillary amusement at the fair.

## **293 Conditions for prize gaming**

- (1) This section specifies the conditions mentioned in sections 289(1), 290(1) and (2) and 292 for prize gaming.
- (2) The first condition is compliance with such limits as may be prescribed in respect of participation fees (and those limits may, in particular, relate to players, games or a combination; and different limits may be prescribed in respect of different classes or descriptions of fee).
- (3) The second condition is that—
- (a) all the chances to participate in a particular game must be acquired or allocated on one day and in the place where the game is played,
  - (b) the game must be played entirely on that day, and
  - (c) the result of the game must be made public—
    - (i) in the place where the game is played, and

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- (ii) as soon as is reasonably practicable after the game ends, and in any event on the day on which it is played.
- (4) The third condition is that a prize for which a game is played, or the aggregate of the prizes for which a game is played—
  - (a) where all the prizes are money, must not exceed the prescribed amount, and
  - (b) in any other case, must not exceed the prescribed value.
- (5) The fourth condition is that participation in the game by a person does not entitle him or another person to participate in any other gambling (whether or not he or the other person would also have to pay in order to participate in the other gambling).
- (6) In this section “prescribed” means prescribed by regulations made by the Secretary of State.

#### **294 Power to restrict exemptions**

The Secretary of State may by order provide for sections 289, 290 and 292 not to have effect in relation to prize gaming of a specified description.