



# Gaming Act 1968

## CHAPTER 65

### GAMING ACT 1968

#### PART I

##### GAMING ELSEWHERE THAN ON PREMISES LICENSED OR REGISTERED UNDER PART II OF THIS ACT

- 1 Gaming to which Part I applies.
- 2 Nature of game.
- 3 No charge for taking part in gaming.
- 4 No levy on stakes or winnings.
- 5 Gaming in public places.
- 6 General provisions as to gaming on premises licensed for retail sale of liquor.
- 7 Special provisions as to persons under 18.
- 8 Offences under Part I.

#### PART II

##### GAMING ON PREMISES LICENSED OR REGISTERED UNDER THIS PART OF THIS ACT

- 9 Gaming to which Part II applies.
- 10 Gaming Board for Great Britain.
- 11 Provisions as to licensing and registration.
- 12 Who may participate in gaming to which Part II applies.
- 13 Restrictions on games to be played.
- 14 Charges for taking part in gaming.
- 15 Levy on stakes or winnings.
- 16 Provision of credit for gaming.
- 17 Exclusion of persons under 18.
- 18 Gaming on Sundays.

*Status: Point in time view as at 29/09/2003.*

*Changes to legislation: There are currently no known outstanding effects for the Gaming Act 1968 (repealed). (See end of Document for details)*

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- 19 Approval by Board of certain persons connected with gaming.
- 20 Special provisions as to bingo clubs.
- 21 special provisions as to gaming for prizes.
- 22 Further power to regulate licensed club premises.
- 23 Offences under Part II.
- 24 Power of court to make disqualification order on conviction of certain offences.
- 25 Supplementary provisions as to disqualification orders.

### **PART III**

#### **GAMING BY MEANS OF MACHINES**

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- 26 Scope of Part III.

##### *Sale, supply and maintenance of machines*

- 27 General restrictions.
- 28 Restrictions as to terms and conditions.
- 29 Application of ss. 27 and 28 to concessionaires.

##### *Use of machines for gaming on premises licensed or registered under this Act*

- 30 Registration under Part III.
- 31 Use of machines by virtue of licence or registration.
- 32 Power for licensing authority to authorise more than two machines.

##### *Use of machines for gaming by way of amusement with prizes*

- 33 Use of machines at non-commercial entertainments.
- 34 Other uses of machines for amusement purposes.

##### *General restriction on other gaming by means of machines*

- 35 Use of machines not falling within ss. 31 to 34.

##### *Supplementary provisions*

- 36 Removal of money from machines.
- 37 Regulations with respect to machines and records.
- 38 Offences under Part III.
- 39 Penalties under Part III.

### **PART IV**

#### **MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS**

- 40 Special charges for play at certain clubs and institutes.
- 41 Gaming at entertainments not held for private gain.
- 42 Restrictions on advertisements relating to gaming.
- 43 Provision for inspectors and rights of entry and related rights.
- 44 Local authority not to maintain or contribute to premises licensed under Part II.
- 45 Offences by bodies corporate.
- 46 Forfeiture.
- 47 Service of documents.

*Status: Point in time view as at 29/09/2003.*

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- 48 Financial provisions.
- 49 Provision of information by licensing authorities and sheriff clerks.
- 50 Annual report of Board.
- 51 Regulations and orders.
- 51A Meaning of “private gain” in relation to non-commercial entertainments.
- 52 Interpretation.
- 53 Minor and consequential amendments, and repeals.
- 54 Short title, extent and commencement.

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## SCHEDULES

### SCHEDULE 1 — Provisions as to Gaming Board for Great Britain

- 1 The Gaming Board for Great Britain shall by that name...
- 2 The chairman and other members of the Board shall hold...
- 3 A person who ceases to hold office as a member...
- 4 In addition to the inspectors appointed under section 43 of...
- 5 The Secretary of State shall pay to the members of...
- 5A The Secretary of State may pay such pension or gratuity...
- 6 The Board shall pay to their officers and servants (including...
- 7 The Board shall have power to regulate their own procedure....
- 8 The validity of any proceedings of the Board shall not...

### SCHEDULE 2 — Grant, Renewal, Cancellation and Transfer of Licences

#### *Introductory*

- 1 (1) Subject to the provisions of this Schedule with respect...
- 2 (1) In this Schedule “the licensing authority”, in relation to...
- 2A (1) Each licensing authority shall for each year fix a...

#### *Certificate of consent for purposes of application for licence*

- 3 (1) An application for the grant of a licence under...
- 4 (1) The provisions of this paragraph shall have effect with...

#### *Application for grant of licence (general provisions)*

- 5 (1) An application for the grant of a licence under...
- 6 (1) Not later than fourteen days after the making of...
- 7 (1) Not later than seven days after the publication of...

#### *Application for grant of licence (initial period)*

8.–11 . . . . .

#### *Application for renewal of licence*

- 12 (1) Any application for the renewal of a licence under...
- 13 (1) Not later than seven days after the date on...

#### *Proceedings on application for grant or renewal*

- 14 (1) On any application for the grant or renewal of...
- 15 Where, in the case of an application for the grant...
- 16 A licensing authority may from time to time adjourn the...

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17 On the consideration of any application for the grant or...

*Grounds for refusal to grant or renew licence*

- 18 (1) The licensing authority may refuse to grant a licence...  
 19 (1) For the purposes of the last preceding paragraph, the...  
 20 (1) Without prejudice to paragraph 18 of this Schedule, the...  
 21 (1) The licensing authority may refuse to renew a licence...  
 22 (1) The licensing authority shall refuse to grant or renew...  
 23 Where for the purposes of paragraph 20(1)(a) of this Schedule...

*Restrictions attached to licence*

- 24 On granting or renewing a licence under this Act, the...  
 25 (1) Without prejudice to the last preceding paragraph, on granting...  
 26 Any restrictions imposed under paragraph 24 or paragraph 25 of...

*Regulations under section 22(3)*

27 Notwithstanding anything in paragraphs 18 to 26 of this Schedule,...

*Notification of advice given by Board*

28 The proper officer of the licensing authority shall, at the...

*Appeal in England or Wales by applicant*

- 29 (1) Where on an application under this Schedule to a...  
 30 (1) . . . . .

*Appeal in England or Wales by Board*

- 31 (1) Where a licensing authority in England or Wales grant...  
 32 (1) On determining any appeal under the last preceding paragraph,...

*Appeal in Scotland by applicant*

33 (1) Where on an application under this Schedule to a...

*Appeal in Scotland by Board*

34 (1) Where a licensing authority in Scotland grant or renew...

*Revocation by Board of certificate of consent*

35 (1) Where under the preceding provisions of this Schedule the...

*Application for continuance of certificate following change of controller of body corporate.*

35A (1) Where the holder of a certificate of consent to...

*Cancellation of licence by licensing authority or court*

- 36 (1) An application for the cancellation of a licence under...  
 37 Where an application for the cancellation of a licence under...  
 38 At any meeting of the licensing authority to consider such...  
 39 A licensing authority may from time to time adjourn the...  
 40 On the consideration of any such application, a licensing authority...

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- 41 The licensing authority shall refuse any such application if they...  
42 Subject to the last preceding paragraph, on any application for...  
43 If on such an application the licensing authority decide not...  
44 If on such an application the licensing authority decide to...  
45 The provisions of paragraphs 29 and 30 of this Schedule...  
46 (1) Where a licensing authority in England or Wales refuse...  
47 (1) Where a licensing authority in Scotland refuse to cancel...  
48 (1) Where the holder of a licence under this Act...

*Disqualification order on cancellation of licence*

- 49 (1) Where under paragraph 42 of this Schedule a licensing...  
50 Where a licensing authority decides to cancel a licence under...

*Form and duration of licence*

- 51 (1) A licence under this Act shall be in the...  
52 (1) Subject to the following provisions of this Schedule, and...  
53 (1) Where an application for the renewal of a licence...  
54 If the holder of a licence under this Act dies...

*Certificate of consent for purposes of application for transfer of licence*

- 55 (1) An application for the transfer of a licence under...  
56 (1) The provisions of this paragraph shall have effect in...  
57 (1) Where the Board have issued a certificate of consent...

*Transfer of licence*

- 58 (1) An application for the transfer of a licence under...  
59 Paragraphs 6 and 7 of this Schedule shall have effect...  
60 On an application for the transfer of a licence under...  
61 Paragraphs 29 to 34 of this Schedule (with the omission...

*Revocation of certificate after transfer of licence*

- 62 In relation to a licence under this Act which has...

*Payment of fees*

- 63 (1) Notwithstanding anything in the preceding provisions of this  
Schedule,...  
63A No application for a certificate of consent under this Schedule...

*Notification of change in directors of body corporate holding licence*

- 64 (1) Where the holder of a licence under this Act...

*Notification of change in shareholding in public company*

- 64A (1) Where the holder of a licence under this Act...

*Relinquishment of licence*

- 65 (1) The holder of a licence under this Act may...

*Status: Point in time view as at 29/09/2003.*

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### SCHEDULE 3 — Registration of Members' Clubs under Part II in England and Wales

#### *Introductory*

- 1 (1) Each licensing authority in England or Wales shall, in...  
2 Paragraphs 2 and 2A of Schedule 2 to this Act...

#### *Application for registration*

- 3 Paragraphs 5 to 7 of Schedule 2 to this Act...

#### *Application for renewal of registration*

- 4 Paragraphs 12 and 13 of Schedule 2 to this Act...

#### *Proceedings on application for registration or renewal of registration*

- 6 Paragraphs 14 to 17 of Schedule 2 to this Act...

#### *Grounds for refusal to register or to renew registration*

- 7 (1) The licensing authority shall refuse to register or to...  
8 The licensing authority may refuse to register a club or...  
9 The licensing authority may refuse to renew the registration of...  
10 The licensing authority shall refuse to renew the registration of...

#### *Restriction attached to registration*

- 11 (1) On registering or renewing the registration of a club...

#### *Appeal by applicant*

- 12 (1) Where on an application under this Schedule the licensing...

#### *Appeal by Board*

- 13 (1) Where on an application under this Schedule the licensing...

#### *Cancellation of registration*

- 14 Paragraphs 36 to 44 of Schedule 2 to this Act...  
15 (1) Where on an application made by virtue of paragraph...  
16 (1) Where an application for cancellation of the registration of...  
17 (1) Where a person is convicted of an offence under...

#### *Issue and duration of registration certificates*

- 18 (1) Where on an application under this Schedule a club...  
19 (1) Subject to the following provisions of this Schedule, and...  
20 (1) An application for renewal of the registration of a...  
21 (1) Where the registration of a club or institute under...  
22 (1) Where an application for renewal of the registration of...

#### *Payment of fees*

- 23 Notwithstanding anything in the preceding provisions of this Schedule,  
a...

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### *Relinquishment of registration*

24 (1) A club or institute registered under Part II of...

## SCHEDULE 4 — Registration of Members' Clubs under Part II in Scotland

### *Introductory*

- 1 (1) The sheriff shall, in respect of premises in Scotland...  
2 (1) Any provision of Schedule 2 to this Act containing...

### *Application for registration*

- 3 (1) An application for the registration of a club or...  
4 Paragraph 6 of Schedule 2 to this Act shall have...  
5 (1) Not later than seven days after the publication of...

### *Application for renewal of registration*

- 6 (1) Not later than six weeks before the date of...  
7 (1) Any application for renewal of the registration of a...

### *Proceedings on application for registration or renewal of registration*

8 Paragraphs 14 to 16 of Schedule 2 to this Act...

### *Grounds for refusal to register or to renew registration*

- 9 (1) The sheriff shall refuse to register or to renew...  
10 The sheriff may refuse to register a club or institute...  
11 The sheriff may refuse to renew the registration of a...  
12 The sheriff shall refuse to renew the registration of a...

### *Restrictions attached to registration*

13 (1) On registering or renewing the registration of a club...

### *Cancellation of registration*

- 14 Paragraphs 36 to 38 and 41 to 43 of Schedule...  
15 (1) Where a person is convicted of an offence under...

### *Issue and duration of registration certificates*

- 16 (1) Where on an application under this Schedule a club...  
17 (1) Subject to the following provisions of this Schedule, and...  
18 (1) An application for renewal of the registration of a...  
19 (1) Where the registration of a club or institute in...  
20 Where an application for renewal of the registration of a...

### *No appeal against determination of sheriff*

21 The determination of the sheriff on an application under this...

### *Payment of fees*

22 Notwithstanding anything in the preceding provisions of this Schedule,  
a...

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*Relinquishment of registration*

23 (1) A club or institute registered under Part II of...

SCHEDULE 5 — Procedure for Approval by Board

Part I — ISSUE AND REVOCATION OF CERTIFICATES OF APPROVAL

*Issue of certificate*

- 1 Any person may apply to the Board for the issue...
- 2 Any such application shall specify the premises, and the function...
- 3 In determining whether to issue a certificate on any such...
- 4 Where on an application under this Schedule it appears to...
- 5 Where the Board issue a certificate under that section, it...

*Revocation of certificate*

- 6 The Board may at any time revoke any such certificate...
- 7 Where the Board determine to revoke any such certificate, they...

*Payment of fees*

- 8 Notwithstanding anything in the preceding provisions of this Schedule, the...

Part II — PENDING APPLICATIONS

- 9 Where a person applies to the Board for a certificate...

SCHEDULE 6 — Certificates and Permits under Section 27

*Issue and renewal of certificates*

- 1 (1) A certificate may be issued in accordance with the...
- 2 In determining whether to issue or renew any such certificate,...
- 3 Subject to the following provisions of this Schedule, any such...

*Revocation of certificate*

- 4 The Board may at any time revoke any such certificate...
- 5 Where the Board determine to revoke any such certificate, they...

*Payment of fees*

- 6 Notwithstanding anything in the preceding provisions of this Schedule, the...

*Grant of permits*

- 7 Any application for the grant of a permit for the...
- 8 Any such permit granted by the Board shall specify the...

*Supplementary provisions*

- 9 (1) In determining, for the purposes of this Schedule, whether...

SCHEDULE 7 — Registration under Part III in England and Wales



*Status: Point in time view as at 29/09/2003.*

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### *Introductory*

- 1 Each licensing authority in England or Wales shall, in respect...
- 2 (1) Paragraph 2 of Schedule 2 to this Act shall...

### *Application for registration*

- 3 (1) An application for the registration of a club or...

### *Application for renewal of registration*

- 4 (1) An application for renewal of the registration of a...

### *Proceedings on application for registration or renewal of registration*

- 5 (1) On any application for the registration, or for renewal...
- 6 (1) A licensing authority may from time to time adjourn...

### *Grounds for refusal to register or to renew registration*

- 7 The licensing authority shall refuse to register, or to renew...
- 8 The licensing authority may refuse to register or to renew...
- 9 The licensing authority may refuse to renew the registration of...
- 10 The licensing authority may refuse to register a club or...

### *Appeal by applicant*

- 11 (1) Where on an application under this Schedule the licensing...
- 12 Paragraph 30 of Schedule 2 to this Act shall have...

### *Cancellation of registration*

- 13 (1) Subject to the following provisions of this paragraph, an...
- 14 Where such an application has been made and not withdrawn,...
- 15 At any meeting of the licensing authority to consider such...
- 16 A licensing authority may from time to time adjourn the...
- 17 On the consideration of any such application, a licensing authority...
- 18 On any such application the licensing authority may cancel the...
- 19 If on the consideration of any such application the licensing...
- 20 (1) Where on any such application the licensing authority decide...

### *Issue and duration of registration certificate*

- 21 Where on an application under this Schedule a club or...
- 22 Subject to the following provisions of this Schedule, and without...
- 23 (1) Where an application for renewal of the registration of...

### *Payment of fees*

- 24 Notwithstanding anything in the preceding provisions of this Schedule,  
a...

### *Relinquishment of registration*

- 25 (1) A club or institute registered under Part III of...

## SCHEDULE 8 — Registration under Part III in Scotland

- 1 The sheriff shall, in respect of premises in Scotland within...

*Status: Point in time view as at 29/09/2003.*  
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- 2 (1) Any provision of Schedule 7 to this Act containing...
- 3 Subject to the foregoing provisions of this Schedule, paragraphs 3...
- 4 The determination of the sheriff on an application under this...

SCHEDULE 9 — Permits under section 34

*Authority responsible for grant and renewal of permits*

- 1 In this Schedule “the appropriate authority”— (a) in relation to...
- 2 .....

*Resolution by local authority as to grant or renewal of permits*

- 3 Any such council as is mentioned in sub-paragraph (b) or...
- 4 (1) No resolution under paragraph 3 of this Schedule shall...

*Application for grant or renewal of permit*

- 5 (1) An application for the grant of a permit in...
- 6 The appropriate authority shall not refuse to grant or renew...

*Grounds for refusal to grant or renew permit*

- 7 Where an application for the grant or renewal of a...
- 8 (1) In the case of premises to which paragraph 4...

*Condition imposed on grant or renewal of permit*

- 9 Where an application for the grant or renewal of a...
- 10 Subject to paragraph 9 of this Schedule, on granting or...
- 10A Condition in case of premises with liquor licence
- 10B Grant by local authority of amusement machine premises permit

*Appeal in England or Wales against decision of appropriate authority*

- 11 (1) Where on an application under this Schedule in England...
- 12 (1) Where the appeal is an appeal against a decision...
- 13 Subject to paragraph 12 of this Schedule, on any appeal...
- 14 (1) .....

*Appeal in Scotland against decision of appropriate authority*

- 15 Where on an application under this Schedule in Scotland the...
- 16 Paragraph 12 of this Schedule shall apply to an appeal...
- 17 .....

*Duration of permit*

- 18 Subject to the following provisions of this Schedule, and without...
- 19 (1) Where an application for the renewal of a permit...
- 20 (1) A permit shall not be transferable, and, subject to...
- 20A (1) A permit expressed to be granted for the purposes...

*Payment of fees*

- 21 Notwithstanding anything in the preceding provisions of this Schedule,  
 no...

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*Supplementary provisions*

- 22 The grant or renewal of a permit shall not be...
- 23 In this Schedule “justices’ on-licence”, “Part IV licence”, and “licensing...”
- 24 For the purposes of this Schedule the proper officer of...

SCHEDULE 10 — Provision of Information by Licensing Authorities and Sheriff Clerks

- 1 The clerk to each licensing authority shall keep in the...
- 2 The clerk to each licensing authority in England or Wales...
- 3 Each licensing authority shall permit any constable, or officer of...
- 4 Any constable, or officer of customs and excise and any...
- 5 (1) The clerk to each licensing authority shall send to...
- 6 The Board may request a licensing authority to send to...
- 7 Without prejudice to the preceding provisions of this Schedule, the...

SCHEDULE 11 — Minor and Consequential Amendments

Part I — AMENDMENTS OF BETTING, GAMING AND LOTTERIES ACT 1963

Part

II. ....

Part III — AMENDMENTS OF OTHER ENACTMENTS

SCHEDULE 12 — Enactments Repealed

**Status:**

Point in time view as at 29/09/2003.

**Changes to legislation:**

There are currently no known outstanding effects for the Gaming Act 1968 (repealed).