



# Gaming Act 1968

## 1968 CHAPTER 65

### PART III

#### GAMING BY MEANS OF MACHINES

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

#### **33 Use of machines at non-commercial entertainments**

- (1) This section applies to any entertainment which takes place elsewhere than on premises in respect of which—
- a licence under this Act is for the time being in force, or
  - a club or a miners' welfare institute is for the time being registered under Part II or under this Part of this Act,
- and which is an entertainment of any of the following kinds, that is to say, bazaars, sales of work, fetes, dinners, dances, sporting or athletic events and other entertainments of a similar character, whether limited to one day or extending over two or more days.
- (2) Where a machine to which this Part of this Act applies is used for gaming as an incident of any such entertainment, the whole proceeds of the entertainment (including the proceeds of the use of the machine and the proceeds of any lottery provided as an incident of the entertainment), after making any deductions allowed in accordance with the next following subsection, shall be devoted to purposes other than private gain.
- (3) The deductions referred to in subsection (2) of this section are the following, that is to say—
- the expenses of the entertainment, including any expenses incurred in connection with the use of the machine but excluding any expenses incurred in connection with any lottery promoted as an incident of the entertainment;
  - any expenses incurred in printing tickets in any such lottery; and

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*Status: This is the original version (as it was originally enacted).*

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- (c) such sum if any, not exceeding ten pounds, as the promoters of any such lottery think fit to appropriate on account of any expense incurred by them in purchasing prizes in the lottery.
- (4) Where a machine to which this Part of this Act applies is used for gaming as an incident of an entertainment to which this section applies, the opportunity to win prizes by means of the machine, or that opportunity together with—
  - (a) any facilities offered by virtue of section 43 of the Act of 1963 for participating in any lottery promoted as an incident of the entertainment, or
  - (b) any facilities offered for taking part in gaming at the entertainment in accordance with section 48 of that Act or section 41 of this Act,shall not constitute the only, or the only substantial, inducement to persons to attend the entertainment.
- (5) The Secretary of State may by regulations impose such restrictions (in addition to those specified in subsections (2) to (4) of this section) as he may consider necessary or expedient with respect to the use of any machine to which this Part of this Act applies for gaming as an incident of an entertainment to which this section applies.
- (6) Subsections (1) and (3) of section 54 of the Act of 1963 (construction of references to private gain) shall have effect for the purposes of this section.