



# Gaming Act 1968

## 1968 CHAPTER 65

### PART I

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

#### **6 General provisions as to gaming on premises licensed for retail sale of liquor**

- (1) The restriction imposed by section 5(1) of this Act does not apply—
  - (a) to the playing of dominoes or cribbage on any premises to which this section applies, or
  - (b) in the case of any particular premises to which this section applies, to the playing of any other game which is authorised to be played on those premises by an order under subsection (3) of this section which is for the time being in force.
- (2) This section applies to—
  - (a) any premises in respect of which a justices' on-licence (other than a Part IV licence) or a hotel certificate or public house certificate is for the time being in force;
  - (b) any premises in the district specified in Part I of Schedule 9 to the Licensing Act 1964 (the Carlisle district) which are for the time being used for the sale on behalf of the Secretary of State of intoxicating liquor for consumption on the premises ; and
  - (c) any premises in a district specified in Part I of Schedule 8 to the Licensing (Scotland) Act 1959 (State management districts) which are for the time being used for the sale on behalf of the Secretary of State of exciseable liquor for consumption on the premises.
- (3) On the application—
  - (a) of the holder of the licence or certificate, in the case of any such premises as are mentioned in paragraph (a) of subsection (2) of this section, or
  - (b) of the Secretary of State, in the case of any such premises as are mentioned in paragraph (b) or paragraph (c) of that subsection,

the licensing justices for the licensing district, or, in Scotland, the licensing court for the licensing area, in which the premises are situated may by order authorise the playing on those premises of a game specified in the order, other than dominoes and cribbage.

- (4) In respect of any premises to which this section applies the licensing justices for the licensing district, or, in Scotland, the licensing court for the licensing area, in which the premises are situated may by order impose such requirements or restrictions with respect to gaming by the playing of dominoes or cribbage, or of any game authorised by virtue of subsection (3) of this section, in a part of those premises to which the public have access as the justices or court may consider necessary to secure that any such gaming in that part of the premises does not take place—
- (a) for high stakes, or
  - (b) in such circumstances as to constitute an inducement to persons to resort to the premises primarily for the purpose of taking part in any such gaming.
- (5) Where an order under subsection (3) or subsection (4) of this section has been made by licensing justices or a licensing court, the justices or court may at any time revoke or vary the order by a subsequent order.
- (6) On making any order under this section the licensing justices or licensing court shall give notice of the making of the order—
- (a) to the holder of the licence or certificate, in the case of any such premises as are mentioned in paragraph (a) of subsection (2) of this section, or
  - (b) to the Secretary of State, in the case of any such premises as are mentioned in paragraph (b) or paragraph (c) of that subsection,
- and shall send a copy of the notice to the chief officer of police, or, in Scotland, the chief constable, for the police area in which the premises are situated; and any such order shall come into force on the giving of the notice to the holder of the licence or certificate, or to the Secretary of State, as the case may be, and, subject to any subsequent order revoking or varying it, shall continue in force so long as the premises continue to be premises to which this section applies.
- (7) Nothing in this section, or in any order made under this section, shall be construed as affecting the operation of sections 2 to 4 of this Act in relation to gaming on any premises to which this section applies.
- (8) In this section " justices' on-licence ", " Part IV licence " and " licensing district " have the same meanings as in the Licensing Act 1964, and " hotel certificate ", " public house certificate " and " licensing area " have the same meanings as in the Licensing (Scotland) Act 1959.