



Gambling Act 2005

2005 CHAPTER 19

PART 5

OPERATING LICENCES

Conditions

83 Return of stakes to children

- (1) An operating licence shall by virtue of this section be subject to the condition that if the licensee becomes aware that a child or young person is using or has used facilities for gambling provided in reliance on the licence, the licensee—
 - (a) must return any money paid in respect of the use of those facilities (whether by way of fee, stake or otherwise) by the child or young person as soon as is reasonably practicable, and
 - (b) may not give a prize to the child or young person.
- (2) But subsection (1) does not apply to—
 - (a) the use of a Category D gaming machine, or
 - (b) participation in equal chance gaming at a licensed family entertainment centre.
- (3) The condition in subsection (1)—
 - (a) shall have effect despite any contract or other agreement and despite any rule of law, and
 - (b) shall not enable a licensee to demand repayment of, and shall not require a child or young person to return, a prize paid before the licensee becomes aware that the participant is a child or young person.
- (4) In this section—
 - (a) a reference to a licensee includes a reference to anyone employed or engaged by a licensee to perform an operational function within the meaning of section 80, and

Status: This is the original version (as it was originally enacted).

- (b) in relation to participation in a lottery or football pools a reference to a child or young person shall be treated as a reference only to a child.
- (5) In this section “prize” includes both a prize provided by a person organising gambling and winnings of money staked.