
STATUTORY INSTRUMENTS

1994 No. 2899

BETTING, GAMING AND LOTTERIES

The Gaming Clubs (Bankers' Games) Regulations 1994

Made - - - - *13th November 1994*
Laid before Parliament *22nd November*
1994
Coming into force - - *1st January 1995*

In pursuance of sections 13(2), 15(2) and 51 of the Gaming Act 1968⁽¹⁾, and after consultation with the Gaming Board for Great Britain, I hereby make the following Regulations:

Citation and Commencement

1. These Regulations may be cited as the Gaming Clubs (Bankers' Games) Regulations 1994 and shall come into force on 1st January 1995.

Interpretation

2.—(1) In these Regulations “the Act” means the Gaming Act 1968.

(2) Subject to regulations 4(7), 5(6), 6(8), 7(13), 8(12) and 9(12) below, nothing in these Regulations shall be construed as requiring any wager to be accepted, or as precluding the cancellation of any wager by mutual consent.

Revocation

3. The Gaming Clubs (Bankers' Games) Regulations 1970⁽²⁾ and the Gaming Clubs (Bankers' Games) Regulations (Scotland) 1970⁽³⁾ are hereby revoked.

Roulette

4.—(1) Section 13(1) of the Act (which prohibits bankers' games) shall not have effect in relation to a game of roulette which is played on premises in respect of which a licence under the Act is for the time being in force, if the game is so played as to comply with the following provisions of this regulation.

(1) 1968 c. 65.
(2) S.I. 1970/803.
(3) S.I. 1970/804 (S.59).

(2) Any wager in relation to the game shall be made with the banker and the bank shall be held by the holder of the licence, or by a person acting on his behalf in pursuance of a contract of service between the holder of the licence and that person.

(3) No person other than the holder of the licence shall have any share or interest in the bank.

(4) The game shall be played with a single ball and with a roulette wheel having thirty-seven equal compartments, and no more, which shall be numbered (in any order) from 0 to 36.

(5) Any wager in relation to the game shall be payable, if won, at the appropriate odds indicated below, and shall be a wager that the score in the game will be—

- (a) one specific number (35 to 1);
- (b) one of two specific numbers (17 to 1);
- (c) one of three specific numbers (11 to 1);
- (d) one of four specific numbers (8 to 1);
- (e) one of six specific numbers (5 to 1);
- (f) one of twelve specific numbers (2 to 1);
- (g) one of eighteen specific numbers not including 0 (1 to 1); or
- (h) one of twenty-four specific numbers (1 to 2).

(6) Any wager that the score in the game will be one of eighteen specific numbers not including 0 shall be subject to the limitation that, if the score should be 0, the stake will be divided equally between the bank and the person wagering.

(7) The holder of the licence shall make available to players all the kinds of wagers referred to in this regulation.

Dice

5.—(1) Section 13(1) of the Act shall not have effect in relation to a game of dice which is played on premises in respect of which a licence under the Act is for the time being in force, if the game is so played as to comply with the following provisions of this regulation.

(2) Any wager in relation to the game shall be made with the banker and the bank shall be held by the holder of the licence, or by a person acting on his behalf in pursuance of a contract of service made between the holder of the licence and that person.

(3) No person other than the holder of the licence shall have any share or interest in the bank.

(4) Two dice, and no more, shall be thrown at every throw made in the course of the game, and the sides of each of the dice shall be marked with values from 1 to 6, so arranged that the sum of the values of any pair of opposite sides is 7.

(5) Any wager in relation to the game shall be of a kind specified in Schedule 1 to these Regulations, and shall be payable, if won, at the appropriate odds there specified.

(6) The holder of the licence shall make available to players all the kinds of wagers referred to in Schedule 1.

Baccarat

6.—(1) In this regulation “baccarat” means any version of that card-game (whether it is baccarat banque, chemin de fer, punto banco or some other version) in which one hand of cards (the banker’s hand) is played against one opposing hand or against each of two opposing hands, and no more.

(2) Section 13(1) of the Act shall not have effect in relation to a game of baccarat which is played on premises in respect of which a licence under the Act is for the time being in force, if the game is so played as to comply with the following provisions of this regulation.

(3) Any wager in relation to the game shall be made with the banker and, subject to paragraph (7) below, shall be payable, if the wager is won, at odds of 1 to 1.

(4) Any wager in relation to the game shall, subject to paragraph (7) below, be a wager that the opposing hand (or, in the case of a game against two opposing hands, a specific one or both of them) will win the game; but the wager shall be subject to the limitation that it will be treated as void if the game should result,—

- (a) in the case of a wager that one hand will win, in a draw between the banker's hand and that hand; or
- (b) in the case of a wager that two hands will win, in a draw between the banker's hand and one or both of those hands or in the banker's hand winning against one of those hands and losing against the other.

(5) Except in the case of chemin de fer played under rules which require the banker to give up being banker immediately an opposing hand wins a game,—

- (a) the bank shall be held by the holder of the licence, or by a person acting on his behalf in pursuance of a contract of service made between the holder of the licence and that person; and
- (b) no person other than the holder of the licence shall have any share or interest in the bank.

(6) In the case of chemin de fer played under rules which require the banker to give up being banker immediately an opposing hand wins a game, neither the holder of the licence nor any person acting on his behalf shall hold the bank or have a share or interest in it.

(7) Where in any game—

- (a) the bank is held as mentioned in paragraph (5)(a) above;
- (b) there is only one opposing hand in the game; and
- (c) the rules of the game are such that no person has an option in any circumstances as to whether or not a third card should be added to either hand in the game,

the banker may, notwithstanding paragraphs (3) and (4) above, accept a wager of one or both of the following kinds:

- (i) a wager (payable, if won, at odds of 19 to 20) that the banker's hand will win the game; and
- (ii) a wager (payable, if won, at odds of 8 to 1) that the banker's hand and the player's hand shall be equal at the end of the game.

(8) The holder of the licence shall make available to players all the kinds of wagers referred to in this regulation.

Blackjack

7.—(1) In this regulation, “blackjack” means that version of the card-game of pontoon or vingt-et-un in which—

- (a) one player (the banker) plays against each of two or more other players (the opposing players), cards being dealt to each of the players;
- (b) the cards are dealt from a shoe containing a shuffled stack of cards consisting, at the commencement of any series of games, of four or six standard packs of playing cards of fifty-two cards each;
- (c) the cards are dealt face upwards so as to be disclosed immediately to all the players;
- (d) one card only is dealt to the banker initially in any game and it is dealt before any opposing player is required to decide, after considering the first two cards dealt to him, whether himself to take a third or any subsequent card;

- (e) an opposing player is not required to take a third or any subsequent card in any circumstances other than those mentioned in paragraph (8) below;
- (f) an opposing player, if he achieves a score of 21 with a hand of two cards only, is not permitted to take any further card or cards;
- (g) the banker is required to take further cards, one by one, until he has a score of more than 16 and is not permitted to take a further card once he has such a score; and
- (h) for the purpose of scoring the cards have the values mentioned in paragraph (11) below.

(2) Section 13(1) of the Act shall not have effect in relation to a game of blackjack which is played on premises in respect of which a licence under the Act is for the time being in force, if the game is so played as to comply with the following provisions of this regulation.

(3) Any wager in relation to the game shall be made with the banker and the bank shall be held by the holder of the licence, or by a person acting on his behalf in pursuance of a contract of service made between the holder of the licence and that person.

(4) No person other than the holder of the licence shall have any share or interest in the bank.

(5) Subject to the following provisions of this regulation, any wager in relation to the game shall be made with the banker by an opposing player; shall be made before any cards are dealt in the game; and shall be a wager (hereafter in this regulation referred to as an “initial wager”) that the person wagering will get a score not exceeding 21, and—

- (a) the banker’s score will exceed 21; or
- (b) the person wagering will get a higher score than the banker; or
- (c) if the person wagering and the banker should both get a score of 21, the person wagering will get it with a hand of two cards only and the banker will not:

but the wager shall be subject to the limitation that it will be treated as void (instead of being lost) if the person wagering and the banker both get the same score of less than 21, or both get a score of 21 with a hand of two cards only, or both get a score of 21 with more than two cards.

(6) The odds payable, if the initial wager is won, shall—

- (a) where the person wagering gets a score of 21 with a hand of two cards only, be 3 to 2; and
- (b) in any other case, be 1 to 1.

(7) Where the first card dealt to the banker is an Ace and the first two cards dealt to an opposing player give a score of 21, nothing in paragraph (5) above shall prevent that player from wagering with the banker a stake equivalent to not more than half the amount staked on his initial wager that the banker’s second card will have a value of 10; and a wager under this paragraph, if won shall be payable at odds of 2 to 1.

(8) Where two cards only have been dealt to an opposing player and they give a score of 9, 10 or 11, nothing in paragraph (5) above shall prevent that player from doubling the amount of his initial stake, on the condition that he is to receive for his hand a third card and no more.

(9) Where two cards only have been dealt to an opposing player in respect of a hand (whether a hand originally dealt to that player or a hand produced by a separation under this paragraph) and they are cards of equal value (other than a value of 4, 5 or 10 each), nothing in paragraph (5) above shall prevent that player from separating those two cards into two separate hands (to each of which, in the case of Aces being separated, only one card may be added) and, for the purposes of the separation, making a further initial wager of the same amount as that already staked (in total) on the hand separated; and where this is done—

- (a) those wagers shall have effect in relation to the two hands respectively, but as if any score of 21 made by either of them with two cards only had been made with more than two cards;
- (b) paragraph (7) above shall not apply; and

- (c) paragraph (8) above shall not apply where the cards separated were Aces but, in any other case, it shall apply as if the two hands had been separate from the outset.
- (10) Notwithstanding paragraph (5), a licence holder may at his discretion introduce an additional feature into the game of blackjack played at a table or tables reserved for the playing of blackjack within the licensed premises, namely “Under 13” or “Over 13” wagers, provided that:
- (a) the feature shall only be available at a table or tables marked at the betting box for the provision of the wagers;
 - (b) the feature, once offered on any gaming day, shall continue to be made available for the remainder of that gaming day;
 - (c) “Under 13” shall be a wager that the first two cards of the hand to which the wager relates shall have a total value of less than 13 and shall be payable, if the wager is won, at odds of 1 to 1, save that where the first two cards are Aces, the wager shall be payable at odds of 7 to 1; the wager shall lose if the total is more than 12;
 - (d) “Over 13” shall be a wager that the first two cards of the hand to which the wager relates shall have a total value of more than 13 and shall be payable, if the wager is won, at odds of 1 to 1; the wager shall lose if the total is less than 14.
 - (e) a wager on “Under 13” or “Over 13” may only be placed if the player has already made a blackjack wager at the position at the table to which the “Under 13” or “Over 13” wager relates, and shall not exceed the amount that the player has staked on that blackjack wager;
 - (f) cards shall have the values set out in paragraph (11) below, except that the value of any Ace for the purpose of an “Under 13” or “Over 13” wager shall at all times be 1; and
 - (g) the making of an “Under 13” or “Over 13” wager shall not affect the manner in which a player may choose to play his hand in accordance with these Regulations.
- (11) The values of the cards referred to in paragraphs (1) and (10)(f) above are as follows—
- (a) the first Ace dealt to any one player in any game has the value of 11 unless that would give the player a score of more than 21 at the end of the game and, subject to that, any Ace has the value of 1;
 - (b) any card from 2 to 10 has its face value; and
 - (c) any Jack, Queen or King has a value of 10.
- (12) For the purposes of this regulation, one person (not being the banker) may act as two or more opposing players and any reference in this regulation to a player or to a person wagering shall be construed accordingly.
- (13) Subject to paragraph (10), the holder of the licence shall make available to players all the kinds of wagers referred to in this regulation.

Casino Stud Poker

- 8.—(1)** In this regulation “Casino Stud Poker” means a version of the card-game stud poker in which—
- (a) one player (the banker) plays against one or more other players (the opposing player or players);
 - (b) a single pack of fifty-two cards is used, which is shuffled prior to the commencement of each hand;
 - (c) the relative value of the cards, the ranking of hands and the terms used to describe the hands held by a participant in the game are as described in Schedule 2 to these Regulations;
 - (d) each opposing player and the banker are dealt five cards; and

- (e) all cards are dealt face down with the exception of the banker's fifth card which is dealt face up.
- (2) Section 13(1) of the Act shall not have effect in relation to a game of Casino Stud Poker which is played on premises in respect of which a licence under the Act is for the time being in force, if the game is so played as to comply with the following provisions of this regulation.
- (3) Any wager in relation to the game shall be made with the banker by an opposing player and the bank shall be held by the holder of the licence or by a person acting on his behalf in pursuance of a contract of service made between the holder of the licence and that person.
- (4) No person other than the holder of the licence shall have any share or interest in the bank.
- (5) An initial wager (referred to in this regulation as a player's "Ante wager"), shall be made by an opposing player before any cards are dealt in the game, and shall be placed in the designated betting area.
- (6) An opposing player who wishes to continue in the game after the cards are dealt shall make a second wager (referred to in this regulation as a player's "Raise wager") which must be exactly twice his Ante wager.
- (7) Those opposing players not making a Raise wager shall surrender the amount staked on their Ante wager to the bank.
- (8) The wagers of the remaining opposing players shall win if, upon the hands being revealed—
- (a) the banker does not have a hand containing Ace/King or better, in which case the hand will be complete and the opposing player's Ante wager only shall win at 1 to 1; in this case, his Raise wager shall be a "no bet" and shall be returned; or
 - (b) the banker does have a hand containing Ace/King or better and the opposing player has a hand which outranks it, in which case the player's Ante wager shall win at 1 to 1 and his Raise wager shall win and be paid as follows:
 - (i) straight flush (50 to 1);
 - (ii) four of a kind (20 to 1);
 - (iii) full house (8 to 1);
 - (iv) flush (6 to 1);
 - (v) straight (4 to 1);
 - (vi) three of a kind (3 to 1);
 - (vii) two pairs (2 to 1); and
 - (viii) one pair or less (1 to 1).
- (9) For the purposes of paragraph (8) above, "Ace/King or better" means a hand containing at least one Ace and one King, or any better hand in accordance with the ranking of hands described in Schedule 2 to these Regulations.
- (10) An opposing player's hand which is outranked by the banker's will lose both his Ante and Raise wagers.
- (11) If an opposing player's hand and the banker's hand are of exactly equal ranking, the wagers on those hands will be void.
- (12) The holder of the licence shall make available to players all the kinds of wagers referred to in this regulation.

Super Pan 9

9.—(1) Section 13(1) of the Act shall not have effect in relation to a game of Super Pan 9 which is played on premises in respect of which a licence under the Act is for the time being in force, if the game is so played as to comply with the following provisions of this regulation.

(2) In this regulation “the House” means the holder of the licence, or a person acting on his behalf in pursuance of a contract of service made between the holder of the licence and that person, and “Super Pan 9” means a card-game having the following features:

- (a) one player (the banker) plays against one or more other players (the opposing player or players);
- (b) eight standard packs of fifty-two cards are used from which the sevens, eights, nines and tens have been removed, leaving a total of two hundred and eighty-eight cards;
- (c) each card is valued as follows:
 - (i) an Ace has a value of one;
 - (ii) cards numbered from two to six inclusive shall have a value corresponding to their respective markings; and
 - (iii) Jacks, Queens and Kings have a value of zero;
- (d) the value of each hand is determined by totalling the values of each of its constituent cards and then, if the resulting total is an amount in excess of nine, deducting ten or such multiple of ten as is appropriate from the total so that the final value is a number from 0 to 9 inclusive;
- (e) three cards are dealt to each opposing player and three to the banker;
- (f) each opposing player has the option to request a fourth card;
- (g) in all circumstances the House, if banker, must draw a fourth card if its hand totals five or less and stand if it totals six or more; and
- (h) a player other than the House when holding the bank may take or refuse a fourth card at his own discretion.

(3) Subject to paragraph (10), any wager in relation to the game shall be made with the banker by an opposing player.

(4) Subject to the next paragraph, the House may, during the course of the game, offer the bank to another player participating in the game and in such an event the bank shall be held for one hand at a time by each player in turn (including the House), save that the player whose turn it is to hold the bank shall (if the player is not the House) have the right to refuse to do so.

(5) Where only one opposing player has placed a wager, the bank shall always be held by the House.

(6) When the bank is being held by the House, no person other than the holder of the licence shall have any share or interest in it.

(7) An initial wager shall be made by an opposing player before any cards are dealt to him.

(8) An initial wager made by an opposing player shall win if, after all participants including the banker for the time being have either taken or declined a fourth card, the point value of the player’s hand is more than the banker’s hand, and shall be considered void if the player’s hand is of equal value to the banker’s hand.

(9) An initial wager, if won, shall be payable:

- (a) where the House is the bank, at odds of 19 to 20; or
- (b) where a player other than the House is holding the bank, at odds of 1 to 1.

(10) On any round of betting, regardless of who is holding the bank, a wager may be made against the House that the opposing player's hand on which the wager is made will be equal to the banker's hand; and if, after all cards have been disclosed, the player's hand on which the wager has been made is equal in value to the banker's hand, the wager shall be payable at odds of 7 to 1.

(11) A player other than the House holding the bank shall have the right, if the total value of wagers placed by other players at the table does not amount to the stake that he has placed, to request the House to place a wager, provided always that this House wager does not exceed the table maximum (that being the amount of money determined by the House as the maximum it will accept as a single wager); where such a request is made the House shall comply with it.

(12) The holder of the licence shall make available to players all the kinds of wagers referred to in this regulation.

10.—(1) Where a game of Super Pan 9 is played on premises in respect of which a licence under the Act is for the time being in force, after the settlement of wagers against a bank held by a player other than the House, the House may charge a levy on that player's winnings of 5% of any excess of losing wagers over winning wagers.

(2) Expressions used in this regulation shall have the same meaning as in regulation 9.

Home Office
13th November 1994

Michael Howard
One of Her Majesty's Principal Secretaries of
State

SCHEDULE 1

Regulation 5

DICE Permitted Wagers

“Win” “Come” “Behind” wagers

1.—(1) A wager that the score on the next throw of the dice will not be 2, 3 or 12, but that either it will be 7 or 11 or, if it should be 4, 5, 6, 8, 9 or 10, then that same score of 4, 5, 6, 8, 9 or 10, as the case may be, will occur again before a score of 7 occurs.

The odds payable if the wager is won shall be 1 to 1.

(2) Where a person has made a wager under sub-paragraph (1) above and, on the first throw of the dice following the making of that wager, a score of 4, 5, 6, 8, 9 or 10 has occurred, that person may under this sub-paragraph wager a stake equivalent to not more than the amount staked on his wager under sub-paragraph (1) above that that same score of 4, 5, 6, 8, 9 or 10, as the case may be, will occur before a score of 7 occurs.

The odds payable if a wager under this sub-paragraph is won shall, where the score wagered on is—

- (a) 4 or 10, be 2 to 1;
- (b) 5 or 9, be 3 to 2;
- (c) 6 or 8, be 6 to 5.

“Don't win bar 2” “Don't come bar 2” “Behind” wagers

2.—(1) A wager that the score on the next throw of the dice (disregarding any throw giving a score of 2) will not be 7 or 11, but that either it will be 3 or 12 or, if it should be 4, 5, 6, 8, 9 or 10, then a score of 7 will occur before that same score of 4, 5, 6, 8, 9 or 10, as the case may be, occurs again.

The odds payable if the wager is won shall be 1 to 1.

(2) Where a person has made a wager under sub-paragraph (1) above and, on the first throw of the dice following the making of that wager (disregarding any throw giving a score of 2), a score of 4, 5, 6, 8, 9 or 10 has occurred, that person may under this sub-paragraph wager a stake sufficient to win not more than the amount staked on his wager under sub-paragraph (1) above that a score of 7 will occur before that same score of 4, 5, 6, 8, 9 or 10, as the case may be, occurs again.

The odds payable if a wager under this sub-paragraph is won shall, where the score wagered against is—

- (a) 4 or 10, be 1 to 2;
- (b) 5 or 9, be 2 to 3;
- (c) 6 or 8, be 5 to 6.

“Place Bets (Box Numbers) to Win”

3. A wager (not being a wager under paragraph 1(2) above) that a specific score, being one of the following, that is to say, 4, 5, 6, 8, 9 or 10, will occur before a score of 7 occurs.

The odds payable if the wager is won shall, where the score wagered on is—

- (a) 4 or 10, be 9½ to 5;
- (b) 5 or 9, be 7 to 5;
- (c) 6 or 8, be 7 to 6.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“Place Bets (Box Numbers) to Lose”

4. A wager (not being a wager under paragraph 2(2) above) that a score of 7 will occur before a specific score, being one of the following, that is to say, 4, 5, 6, 8, 9 or 10, occurs.

The odds payable if the wager is won shall, where the score wagered against is—

- (a) 4 or 10, be 5 to 11;
- (b) 5 or 9, be 5 to 8;
- (c) 6 or 8, be 4 to 5.

“Hard Ways”

5. A wager that a specific score, being one of the following, that is to say, 4, 6, 8 or 10, will occur made up of two of the same number, before it occurs made up of different numbers and before a score of 7 occurs.

The odds payable if the wager is won shall, where the score wagered on is—

- (a) 4 or 10, be 7½ to 1;
- (b) 6 or 8, be 9½ to 1.

“Craps”

6. A wager that on the next throw of the dice the score will be one or another of the following, that is to say, 2, 3 and 12.

The odds payable if the wager is won shall be 7(r) to 1.

“Field”

7. A wager that on the next throw of the dice the score will be one or another of the following, that is to say, 2, 3, 4, 9, 10, 11 and 12.

The odds payable if the wager is won shall, where the score which occurs is—

- (a) 12, be 3 to 1;
- (b) 2, be 2 to 1;
- (c) 3, 4, 9, 10 or 11, be 1 to 1.

“Single Number” Wagers

8. A wager that on the next throw of the dice a specific score being one of the following, that is to say, 2, 3, 11 or 12, will occur.

The odds payable if the wager is won shall, where the score wagered on is—

- (a) 2 or 12, be 33 to 1;
- (b) 3 or 11, be 16 to 1.

SCHEDULE 2

Regulation 8

CASINO STUD POKER

Relative value of cards

1. The relative value of each of the cards in casino stud poker is as follows (in descending order):

- (a) Ace
- (b) King
- (c) Queen
- (d) Jack
- (e) Ten
- (f) Nine
- (g) Eight
- (h) Seven
- (i) Six
- (j) Five
- (k) Four
- (l) Three
- (m) Two

except that the Ace may be used as a value of one in order to complete a straight flush or a straight, as defined in paragraph 2 of this Schedule.

2. The terms used to describe casino stud poker hands and the ranking of the hands from highest to lowest are as follows:—

- (a) Royal Flush—Ace, King, Queen, Jack and ten of the same suit;
- (b) Straight Flush—five cards of consecutive values of the same suit;
- (c) Four of a Kind—four cards of the same value;
- (d) Full House—three cards of the same value together with two cards of the same value being different to the first value;
- (e) Flush—five cards of the same suit;
- (f) Straight—five cards of consecutive values not being a Royal Flush or a Straight Flush;
- (g) Three of a Kind—three cards of the same value;
- (h) Two Pairs—two cards of the same value together with two cards of the same value being different to the first value;
- (i) One pair—two cards of the same value; and
- (j) No pair—the highest value cards of the hand.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 13(1) of the Gaming Act 1968 prohibits the playing of bankers' games and games of unequal chance on premises licensed under that Act. Section 13(2), however, authorises the making of regulations to provide that this prohibition shall not have effect in relation to games specified in the Regulations, if so played as to comply with the Regulations.

These Regulations, which replace with modifications the Gaming Clubs (Bankers' Games) Regulations 1970 (S.I.1970/803) and the Gaming Clubs (Bankers' Games) (Scotland) Regulations 1970 (S.I. 1970/804 (S.59)), specify for this purpose the game of roulette, the dice game sometimes known as craps, the various versions of baccarat (including chemin de fer and punto banco), blackjack, casino stud poker, super pan 9, and the manner in which they are to be played.

The changes of substance made by these Regulations are—

- (a) the addition of the card games known as casino stud poker and super pan 9;
- (b) changes to the regulations to ensure that truncated games such as “Gorleston roulette” are not permitted;
- (c) the extension of the facility to separate pairs at blackjack beyond the initial deal;
- (d) a provision allowing four or six standard packs of fifty-two cards to be used in a series of games of blackjack;
- (e) the introduction of an optional facility to provide an “under 13/over 13” side wager at blackjack;
- (f) the introduction of an additional wager on “égalité” at punto banco.

The Regulations do not affect any restriction contained in a licence under the Act as to the games which may be played on the premises.