Gaming (Bingo) Act 1985

1985 CHAPTER 35

An Act to amend the Gaming Act 1968 in respect of games which are played on bingo club premises and in which the players may be on different bingo club premises. [16th July 1985]

BE IT ENACTEDby the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 " Multiple bingo ".

(1) In this Act" a game of multiple bingo " means a game of bingo played jointly on different bingo club premises in circumstances where—

(a) the draw is determined before the beginning of the game by the organiser of the game and announced on each of those premises while the game is being played there;

(b) the game is played on each of those premises within a specified period which begins and ends at the same time for all of them ; and

(c) each player competes for a prize calculated by reference to the stakes hazarded at all those premises and also for either or both of the following—

(i) a prize calculated by reference to the stakes hazarded at a group of those premises which includes the premises on which he is taking part in the game; and

(ii) a prize calculated by reference to the stakes hazarded at the last-mentioned premises.

(2) In this Act " the organiser ", in relation to a game of multiple bingo, means the person having the central management of the game on behalf of the persons holding licences under the principal Act in respect of the premises on which the game is played.

(3) In this Act " the principal Act" means the Gaming Act 1968, " bingo club premises " has the meaning given in section 20 of that Act, " the Board " means the Gaming Board for Great Britain and " premises " includes any place.

2 Modifications of principal Act for multiple bingo.

(1) If the conditions specified in subsection (2) below are fulfilled in the case of a game of multiple bingo section 12 of the principal Act (restriction on persons who may participate in gaming under Part II of that Act) shall have effect in relation to the game with the following modifications—

(a) for the purposes of subsection (1) a person shall be regarded as present on the premises where the game is being played and at the time when it is being played there if he is present on any of the premises where it is being played and at the time when it is being played on those premises ; and

(b) for the purposes of the application of subsections (2) and (3) in relation to each of those premises, regard shall be had only to such of the players as are present on those particular premises.

(2) The conditions referred to in subsection (1) above are that—

(a) the aggregate amount paid to players as prizes in respect of the game does not exceed the aggregate amount of the stakes hazarded by the players in playing that game;

(b) the amount of any such prize does not exceed £50,000 or such other sum as may be specified in an order made by the Secretary of State ; and

(c) the organiser of the game is a person holding a certificate of approval issued by the Board under the Schedule to this Act.

(3) Section 20(8) of the principal Act (maximum amount of winnings) shall not apply to games of multiple bingo.

(4) Section 42(3)(a) of the principal Act (permitted advertisements) shall not be construed as permitting the display on any premises, so as to be visible from outside those premises, of any sign or notice indicating the amount that has been or may be won by a player in a game of multiple bingo.

(5) The power to make an order under subsection (2) (b) above shall be exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.

3 Multiple bingo regulations.

(1) The Secretary of State may make regulations with respect to the management and conduct of games of multiple bingo and in particular with respect to the following matters—

(a) the number of games that may be played on any bingo club premises in any period of twenty-four hours ;

(b) the period for the playing of a game ;

(c) the functions of the organiser of the game and of the persons conducting the game at any bingo club premises ; and

(d) the maximum amount of the stakes and the method of calculating the amount of the prizes.

(2) The Secretary of State shall not make any regulations under this section except after consultation with the Board.

(3) The power to make regulations under this section shall be exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.

4 Offences and enforcement.

(1) A person shall not act as the organiser of a game of multiple bingo unless he holds such a certificate as is mentioned in section 2(2)(c) above.

(2) The provisions of subsection (1) above and of any regulations made under section 3 above shall be included among the provisions a contravention of which is an offence under section 23 of the principal Act; and in subsection (6) of that section the reference to a certificate of approval under section 19 of that Act shall include a reference to any such certificate as is mentioned in section 2(2)(c) above.

(3) In section 43 of the principal Act (powers of entry)—

(a) references to premises in respect of which a licence under that Act is in force and to the holder of a licence in respect of any such premises shall include references to any premises used by the organiser of a game of multiple bingo for the management of such games and to the organiser using those premises for that purpose ;

(b) the reference in subsection (2) to a contravention of that Act or of regulations made under it shall include a reference to a contravention of subsection (1) above or of regulations made under section 3 above ; and

(c) the references in subsections (3) and (6) to books, documents or information relating to premises in respect of which a licence under that Act is in force shall, in relation to an organiser of games of multiple bingo, be construed as references to books, documents or information relating to his management of such games.

5 Short title, commencement and extent.

(1) This Act may be cited as the Gaming (Bingo) Act 1985.

(2) This Act shall come into force on such day as may be appointed by an order made by the Secretary of State by statutory instrument, and different days may be appointed for different provisions or for different purposes.

(3) This Act does not extend to Northern Ireland.

SCHEDULE

Section 2(2)(c).

CERTIFICATES OF APPROVAL

Issue of certificate

1 (1) Any person may apply to the Board for the issue of a certificate of approval as an organiser of games of multiple bingo (in this Schedule referred to as " a certificate").

(2) Any application for a certificate shall specify the arrangements to be made by the applicant for the management of such games.

(3) If the applicant is a company the application shall specify the names and addresses of the directors of the company.

2 In determining whether to issue a certificate the Board shall have regard only to the question whether, in their opinion, the applicant is likely to be capable of, and diligent in, securing that the provisions of the principal Act and any regulations made under that Act or this Act will be complied with and that the games managed by him will be conducted fairly and properly.

3 A certificate shall continue in force unless and until it is revoked by the Board under paragraph 4 or terminated by virtue of an order under paragraph 5 below.

Revocation of certificate

4 (1) The Board may revoke a certificate—

(a) if they are no longer of the opinion that the holder of the certificate is likely to be capable of, or diligent in, securing the matters mentioned in paragraph 2 above ; or

(b) if it appears to them that any information given to them by or on behalf of the applicant in or in connection with the application for the certificate was false in a material particular.

(2) Where the Board determine to revoke a certificate they shall serve a notice on the person to whom it relates stating that the certificate is revoked as from the end of the period of twenty-one days from the date of service of the notice ; and the revocation shall take effect at the end of that period.

(3) Section 47 of the principal Act (service of documents) shall apply to any notice under this paragraph.

Fees

5 (1) The Secretary of State may by order require the payment to the Board of—

(a) such fee for the issue of a certificate as is specified in the order; and

(b) such periodical fees as are so specified for the continuing in force of a certificate ;

and any such order may provide for the termination of a certificate in the event of non-payment of any such periodical fee.

(2) Any fee received by the Board by virtue of this paragraph shall be paid into the Consolidated Fund.

(3) The power to make an order under this paragraph shall be exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.