

STATUTORY INSTRUMENTS

1984 No. 470 (S.50)

BETTING, GAMING AND LOTTERIES

**The Gaming Clubs (Hours and Charges) (Scotland) Regulations
1984***Made* - - - - 29th March 1984*Laid before Parliament* 9th April 1984*Coming into Operation* 30th April 1984

In exercise of the powers conferred on me by sections 14(2) and (3), 22(4) and 51 of the Gaming Act 1968(a), and after consultation with the Gaming Board for Great Britain in accordance with section 51(2) of that Act, I hereby make the following Regulations:—

Citation, commencement and extent

1.—(1) These regulations may be cited as the Gaming Clubs (Hours and Charges) (Scotland) Regulations 1984 and shall come into operation on 30th April 1984.

(2) These regulations shall extend to Scotland only.

Interpretation

2.—(1) In these regulations—

“the Act” means the Gaming Act 1968;

“bingo club premises” has the meaning assigned to it by section 20(1) of the Act;

“charging period” has the meaning assigned to it by regulation 5(3) of these regulations; and

“gaming” does not include gaming by means of any machine to which Part III of the Act applies.

(2) A reference in these regulations to a charge in respect of gaming does not include an amount paid for a chance of winning a prize in gaming to which section 21 of the Act applies.

(3) Nothing in these regulations precludes the making of different charges thereunder in respect of different facilities (whether provided in different parts of the same premises or by way of different games or of the same game played at different tables or otherwise) or in respect of gaming facilities provided on the premises during different sessions of play.

(a) 1968 c. 65.

Bingo hours

3.—(1) Subject to paragraphs (2) and (3) below, no gaming shall take place on bingo club premises except—

- (a) between the hours of noon and midnight on a Saturday;
- (b) between the hours of seven thirty and eleven in the evening on a Sunday; and
- (c) between the hours of noon and eleven in the evening on any other day.

(2) Paragraph (1) above shall not have effect in respect of New Year's Eve and on that day no gaming shall take place on bingo club premises except—

- (a) if that day is a Sunday, between the hours of seven thirty and eleven in the evening; and
- (b) if it is any other day, between the hours of noon and midnight.

(3) This regulation is without prejudice to any restrictions imposed in exercise of the powers in Schedule 2 to the Act (powers of licensing authority).

General gaming hours

4.—(1) No gaming shall take place on any premises (not being bingo club premises) in respect of which a licence under the Act is for the time being in force on any weekday between the hours of four in the morning and two in the afternoon.

(2) This regulation is without prejudice to any restrictions imposed in exercise of the powers in Schedule 2 to the Act (powers of licensing authorities).

Bingo charges

5.—(1) Any charge which, apart from this regulation, would be prohibited by section 3 of the Act, as applied by section 14(1) of the Act, may be made in respect of gaming on bingo club premises if the charge satisfies the following requirements, which are that—

- (a) the charge shall be in respect of one person and be for admission to or otherwise in respect of gaming which takes place within a charging period;
- (b) the charge shall be of a fixed amount of money not exceeding £4 (exclusive of value added tax);
- (c) where in relation to one charging period more than one charge can be incurred, or the same charge can be incurred more than once, by one person (without leaving the premises and being readmitted), every charge shall be in accordance with a scheme of charging so devised that the aggregate amount of the charges which can be incurred by any one person (without leaving the premises and being readmitted) in relation to that charging period does not exceed £4 (exclusive of value added tax); and

- (d) where charges are made for permission to take part in games of bingo of the kind whose rules permit a player to withdraw any part of his initial stake after the game has begun, the number of times that one person can incur such a charge (whether by incurring different charges of that kind, or by incurring the same charge more than once or by incurring charges partly in one way and partly in another) shall not exceed three in relation to one charging period.
- (2) There may be specified for the purposes of this regulation, in a notice displayed on the premises at or near the principal entrance, one or more periods of time which are—
- (a) identified by reference to the clock,
 - (b) wholly within the hours during which gaming may take place on those premises,
 - (c) not wholly or partly concurrent, and
 - (d) not shorter in duration than two hours each except that one period on a Sunday may be not shorter in duration than one and a half hours.
- (3) Any reference in this regulation to a charging period is a reference—
- (a) in the case where a period is specified in accordance with paragraph (2) above, to a period so specified; and
 - (b) in any other case, to a period of twenty-four hours beginning with midnight.

General gaming charges

6.—(1) Any charge which, apart from this regulation would be prohibited by section 3 of the Act, as applied by section 14(1) of the Act, may be made in respect of gaming on any premises (not being bingo club premises) in respect of which a licence under the Act is for the time being in force, if the charge satisfies the following requirements, which are that—

- (a) the charge shall be of a fixed amount of money and shall be in respect of one or more facilities accorded to one person; and
 - (b) subject to paragraph (2) below, where the charge is of such a nature that it can be incurred more than once by one person (otherwise than by leaving and being readmitted to the premises, or any particular part of the premises or any particular table), the charge shall not be capable of being incurred again by the same person within one hour of the time when it was last incurred by him.
- (2) A charge may be made for permission to take part in a series of games of *chemin de fer* (including a series which has already begun), notwithstanding that the charge may recur within one hour, if—
- (a) the games comprised in the series consist of all the games which can be played with a shoe of not fewer than six packs of playing cards of fifty-two cards each; and
 - (b) neither the holder of the licence nor any person acting on his behalf holds the bank, or has a share or interest in it, in any of the games in the series.

Revocations

7. The Gaming Clubs (Hours and Charges) (Scotland) Regulations 1970(a), paragraph (2) of regulation 2 of the Gaming Charges (Scotland) Regulations 1973(b) and the Gaming Clubs (Hours and Charges) (Scotland) Amendment Regulations 1983(c) are hereby revoked.

New St. Andrew's House,
Edinburgh.
29th March 1984.

George Younger,
One of Her Majesty's Principal
Secretaries of State.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations consolidate, with amendments, the regulations revoked by regulation 7. The regulations restrict the hours during which gaming is permitted on premises licensed for gaming in Scotland and they authorise the making of charges in respect of gaming on those premises. The changes of substance made by these regulations are—

- (a) an extension of the permitted hours for gaming in bingo clubs on weekdays so that gaming may commence at noon instead of 2 p.m. (regulation 3);
- (b) an increase in the maximum charge which may be made for gaming in bingo clubs during a charging period from £3.50 to £4 (regulation 5(1)(b) and (c));
- (c) the addition of a requirement that all charging periods which may be notified in bingo clubs are within the hours during which gaming may take place (regulation 5(2)(b)); and
- (d) the addition of a provision to allow one of the charging periods on a Sunday (when the permitted hours extend only to 3½ hours) to be not shorter than 1½ hours rather than not shorter than 2 hours (regulation 5(2)(d)).

(a) S.I. 1970/781.

(b) S.I. 1973/359.

(c) S.I. 1983/80.

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