Gambling Act 2005

CHAPTER 19

GAMBLING ACT 2005

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Payment to discover whether prize won

6 For the purposes of section 11 and this Schedule a...

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7 For the purposes of section 11 and this Schedule a...

Choice of free entry

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Meaning of payment

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3 It is immaterial for the purposes of section 14 and...
4 It is also immaterial for the purposes of section 14...

Stamps, telephone calls, &c.

5 (1) For the purposes of section 14 and this Schedule...

Payment to discover whether prize won

6 For the purposes of section 14 and this Schedule a...

Payment to claim prize

7 For the purposes of section 14 and this Schedule a...

Choice of free entry

8 (1) For the purposes of section 14 and this Schedule...

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18A An offence under either of the following provisions of the...
18B An offence under either of the following provisions of the...
18C An offence under any of the following provisions of the...
19 In Scotland, the offences at common law of—
20 In Scotland, the offence at common law of uttering and...
21 An inchoate offence relating to an offence listed elsewhere in...
22 A reference in this Part of this Schedule to an...
22A Section 48 of the Armed Forces Act 2006 (attempts, conspiracy,...

Part 2 — POWER TO AMEND PART 1

23 The Secretary of State may by order amend Part 1...

SCHEDULE 8 — Gambling Appeals Tribunal

President, deputy and members

1 Gambling Appeals Tribunal
2 Gambling Appeals Tribunal

Tenure

3 Gambling Appeals Tribunal

Staff

4 Gambling Appeals Tribunal
Money

5 Gambling Appeals Tribunal
6 Gambling Appeals Tribunal
7 Gambling Appeals Tribunal
8 Gambling Appeals Tribunal

Sittings

9 Gambling Appeals Tribunal
10 Gambling Appeals Tribunal
11 Gambling Appeals Tribunal

Procedure

12 Gambling Appeals Tribunal
13 Gambling Appeals Tribunal
14 Gambling Appeals Tribunal

Council on Tribunals

15 Gambling Appeals Tribunal

Disqualification, &c.

16 Gambling Appeals Tribunal
17 Gambling Appeals Tribunal

SCHEDULE 9 — Applications for Casino Premises Licences

Introduction

1 (1) This Schedule applies to an application for a casino...

Competition for licences

2 (1) Before considering an application to which this Schedule applies...

Two-stage consideration

3 Paragraph 4 applies where (whether or not as a result...
4 (1) The licensing authority shall first consider in respect of...
5 (1) This paragraph applies if a licensing authority determine under...
6 (1) The Secretary of State may issue a code of...
7 (1) Where a licensing authority issue a casino premises licence...
8 (1) An appeal may be brought under section 206(1) or...

Provisional statements

9 A reference in this Schedule to an application for a...
10 (1) This paragraph applies where the process described in paragraphs...

SCHEDULE 10 — Family Entertainment Centre Gaming Machine Permits

Interpretation

1 In this Schedule— “holder”, in relation to a permit, means...
Changes to legislation: There are currently no known outstanding effects for the Gambling Act 2005. (See end of Document for details)

Making of application
2 (1) An application for a permit may be made only...
3 An application for a permit may not be made if...
4 An application for a permit must be made to a...
5 An application for a permit must— (a) be made in...

Consideration of application
6 Sections 154 and 155 shall have effect in relation to...
7 (1) A licensing authority may prepare a statement of principles...

Determination of application
8 (1) On considering an application for a permit a licensing...
9 A licensing authority may grant an application for a permit...
10 (1) A licensing authority may not refuse an application unless...

Form of permit
11 (1) A permit must be in the prescribed form and...

Duration
12 A permit shall cease to have effect at the end...
13 (1) A permit shall lapse if the holder ceases to...
14 A permit shall lapse if the licensing authority notify the...
15 (1) A permit held by an individual shall lapse if—...
16 A permit shall cease to have effect if the holder...
17 (1) Where the holder of a permit is convicted of...

Renewal
18 (1) The holder of a permit may apply to the...

Maintenance
19 The holder of a permit shall keep it on the...
20 (1) An occupier of premises in respect of which a...
21 (1) Where a permit is lost, stolen or damaged, the...

Appeal
22 (1) The applicant for or holder of a permit may...

Register
23 (1) A licensing authority shall— (a) maintain a register of...

Vehicles and vessels
24 A permit may not be issued in respect of a...

SCHEDULE 11 — Exempt Lotteries
Part 1 — INCIDENTAL NON-COMMERCIAL LOTTERIES
Gambling Act 2005 (c. 19)

Changes to legislation: There are currently no known outstanding effects for the Gambling Act 2005. (See end of Document for details)

The exemption
1 (1) A lottery is exempt if— (a) it is incidental...

Exempt Lotteries

Deductions from proceeds
3 The promoters of an incidental non-commercial lottery may not deduct...
4 The promoters of an incidental non-commercial lottery may not deduct...

Purpose of lottery
5 An incidental non-commercial lottery must be promoted wholly for a...

No rollover
6 The arrangements for an incidental non-commercial lottery must not include...

Connection between lottery and event
7 (1) No lottery ticket for an incidental non-commercial lottery may...

Interpretation: “prescribed”
8 In this Part “prescribed” means prescribed by the Secretary of...

Part 2 — PRIVATE LOTTERIES

The exemption
9 (1) A lottery is exempt if— (a) it is a...

Private society lottery
10 (1) A lottery is a private society lottery if—

Work lottery
11 (1) A lottery is a work lottery if—

Residents' lottery
12 (1) A lottery is a residents' lottery if—

Purpose of lottery
13 (1) A private society lottery may be promoted for any...

Advertising
14 (1) No advertisement for a private society lottery may be—...

Lottery tickets
15 Each ticket in a private lottery must be a document...
16 (1) A ticket in a private lottery may be sold...
17 Exempt Lotteries
Changes to legislation: There are currently no known outstanding effects for the Gambling Act 2005. (See end of Document for details)

Price
18 The price payable for each ticket in a private lottery—...

No rollover
19 The arrangements for a private lottery must not include a...

Part 3 — CUSTOMER LOTTERY

The exemption
20 (1) A lottery is exempt if— (a) it is promoted...

No profits
21 A customer lottery must be organised in such a way...

Advertising
22 No advertisement for a customer lottery may be—

Lottery tickets
23 Each ticket in a customer lottery must be a document...
24 (1) A ticket in a customer lottery may be sold...
25 Each ticket in a customer lottery— (a) must state the...

Price
26 The price payable for each ticket in a customer lottery—...

Maximum prize
27 It must not be possible for the purchaser of a...

No rollover
28 The arrangements for a customer lottery must not include a...

Frequency
29 A draw in a customer lottery must not take place...

Part 4 — SMALL SOCIETY LOTTERIES

The exemption
30 (1) A lottery is exempt if— (a) it is promoted...
31 (1) For the purposes of this Part a society lottery...

Purpose of lottery
32 A small society lottery may be promoted for any of...

Minimum distribution for fund-raising purpose
33 The arrangements for a small society lottery must ensure that...

Maximum prize
34 It must not be possible for the purchaser of a...
Rollover

35 (1) The arrangements for a small society lottery may include...

Tickets

36 (1) Where a person purchases a lottery ticket in a...

Price

37 (1) The price payable for each ticket in a small...

Registration

38 The promoting society of a small society lottery must, throughout...

Filing of records

39 (1) The promoting society of a small society lottery must...
40 (1) If after receiving a statement under paragraph 39 a...

Part 5 — REGISTRATION WITH LOCAL AUTHORITY

Local authority

41 In this Part “local authority” means— (a) in relation to...

Application

42 (1) A society may apply to the relevant local authority...
43 In relation to the registration of a society, the relevant...

Registration

44 As soon as is reasonably practicable after receipt of an...

Gambling Commission

45 As soon as is reasonably practicable after receipt of notice...
46 (1) A notice under paragraph 44(c) must be accompanied by...

Refusal of registration

47 A local authority shall refuse an application for registration if...
48 A local authority may refuse an application for registration if...
49 A local authority may not refuse an application for registration...

Revocation

50 (1) A local authority may revoke a registration under this...

Appeal

51 (1) If a local authority refuse or revoke registration under...

Cancellation

52 A registered society may apply in writing to the registering...
53 As soon as is reasonably practicable after receipt of an...
Annual fee

54  (1) A registered society shall pay an annual fee to...

Retention of records

55  (1) Where a statement is sent to a local authority...

Interpretation: “prescribed”

56  In this Part “prescribed” means prescribed by the Secretary of...

Part 6 — POWERS TO IMPOSE ADDITIONAL RESTRICTIONS, &C.

Distributing lottery tickets by post

57  (1) The Secretary of State may by regulations impose a...

Rollover

58  (1) The Secretary of State may by regulations impose in...

Other additional provision

59  (1) The Secretary of State may by order impose in...

Variation of monetary limits and percentages

60  The Secretary of State may by order vary a monetary...

Part 7 — GENERAL

Interpretation: advertisement

61  For the purposes of this Schedule— (a) “advertisement”, in relation...

Interpretation: business

62  In this Schedule “business” includes trade and profession.

Vessels

63  Nothing in Part 2 or 3 of this Schedule applies...

SCHEDULE 12 — Club Gaming Permits and Club Machine Permits

Application

1  (1) A members' club or miners' welfare institute may apply...

2  An application must— (a) be made to a licensing authority...

3  (1) A club or institute making an application for a...

Consideration of application

4  A person who receives a copy of an application for...

5  The licensing authority to whom an application for a permit...

6  (1) A licensing authority may refuse an application for a...

7  (1) Before refusing an application for a permit a licensing...

8  (1) Where a licensing authority grant an application for a...

9  Where a licensing authority reject an application for a permit...
Fast-track procedure for holder of club premises certificate

10 (1) This paragraph applies to an application if—

Form of permit

11 (1) A permit must be in the prescribed form and...

Maintenance

12 The holder of a permit shall keep it on the...

13 (1) An occupier of premises to which a permit relates...

14 (1) The holder of a permit— (a) shall pay a...

15 (1) If information contained in a permit ceases to be...

16 (1) Where a permit is lost, stolen or damaged, the...

Duration

17 (1) A permit shall cease to have effect at the...

18 (1) If the holder of a permit ceases to be...

19 (1) A permit shall cease to have effect upon being...

20 (1) The licensing authority which issues a permit shall as...

Cancellation and forfeiture

21 (1) The licensing authority which issued a permit may cancel...

22 (1) The licensing authority which issued a permit shall cancel...

23 (1) Where the holder of a permit, or an officer...

Renewal

24 (1) The holder of a permit may apply to the...

Appeal

25 (1) Where a licensing authority reject an application for the...

Register

26 (1) A licensing authority shall— (a) maintain a register of...

Exercise of functions by licensing authority: general

27 In exercising a function under this Schedule a licensing authority...

28 (1) Sections 154 and 155 shall have effect in relation...

Vehicles and vessels

29 A club gaming permit or club machine permit may not...

Interpretation

30 In this Schedule “prescribed” means prescribed by the Secretary of...

31 This Schedule shall, in its application to Scotland, have effect...

SCHEDULE 13 — Licensed Premises Gaming Machine Permits
Making of application
1 (1) A person who applies to a licensing authority (in...  
2 An application for a permit must— (a) be made in...  
3 Sections 154 and 155 shall have effect in relation to...  
4 (1) A licensing authority to whom an application is made...  
5 (1) A licensing authority may not attach conditions to a...  
6 (1) A licensing authority may grant an application under this...

Form of permit
7 (1) A permit must be in the prescribed form and...

Maintenance
8 The holder of a permit shall keep it on the...
9 (1) The holder of a permit— (a) shall pay a...
10 (1) An occupier of premises in respect of which a...
11 (1) Where a permit is lost, stolen or damaged, the...
12 A permit shall continue to have effect unless and until...
13 A permit shall cease to have effect if—
14 A permit shall cease to have effect if the permit...

Variation
15 (1) The holder of a permit may apply to the...

Cancellation and forfeiture
16 (1) The licensing authority which issued a permit may cancel...
17 (1) The licensing authority which issued a permit shall cancel...
18 (1) Where a permit holder, or the officer of a...

Transfer of permit
19 (1) A person may apply for the transfer of a...
20 (1) This paragraph applies where— (a) the transfer of an...

Appeal
21 (1) The applicant for or holder of a permit may...

Register
22 (1) A licensing authority shall— (a) maintain a register of...

Interpretation
23 In this Schedule— “permit” means a licensed premises gaming machine...

SCHEDULE 14 — Prize Gaming Permits

Interpretation
1 In this Schedule— “holder”, in relation to a permit, means...
2 This Schedule shall, in its application to Scotland, have effect...
Making of application

3 (1) An application for a permit may be made only...
4 An application for a permit may not be made if—...
5 An application for a permit must be made to a...
6 An application for a permit must— (a) be made in...

Consideration of application

7 Sections 154 and 155 shall have effect in relation to...
8 (1) A licensing authority may prepare a statement of principles...

Determination of application

9 (1) On considering an application for a permit a licensing...
10 A licensing authority may grant an application for a permit...
11 (1) A licensing authority may not refuse an application unless...

Form of permit

12 (1) A permit must be in the prescribed form and...

Duration

13 A permit shall cease to have effect at the end...
14 (1) A permit shall lapse if the holder ceases to...
15 (1) A permit held by an individual shall lapse if—....
16 A permit shall cease to have effect if the holder...
17 (1) Where the holder of a permit is convicted of...

Renewal

18 (1) The holder of a permit may apply to the...

Maintenance

19 The holder of a permit shall keep it on the...
20 (1) An occupier of premises in respect of which a...
21 (1) Where a permit is lost, stolen or damaged, the...

Appeal

22 (1) Where a licensing authority reject an application for the...

Register

23 (1) A licensing authority shall— (a) maintain a register of...

Vehicles and vessels

24 A permit may not be issued in respect of a...

SCHEDULE 15 — Private Gaming and Betting
Part 1 — GAMING

Introduction

1 Gaming is private if it satisfies the conditions specified in...
2 (1) For the purposes of this Part of this Schedule...

   No charge for participation

3 (1) It is a condition of private gaming that no...

   Equal chance gaming

4 (1) It is a condition of private gaming that it...

   Privacy

5 It is a condition of private gaming that it does...
   Part 2 — BETTING

   Introduction

6 Betting is private betting if it is—

   Domestic betting

7 (1) A betting transaction is domestic betting if made on...

   Workers' betting

8 A betting transaction is workers' betting if made between persons...

SCHEDULE 16 — Minor and Consequential Amendments
   Part 1 — MINOR AMENDMENTS

   Metropolitan Police Act 1839 (c. 47)
1 In section 44 of the Metropolitan Police Act 1839 (refreshment...

   Libraries Offences Act 1898 (c. 53)
2 Section 2(3) of the Libraries Offences Act 1898 (offence of...

   Gaming Act 1968 (c. 65)
3 (1) The Gaming Act 1968 shall be amended as follows....

   Chronically Sick and Disabled Persons Act 1970 (c. 44)
4 Section 8B(2)(c) of the Chronically Sick and Disabled Persons Act...
   Part 2 — CONSEQUENTIAL AMENDMENTS

   Parliamentary Commissioner Act 1967 (c. 13)
5 In Schedule 2 to the Parliamentary Commissioner Act 1967 (bodies...

   Superannuation Act 1972 (c. 11)
6 In Schedule 1 to the Superannuation Act 1972 (employment to...

   House of Commons Disqualification Act 1975 (c. 24)
7 In Part II of Schedule 1 to the House of...
Local Government (Miscellaneous Provisions) Act 1976 (c. 57)
8   In section 20(9) of the Local Government (Miscellaneous Provisions) Act...

Race Relations Act 1976 (c. 74)
9   In Schedule 1A to the Race Relations Act 1976 (bodies...

London Local Authorities Act 1995 (c. x)
10  In section 14 of the London Local Authorities Act 1995...

Employment Rights Act 1996 (c. 18)
11  For section 233 of the Employment Rights Act 1996 (betting...

Police Act 1997 (c. 50)
12  In section 115 of the Police Act 1997 (enhanced criminal...

Terrorism Act 2000 (c. 11)
13  In paragraph 4 of Schedule 3A to the Terrorism Act...

... 
14  In paragraph 20A of Schedule 1 to the Regulation of...

Postal Services Act 2000 (c. 26)
15  In section 7 of the Postal Services Act 2000 (exceptions...

Freedom of Information Act 2000 (c. 36)
16  In Part 6 of Schedule 1 to the Freedom of...

Private Security Industry Act 2001 (c. 12)
17  For paragraph 8(3)(e) of Schedule 2 to the Private Security...

Criminal Justice and Police Act 2001 (c. 16)
18  (1) In Schedule 1 of the Criminal Justice and Police...

Proceeds of Crime Act 2002 (c. 29)
19  In Part 2 of Schedule 9 to the Proceeds of...

Licensing Act 2003 (c. 17)
20  (1) The Licensing Act 2003 shall be amended as follows....

Note
21  The amendments made by this Schedule are without prejudice to...

SCHEDULE 17 — Repeals
SCHEDULE 18 — Transitional
Part 1 — TRANSITIONAL CONTINUATION OF OLD LICENCES, &c.

Introduction
1 (1) In this Part a reference to a commencement order...

Transitional continuation of licences, &c.
2 A commencement order may— (a) provide for a licence or...

Transitional protection for casinos below minimum licensable size
3 A commencement order may— (a) disapply section 174(1) in respect...

References to procedures under this Act
4 A commencement order may include provision for a reference in...

Part 2 — ADVANCE AND INTERIM APPLICATIONS, AND CONVERSION

Advance applications
5 In this Schedule a reference to an advance application for...
6 The Secretary of State may by order—
7 An order under paragraph 6— (a) may make provision about...

Interim applications
8 The Secretary of State may by order make provision for...

Conversion of existing licences, &c.
9 The Secretary of State may by order—
10 An order under paragraph 9 may provide for conversion of...

Orders: general
11 An order under this Part— (a) may include provision modifying...
### Changes to legislation:

There are currently no known outstanding effects for the Gambling Act 2005.