



# Gambling Act 2005

## 2005 CHAPTER 19

### PART 1

#### INTERPRETATION OF KEY CONCEPTS

##### *Gaming*

#### **6 Gaming & game of chance**

- (1) In this Act “gaming” means playing a game of chance for a prize.
- (2) In this Act “game of chance”—
  - (a) includes—
    - (i) a game that involves both an element of chance and an element of skill,
    - (ii) a game that involves an element of chance that can be eliminated by superlative skill, and
    - (iii) a game that is presented as involving an element of chance, but
  - (b) does not include a sport.
- (3) For the purposes of this Act a person plays a game of chance if he participates in a game of chance—
  - (a) whether or not there are other participants in the game, and
  - (b) whether or not a computer generates images or data taken to represent the actions of other participants in the game.
- (4) For the purposes of this Act a person plays a game of chance for a prize—
  - (a) if he plays a game of chance and thereby acquires a chance of winning a prize, and
  - (b) whether or not he risks losing anything at the game.
- (5) In this Act “prize” in relation to gaming (except in the context of a gaming machine)—
  - (a) means money or money’s worth, and

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*Status: This is the original version (as it was originally enacted).*

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- (b) includes both a prize provided by a person organising gaming and winnings of money staked.
- (6) The Secretary of State may by regulations provide that a specified activity, or an activity carried on in specified circumstances, is or is not to be treated for the purposes of this Act as—
- (a) a game;
  - (b) a game of chance;
  - (c) a sport.