

2007 No. 2041

BETTING, GAMING AND LOTTERIES

**The Gambling Act 2005 (Non-Commercial Equal-Chance
Gaming) Regulations 2007**

<i>Made</i> - - - -	<i>14th July 2007</i>
<i>Laid before Parliament</i>	<i>17th July 2007</i>
<i>Coming into force</i> - -	<i>1st September 2007</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 300(4) of the Gambling Act 2005(a).

Citation, commencement and interpretation

1. These Regulations may be cited as the Gambling Act 2005 (Non-Commercial Equal-Chance Gaming) Regulations 2007 and shall come into force on 1st September 2007.

2.—(1) In these Regulations—

“the Act” means the Gambling Act 2005;

“event” means a non-commercial event within the meaning of section 297 of the Act.

(2) A reference to a game in regulation 3 means a game that constitutes non-commercial equal chance gaming within the meaning of Part 14 of the Act(b).

Limits for non-commercial equal-chance gaming

3.—(1) This regulation limits certain payments, amounts or values for the purposes of section 300(4) of the Act (conditions for non-commercial equal-chance gaming). (Accordingly, arrangements for gaming must ensure compliance with this regulation in order to satisfy the third condition as set out in that subsection).

(2) No person is to make, or to be required to make more than one payment (whether by way of a participation fee, stake or other charge) in order to participate in each and every game played at an event, and the payment shall not exceed £8.

(3) Subject to paragraph (5)(b), in respect of all games played at an event the aggregate amount or value of prizes and awards distributed in respect of those games shall not exceed £600.

(4) Where two or more events are promoted on the same premises by the same person on the same day, the limits in paragraphs (2) and (3) shall apply in relation to those events collectively as if they were a single event.

(5) Where a series of events is held, other than in circumstances where paragraph (4) applies—

(a) 2005 c.19.

(b) These Regulations do not apply to non-commercial prize gaming or incidental non-commercial lotteries provided at a non-commercial event.

- (a) the limits in paragraphs (2) and (3) shall apply separately in relation to each event in the series, and
 - (b) in respect of all games played at a final event the amount or value of prizes and awards distributed in respect of those games shall not exceed £900.
- (6) In this regulation an event is a final event if—
- (a) no other event is promoted on the same premises by the same person on the same day as that on which the event takes place, and
 - (b) each person taking part in the event is qualified to do so by reason of having taken part in games played at another event of the series held on a previous day.

14th July 2007

Gerry Sutcliffe
Parliamentary Under Secretary of State
Department for Culture, Media and Sport

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe the limits for non-commercial equal chance gaming which must be complied with in accordance with the condition under section 300(4) of the Gambling Act 2005 (The Act).

For the purposes of the Act, gaming is non-commercial if it takes place at a non-commercial event, whether as an incidental activity or as the principal or only activity. An event is non-commercial if the arrangements for the event are such that no part of the proceeds is to be appropriated for the purpose of private gain (see section 297 of the Act).

These Regulations only apply to non-commercial equal chance gaming within the meaning of Part 14 of the Act. An incidental non-commercial lottery (see Part 1 of Schedule 11 to the Act) and non-commercial prize gaming (see section 299 of the Act) are not subject to the limits contained in these Regulations.

Regulation 3(2) imposes a limit on the payment that each player may make to participate in non-commercial equal chance gaming at a non-commercial event. A person may only make, or be required to make, one payment which must not exceed the prescribed sum. This payment may be charged as a participation fee, stake or other charge, or a combination of these charges. The definition of participation fee under the Act also includes a charge for admission to premises where the gambling takes place (see section 344).

Regulation 3(3) imposes a limit on the amount that may be distributed in respect of prizes and awards at an event. The aggregate amount or value that may be distributed in respect of all games at an event shall not exceed the prescribed sum.

Regulation 3(4) imposes a limit on charges and prizes where two events are held on the same day on the same premises by the same person. In these circumstances, the limits prescribed in regulations 3(2) and (3), must be applied collectively to the events as if they constituted a single event.

Regulation 3(5) makes provision in circumstances where an event forms part of a series of events. In these circumstances, the limits on charges and prizes must be applied separately in relation to each event. For the purposes of this provision, an event will not form part of a series if two events are held on the same premises by the same person on the same day.

Regulation 3(6) makes different provision in respect of prizes where an event is held as a final event. An event is a final event if each person taking part in the event is qualified to do so by reason of having taken part in games played at another event in the series held on a previous day.

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