



# Financial Services and Markets Act 2000

## 2000 CHAPTER 8

### PART XXVIII

#### MISCELLANEOUS

#### *Gaming contracts*

#### **412 Gaming contracts**

- (1) No contract to which this section applies is void or unenforceable because of—
  - (a) section 18 of the Gaming Act 1845, section 1 of the Gaming Act 1892 or Article 170 of the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985; or
  - (b) any rule of the law of Scotland under which a contract by way of gaming or wagering is not legally enforceable.
- (2) This section applies to a contract if—
  - (a) it is entered into by either or each party by way of business;
  - (b) the entering into or performance of it by either party constitutes an activity of a specified kind or one which falls within a specified class of activity; and
  - (c) it relates to an investment of a specified kind or one which falls within a specified class of investment.
- (3) Part II of Schedule 2 applies for the purposes of subsection (2)(c), with the references to section 22 being read as references to that subsection.
- (4) Nothing in Part II of Schedule 2, as applied by subsection (3), limits the power conferred by subsection (2)(c).
- (5) “Investment” includes any asset, right or interest.
- (6) “Specified” means specified in an order made by the Treasury.