

GAMBLING ACT 2005

EXPLANATORY NOTES

TERRITORIAL EXTENT

Territorial limits – vessels and aircraft

Schedule 11: Exempt lotteries

Part 12: Clubs, Pubs, Fairs, &C.

Sections 271 & 272: Club gaming permit

682. Members' clubs (but not commercial clubs) and miners' welfare institutes may apply for a club gaming permit from a licensing authority to authorise the provision of games of chance and gaming machines on premises from which the club operates. This permit allows clubs and institutes to offer gaming facilities, in addition to those available under the exempt gaming allowances. Schedule 12 sets out the procedure and rules for this permit.
683. The club gaming permit will authorise the provision of up to 3 gaming machines in categories B, C or D (but no more than 3 machines in total). The permit is subject to the condition that no person under 18 shall use a Category B or C machine, and the holder of the permit must comply with a Commission code of practice about the location and operation of gaming machines.
684. The club gaming permit will also authorise additional gaming facilities to be provided. This gaming falls into two types:
- Equal chance gaming. This is equivalent to that authorised under the exempt gaming allowances in sections 269 and 270, but without any prescribed limits on maximum stakes or prizes. The other conditions set for exempt gaming apply equally to this entitlement; and
 - Such games of chance as are prescribed in regulations. This provision allows the Secretary of State to authorise particular games involving a bank or unequal chance games to be played under the permit. Under the Gaming Act 1968 pontoon and chemin de fer were permitted. This gaming is subject to a number of conditions set out in section 217(4), and also rules which the Secretary of State may prescribe.
685. The Secretary of State may make regulations which set different maximum participation fees for exempt gaming and gaming authorised by a club gaming permit. By this means a club which holds a club gaming permit can be permitted to make different charges for equal chance gaming, to a club which relies solely on the exempt gaming provisions in section 269.