

*Changes to legislation: There are currently no known outstanding effects for the Gambling Act 2005, SCHEDULE 15. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 15 **E+W+S**

Section 295

#### PRIVATE GAMING AND BETTING

#### **PART 1** **E+W+S**

##### GAMING

###### *Introduction*

1 Gaming is private if it satisfies the conditions specified in this Part of this Schedule.

###### **Commencement Information**

**I1** Sch. 15 para. 1 in force at 1.9.2007 by S.I. 2006/3272, art. 2(4)(5), Sch. 3B (with arts. 7-11, 7-12, Sch. 4) (as inserted by S.I. 2007/2169, arts. 3, 6, Sch.)

- 2 (1) For the purposes of this Part of this Schedule gaming is domestic if it takes place—
- (a) in a private dwelling, and
  - (b) on a domestic occasion.
- (2) For the purposes of this Part of this Schedule gaming is residential if—
- (a) it takes place in a hostel, hall of residence or similar establishment which is not administered in the course of a trade or business, and
  - (b) more than half of the participants are residents of the hostel, hall or establishment.

###### **Commencement Information**

**I2** Sch. 15 para. 2 in force at 1.9.2007 by S.I. 2006/3272, art. 2(4)(5), Sch. 3B (with arts. 7-11, 7-12, Sch. 4) (as inserted by S.I. 2007/2169, arts. 3, 6, Sch.)

###### *No charge for participation*

- 3 (1) It is a condition of private gaming that no charge is made for participation.
- (2) For the purposes of this paragraph—
- (a) it is immaterial how a charge is described,
  - (b) it is immaterial whether a charge is in money or money's worth,
  - (c) an amount deducted or levied, by a person providing facilities for gaming, from sums staked or won in the course of gaming is a charge for participation in the gaming,

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- (d) a charge for admission to premises where gaming takes place shall be treated as a charge for participation in the gaming, and
- (e) a stake is not a charge for participation.

**Commencement Information**

- I3** Sch. 15 para. 3 in force at 1.9.2007 by S.I. 2006/3272, art. 2(4)(5), Sch. 3B (with arts. 7-11, 7-12, Sch. 4) (as inserted by S.I. 2007/2169, arts. 3, 6, Sch.)

*Equal chance gaming*

- 4 (1) It is a condition of private gaming that it is equal chance gaming.
- (2) But this condition does not apply in relation to domestic or residential gaming.

**Commencement Information**

- I4** Sch. 15 para. 4 in force at 1.9.2007 by S.I. 2006/3272, art. 2(4)(5), Sch. 3B (with arts. 7-11, 7-12, Sch. 4) (as inserted by S.I. 2007/2169, arts. 3, 6, Sch.)

*Privacy*

- 5 It is a condition of private gaming that it does not occur in a place to which the public have access (whether or not on payment).

**Commencement Information**

- I5** Sch. 15 para. 5 in force at 1.9.2007 by S.I. 2006/3272, art. 2(4)(5), Sch. 3B (with arts. 7-11, 7-12, Sch. 4) (as inserted by S.I. 2007/2169, arts. 3, 6, Sch.)

**PART 2** **E+W+S**

BETTING

*Introduction*

- 6 Betting is private betting if it is—
- (a) domestic betting, or
  - (b) workers' betting.

**Commencement Information**

- I6** Sch. 15 para. 6 in force at 1.9.2007 by S.I. 2006/3272, art. 2(4)(5), Sch. 3B (with arts. 7-11, 7-12, Sch. 4) (as inserted by S.I. 2007/2169, arts. 3, 6, Sch.)

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*Domestic betting*

- 7 (1) A betting transaction is domestic betting if made on premises in which each party to the transaction lives.
- (2) For the purposes of this paragraph a person lives in premises if he habitually resides in any part of the premises (whether or not there are other premises in which he also habitually resides).

**Commencement Information**

- I7** Sch. 15 para. 7 in force at 1.9.2007 by S.I. 2006/3272, art. 2(4)(5), Sch. 3B (with arts. 7-11, 7-12, Sch. 4) (as inserted by S.I. 2007/2169, arts. 3, 6, Sch.)

*Workers' betting*

- 8 A betting transaction is workers' betting if made between persons each of whom is employed under a contract of employment with the same employer.

**Commencement Information**

- I8** Sch. 15 para. 8 in force at 1.9.2007 by S.I. 2006/3272, art. 2(4)(5), Sch. 3B (with arts. 7-11, 7-12, Sch. 4) (as inserted by S.I. 2007/2169, arts. 3, 6, Sch.)

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