

CLUB GAMING AND CLUB MACHINE PERMITS

Club gaming and club machine permits will only be issued to clubs which meet the following criteria:

Members Clubs

Member's clubs must have at least 25 members and be established or conducted mainly for purposes other than gaming.

The club shouldn't be established to make a commercial profit, and should be controlled by its members. Examples include most sports clubs, working men's clubs, branches of the Royal British Legion and politically affiliated clubs.

Commercial Clubs

These have the same characteristics as members clubs except that they are established to make a profit. An example would be a snooker club. Certain bridge and whist clubs may operate as commercial clubs if they are established to make a profit.

Under section 271 of the Act, the Council may grant member's clubs (but not commercial clubs) Club Gaming Permits which authorise them to provide gaming machines, equal chance gaming and games of chance as prescribed in regulations.

This is in addition to the exempt gaming authorisation under Section 269 of the Act.

Three gaming machines

Club Gaming Permits allow the provision of no more than three gaming machines. These may be from Categories B4, C or D. The club is permitted to choose the combination of machines on its premises.

If a club does not wish to have the full range of facilities permitted by a Club Gaming Permit, or if they are a Commercial Club not permitted to provide non-machine gaming (except under the exemption), they may apply to us for a Club Machine Permit under Section 273 of the Act.

This authorises the holder to have up to three gaming machines of Categories B4, C or D.

Club Gaming Permits replace the permission provided by Part II registration under the Gaming Act, while Club Machine Permits replace the permission provided by Part III registration under the 1968 Act.

Both types of permit last for ten years. An annual fee is payable.

Exempt Gaming

Section 269 of the Act allows clubs and institutes to provide certain facilities form gaming without the need for a licence or permit. There are however, a number of conditions:

- It must be **equal chance gaming** (e.g. bingo, bridge and certain poker games);
- Stakes and prizes must comply with any limits set in regulations;
- The club must not deduct any amounts from sums staked or won;
- Any charge for participation must not exceed amounts set by the Secretary of State;
- The games played may only take place on one set of premises, so there may not be linking of games between premises; and
- In the case of members' clubs and miners' welfare institutes only, people may only participate in the gamin of they have been a member (or applied or were nominated for membership) at least 48 hours before playing, or are genuine guests of such a person.

Although there are, at present, no limits in the legislation on stakes and prizes for most types of gaming clubs and institutes, it should be noted that the exempt gaming provisions are intended to facilitate low stakes, low scale gaming activity. Clubs and institutes should therefore take steps to ensure that any gaming permitted on club premises remains low-level.

Breach of Conditions

Clubs are expected to monitor any gaming that takes place on their premises, and take all reasonable steps to ensure that it complies with the statutory conditions. Under section 312 of the Act, a constable or Gambling Commission enforcement officer may enter club premises in order to determine whether gaming activities occurring in the premises are in accordance with statutory conditions or the terms of any club gaming permit or club machine permit.

Any breach of the statutory requirements will render those providing the premises or facilities liable to prosecution under section 33 or 37 of the Act.

Any breach of a permit could lead to its cancellation by the licensing authority, and might also constitute an offence under section 33 or 37 of the Act.