

29. Bingo in Village Halls

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1. Introduction

The Gambling Act 2005 received Royal Assent in April 2005 and will take effect from 1 September 2007. The Act provides a new regulatory system for all gambling in Great Britain. Local authorities, either the district council or the county council where appropriate, will act as the licensing body for gambling issues but will be overseen by the newly formed Gambling Commission. The Act contains three licensing objectives:

- keeping gambling crime free
- making sure that gambling is fair and open
- protecting children and vulnerable adults.

Village halls and community centres have been allowed to play bingo without a licence, registration or the paying of any duty under Sections 41 of the Gaming Act 1968 or Section 15 of the 1976 Lotteries and Amusements Act. Section 40 of the Gaming Act 1968 provided for Bingo to be played as an activity of a club. Both of these Acts have been repealed by the Gambling Act 2005.

Part 14 of the Gambling Act 2005 covers private and non-commercial gaming and betting. It combines the relevant provisions in the 1976 Act and those in the 1968 Act, with the intention of ensuring that non-commercial gaming and betting activities continue to be allowed under the same terms. Non-commercial gaming in the case of this information sheet may only take place at events where none of the proceeds from the event itself are used for private gain.

Clubs and miners' welfare institutes are able to provide facilities for exempt gaming under the provisions set out in Part 12 of the Gambling Act 2005.

Bingo is therefore most likely to be played in village halls and community centres under Part 14 or Part 12 of the Gambling Act. However, village halls and community centres holding a Premises Licence under the Licensing Act 2003 that **includes** the sale of alcohol could play Bingo under section 279 of the Gambling Act 2005. This information sheet sets out the conditions and examples of playing bingo in each of the different circumstances.

2. Part 14 - Private and non-commercial bingo

Bingo played in village halls and community centres will be non-commercial whether it takes place as an incidental activity or as the principle activity and none of the proceeds can be used for private gain.

There are two types of non-commercial gaming; prize gaming and equal chance gaming. Bingo can be played under either but the relevant conditions must be adhered to.

2.1 Prize gaming

The detailed conditions are set out in section 299 of the Act but you need to be aware that:

- Prizes are put up in advance and are not dependent on the number of players taking part or the money staked
- There are no limits on stakes, prizes, participation fees or other charges for this type of gaming

- Profits must not be for private gain and players have to be informed that the purpose of the gaming is to raise money for a specified purpose.

Examples:

One or more games of Bingo are to be played during a social event (whether this is organised by the community organisation itself or by one of its groups). Tickets are sold individually for each game. If these cost 50p each and the Committee has decided that £30.00 of the ticket money will be included in the prize money, the income to the organisation will vary depending on the number of tickets sold.

180 tickets are sold @ 50p each	£90.00
Expenses and for community organisation funds	£60.00
Prizes (articles or cash)	£30.00

Or

70 tickets are sold @ 50p each	£35.00
Expenses and for community organisation funds	£ 5.00
Prizes (articles or cash)	£30.00

2.2 Equal chance gaming

The conditions are set out in section 300 of the Act but you need to be aware that:

- Equal chance gaming does not involve playing or staking against a bank, and chances should be equally favourable to all participants
- The amount or value of the prizes varies according to the number of players who participate and or the amount of money they stake
- A single payment of £8 may be charged to cover admission, stakes and any other charges for playing
- The total value of prizes must not exceed £600 in one day
- Where an event is a final one of a series in which all of the players have previously taken part, a higher prize fund of no more than £900 is permitted
- Profits must not be for private gain and players have to be informed that the purpose of the gaming is to raise money for a specified purpose.

Example

A Bingo session, where the community organisation sells books of tickets at the door for £1. An additional charge could be made for admission, but the amount that each person is charged cannot exceed £8.

From this income the community organisation deducts a proportion to cover the cost of tickets, use of room and an amount for its own funds. The remainder is distributed in prizes. For example:

75 players pay 50p admission	=	£ 37.50
20 players buy 1 book @ £1	=	£ 20.00
40 players buy 2 books @ £1	=	£ 80.00
10 players buy 4 books @ £1	=	£ 40.00
5 players buy 5 books @ £1	=	<u>£ 25.00</u>
		£202.50

Cost of tickets, room hire and contribution to funds	£102.50
Therefore if four games were played £25 per game prize money would be available	<u>£100.00</u>
	£202.50

3. Part 12 - Bingo in clubs and miners' welfare institutes

Bingo can be played in clubs and miners' welfare institutes under the exempt gaming provisions in Part 12, section 269 of the Act. The following conditions apply:

- The Club/Association must not have less than 25 members and must be constituted and conducted (in good faith) in respect of membership, which must not be of a purely temporary character.
- No amounts may be deducted from sums staked or won, i.e. expenses and other costs have to be covered from the participation fee.
- The maximum participation fee is £1 per person, per day, i.e. the amount paid as admission or to take part and not the stake for playing.
- In the case of members' clubs and institutes, people may only participate in the gaming if 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.
- There are no limits on stakes and prizes for club bingo.

Please note that if clubs or institutes want to offer high turnover bingo (where stakes or prizes exceed £2,000 per week) they will require a bingo operating licence from the Gambling Commission.

Example

If 100 members pay £1 admission (the maximum permitted is £1), the total income is £100.

From this the community organisation has to pay the cost of Bingo cards and heating, cleaning etc for the room.

Say tickets for a game are 50p each

20 members buy 1 ticket	=	£ 10.00
40 members buy 2 tickets	=	£ 40.00
40 members buy 3 tickets	=	<u>£ 60.00</u>
		£110.00

This £110.00 must be returned IN FULL to the members as CASH prizes.

4. Bingo in premises licensed for the sale of alcohol

Village halls and community halls holding a Premises Licence that includes the sale of alcohol may provide facilities for Bingo under section 279 of the Act. The following conditions apply:

- The maximum amount that may be staked by a player in a game of bingo is £5

- No amounts may be deducted from sums staked or won, i.e. expenses should be taken from the fee charged for taking part
- Players may be charged a fee for taking part
- Nobody under 18 may participate.

Please note that if high turnover bingo (where stakes or prizes exceed £2,000 per week) is played, the hall will require a bingo operating licence from the Gambling Commission.

5. Notes

- 5.1 Section 46(2)(f) of the Gambling Act 2005 is an exemption to the offence of inviting, causing or permitting a child or young person (under 18) to gamble. Under 18s may participate in bingo if it is non-commercial, i.e. takes place at a non-commercial event, an event where no part of the proceeds is to be appropriated for private gain.
- 5.2 Where gambling takes place on premises licensed for alcohol, organisations need to be aware that, when sales or supply is taking place:
- It is an offence to allow children under 16 on a licensed premises that is used exclusively or primarily for the supply of alcohol, or premises open for such supply under the authorisation of a temporary event notice, if they are not accompanied by an adult and those premises are open for the supply of alcohol for consumption there
 - It is an offence for any person to allow an unaccompanied child under 16 to be on licensed premises between the hours of midnight and 5 a.m. when the premises are open for the supply of alcohol for consumption there
 - It is an offence for any person to supply alcohol to children anywhere, not just on licensed premises
 - It is an offence for a child to buy or attempt to buy alcohol; and
 - It is an offence for a child knowingly to consume alcohol on relevant premises, except in very limited circumstances.
- 5.3 Although Bingo proceeds may be needed to enable the community organisation to carry out its objects, the game should not replace/displace other activities.
- 5.4 Community organisations which are registered for VAT, or which may have to consider registering, should note that Bingo takings (i.e. ticket money) do not attract VAT, but admission charges do.

6. Useful Contact Details

For details of your local Rural Community Council contact ACRE, Somerford Court, Somerford Road, Cirencester, Gloucestershire GL7 1TW
Tel: 01285 653477 Website: www.acre.org.uk

Department for Culture, Media and Sport (DCMS)
2-4 Cockspur Street, London, SW1Y 5DH
Tel: 020 7211 6200 Website: www.culture.gov.uk

Gambling Commission
Victoria Square House, Victoria Square, Birmingham, B2 4BP
Tel: 0121 230 6666 Website: www.gamblingcommission.gov.uk

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