

# Bingo

If you organise a bingo session this information will help you work out which part of the Gaming Act 1968 is most appropriate to your circumstances. However, you should also study the Act (and regulations) to ensure you comply with the law.

## ***Bingo at entertainments not held for private gain***

**Section 41 Gaming Act 1968** - This is the appropriate section of the Act for you if the bingo's proceeds go to charity (eg church organisations) or to the benefit of a non-proprietary members' club (eg a social club).

You do not need to apply for a permit.

## ***Bingo played as a club activity***

**Section 40 Gaming Act 1968** - This is the appropriate section of the Act for you if the bingo that is played as one of the activities of a club and where there is no Alcohol Premise Licence or Club Premise Certificate in force.

You do not need to apply for a permit.

## ***Prize bingo***

**Section 16 Lotteries and Amusements Act 1976** - If you want to run a prize bingo for a commercial enterprise (or where charges are made for hiring or maintenance of any gaming equipment) then you need a permit from the council.

Permits last for three years from date of issue. Permits cost £32.00.

## ***Bingo on alcohol licensed premises***

Bingo must not be played on premises holding a **Premises Licence** for the sale by retail of alcohol (unless the playing of bingo has specifically been authorised by the council under Section 6 of the Gaming Act 1968).

## ***Bingo played on premises holding a club premise certificate and bingo clubs***

Premises holding a **club premises certificate** normally need to register with the local Magistrates Court under Part II Gaming Act 1968. Bingo clubs need to obtain a certificate of consent from the **Gambling Commission** website (Gaming Board) and then obtain a bingo licence under Part II Gaming Act 1968 from the local Magistrates Court.

## **Further information**

### **The Playing of Bingo Under the Gaming Act 1968 - General Guidelines**

The following notes are a brief description of the various ways in which bingo may lawfully be played under the Gaming Act 1968. They are no more than a guide to the main provisions of the Act, and aim to help would-be organisers of bingo sessions to establish which part of the Gaming Act is the most appropriate to their particular circumstances. It is recommended that the relevant provisions of the act and regulations should be studied, to ensure compliance with the law.

### **Under Section 40 - bingo played as a club activity**

Bingo may be played as one of the activities of a club, having at least 25 members and not being of a temporary character, on premises to which the public do not have access, provided that not more than 60p per person per day is charged for taking part in the bingo, and that in all other respects the restrictions of Part 1 of the Act are observed. An annual membership subscription is not taken to be a charge in respect of the bingo unless paid in instalments more frequently than quarterly. There is no limit on stakes, which must be distributed in full as winnings in the games in which they are hazarded (less any bingo duty which may be payable). Bingo facilities may not be advertised to the public. There is no age limit applying to those who play bingo under this section of the Act, but the club committee may set an age limit as part of its own club rules.

### **On Club Premises Registered Under Part 11**

If a club wishes to charge more than 60p a day, then provided it is a bona fide members' club with at least 25 members and is not of a temporary character, and the principal purpose for which it is established or conducted is not gaming (which includes bingo), its premises may be registered under part 11 of the Act with the local licensing authority. Application may be made at any time of the year. The cost of registration is £235.00 on grant (duration 1 year) and £120.00 on renewal (which may cover a period of up to 10 years). Clubs which are registered in this way may make charges of up to £2.00 per person per day. There is no limit on stakes, which must be distributed in full as winnings in the games in which they are hazarded (less any bingo duty which may be payable). Bona fide guests, that is to say in this connection, guests who are not required to make any payments themselves either for admission or - apart from any stakes hazarded - for playing bingo may take part in the bingo. Bingo facilities may not be advertised to the public. No person under the age of 18 may be present in the room while bingo is taking place.

### **Under Section 41 - bingo at entertainments not held for private gain**

This is the appropriate section of the Gaming Act under which bingo is normally played when the proceeds are to go to charity (eg church organisations) or to the benefit of a non-proprietary members' club (eg a properly constituted social club).

The most relevant points are:-

- i) persons attending the entertainment must make only one payment in respect of bingo and that payment must not exceed £4.00. This single payment would include entrance or participation fee plus whatever money is paid for the purchase of bingo tickets;
- ii) the total value of prizes paid out must not exceed £400.00;
- iii) it is not necessary under Section 41 to return all stake money taken from the purchase of bingo tickets to the players as prizes. The only stipulation is that all the proceeds from the bingo after the deduction of reasonable expenses and the allocation of prizes are applied to purposes other than private gain;
- iv) bingo played under Section 41 may be advertised to members of the public (eg in a parish magazine or news sheet);

v) children and members of the public can take part in Section 41 bingo but would of course be precluded in cases where the provisions of the Licensing Act 2003 are appropriate.

#### **Under section 15 - Lotteries & Amusements Act 1976**

This constitutes amusements with prizes at certain entertainments and could include playing of bingo though this is not normally appropriate. The whole proceeds of the entertainment concerned must be devoted to purposes other than private gain and bingo (or any other form of gaming) must not be the only substantial inducement to persons to attend the entertainment. It would be unlawful to advertise bingo to the public.

#### **In Bingo Club Premises Licensed Under Part 11**

If none of the provisions referred to above apply, bingo may be lawfully played in pursuance of a licence under Part 11 of the Act. Licences are needed in respect of premises of clubs established or conducted for the principal purpose of promoting the playing of bingo (whether for commercial profit or otherwise).

In order to play licensed bingo a certificate of consent from the Gaming Board is required before an initial licence application is made, and for this purpose forms GB1 and GB2 must be completed by the person proposing to apply for the licence. These forms are obtainable from the Gaming Board.

An application for a certificate of consent may be made to the Gaming Board at any time of year which, if granted enables the holder to apply for a licence at any time within the period specified on the certificate.

It will be necessary for such a club to then obtain a licence from the local licensing authority.

There is no limit on stakes, which must be returned to players in full as winnings in the games in which they are hazarded (less any bingo duty which may be payable). Only eligible members of the club and their bona fide guests may take part in the bingo.

**Further advice can be sought from the Gaming Board on 0161 8726016, however, it may also be advisable to seek independent legal advice if you wish to proceed with this form of fundraising.**