

# Bingo- unlucky for some!



## Are you providing Bingo legally?

Not everyone providing Bingo is doing so legally.

Some providers may not be aware of the regulations under the Gambling Act 2005 and are unwittingly organising illegal bingo. This fact sheet will help anyone looking to provide bingo with the information they need to make sure they are doing so legally.

**Bingo** is a traditional form of gambling which must be played as a game of equal chance, where the chances of winning are equally favourable to each participant.

Two types of Bingo are commonly understood

- cash bingo, where the stakes paid make up the cash prizes that are won
- prize bingo, where various forms of prizes are won, not directly related to the stakes paid

Bingo is largely played on designated bingo licensed premises. For a commercial bingo premises to be able to offer bingo the operator must be licenced by the Gambling Commission and the premises must be licensed by the local authority.

Bingo can also be played **without** a bingo licence if it meets the requirements for the following

- Private Gaming
- Non-commercial equal chance Gaming
- Equal chance gaming which is to be played on a premise with a premises licence permitting 'on sales' of alcohol
- Prizes Gaming (Permit)

### **Private gaming**

Private gaming can only occur in a place to which the public does not have access (this means private dwellings, retirement homes or similar). Residential gaming is a form of private gaming, and is permitted without licence or permit provided that:

- it takes place in a hall of residence, retirement or care home, hostel or similar venue
- more than half of the participants are residents at that venue.

There cannot be any charge for participation in private gaming. This means that the organiser:

- cannot make any profit from gaming, irrespective of how they intend to use the profits (profit cannot be made even for charitable purposes)
- there can be no entrance fee or charge for admission
- no amounts can be deducted from players' stakes or from prizes awarded.

A player's gaming stake is not the same as a charge for participation. While there must be no fees, charges or deductions, participants in private gaming are still able to play with cash stakes, and prizes may be awarded in cash.

Organisers should remember that for games of bingo (and for any other form of 'equal chance' gaming such as poker, backgammon, rummy, dominoes, cribbage or mah-jong), all the money that is staked must be returned in prizes to winning participants.

Persons under 18's may participate in private gaming.

### **Non-commercial equal chance gaming**

Equal chance gaming is gaming where the chances are equally favourable to all participants and players are not competing against a bank. This includes games such as bingo and poker. No profit can be made in a non-licensed environment; therefore, the games can only be promoted for a charitable purpose. Charitable funds are usually raised through an entrance or participation fee.

All players must be told for what purpose the money raised from the gaming is going to be used (this must be something other than private gain), and the profits must be applied for that purpose

Limitations must be made to the following:

- the maximum payment each player can be required to make to participate in all games at an event is £8
- the aggregate amount or value of prizes in all games played at an event is £600, although where an event is the final one of a series in which all the players have taken part in another event of the series held on a previous day, a higher prize fund of up to £900 is permitted

### Equal chance gaming with reliance on an alcohol licence

Bingo can only be played as exempt gaming on alcohol-licensed premises. The aim of these provisions is to prevent bingo becoming a predominant commercial activity on non-gambling premises. Exempt gaming in pubs means:

- No participation fees can be charged, nor can there be any deductions from sums staked or won
- For bingo, there is a maximum of stakes of £5 per person per game
- Bingo must be conducted on one set of premises only, and games cannot be linked
- No under 18s may participate.

Equal chance gaming conducted under exempt gaming rules will still require a bingo operating licence if a certain threshold is reached. The threshold is reached if the bingo played during any seven-day period exceeds £2,000 (either in aggregate stakes or aggregate prizes awarded) once in a year, referred to as 'high turnover bingo'. There is a legal duty on the licensee or club to inform the Gambling Commission if they offer high turnover bingo in any seven-day period.

### Prize Gaming

Bingo can be played as prize gaming only if prize gaming is permitted on the premises. Prize gaming is authorised under a bingo licence, adult gaming centre licence, licenced family entertainment centre, unlicensed family entertainment centre (certain circumstances) and prize gaming permits. Prize gaming means that neither the nature nor the size of the prize is determined by the number of people playing or the amount paid for or raised by the gaming. Normally the prizes are determined by the operator before play commences.

In prize gaming, the maximum participation fee for any one chance to win a prize is £1, with a maximum aggregate of £500 participation fees. The maximum prize levels that can be awarded depend on the type of premises on which prize gaming is offered. Any particular game to win a prize must be conducted and completed on the same day, and not rollover into another day.

#### Prize Gaming Permits

A prize gaming permit is a permit issued by the licensing authority to authorise the provision of facilities for gaming with prizes on specified premises.

An application for a permit cannot be made if a premises licence or club gaming permit is in effect for the same premises.

Please be mindful that if you are providing bingo that does not fall into the above categories you are potentially committing an offence. Bingo **cannot** be played under a Small Society Lottery registration.

For further advice please contact the licensing team on 0345 678 9026 or by email at [licensing@shropshire.gov.uk](mailto:licensing@shropshire.gov.uk)



<u>Premises</u>	<u>Bingo Type</u>	<u>Licence/ Permit required</u>	<u>Licence/Permit from</u>	<u>Who Can play</u>	<u>Stake required</u>	<u>Participation fee</u>	<u>Fundraising</u>
Bingo that requires permission							
Commercial bingo premises	Cash/Prize	Yes	Gambling Commission/Local Authority	Over 18	no limit	no limit	na
Adult Gaming Centre	Prize	Yes	Local Authority	Over 18	na	Max £1	na
Licensed Family Entertainment Centre	Prize	YES	Local Authority	Anyone including children and young persons	na	Max £1	na
Unlicensed Family Entertainment Centre	Prize	YES	Local Authority	Anyone including children and young persons	na	Max £1	na
Premises with Prize Gaming Permit	Prize	YES	Local Authority	Anyone including children and young persons	na	Max £1	na
Bingo that does not require permission							
Alcohol 'on Sale' premises licence	Cash/Prize	no-if does not exceed £2000 in one week	na	Over 18	Max £5	none	na
Private dwelling, care home, hostel or similar	Cash/Prize	no-if played as Private Gaming	na	Anyone including children and young persons	no limit but all money stakes is returned in prizes	none	no profit can be made
Other premises	Cash/Prize	no-if played as non-commercial equal chance gaming	na	Anyone including children and young persons	Max £8	Max £8	For a charitable purpose