

Code of practice for equal chance gaming in clubs and premises with an alcohol licence

March 2012

1 General provisions

1.1 This is the Gambling Commission's (the Commission) code of practice relating to the provision of facilities for equal chance gaming in pubs and clubs. It is issued in accordance with section 24 of the Gambling Act 2005 (the Act) and in respect of gaming carried out under Part 12 of the Act and the associated regulations. This gaming is known as 'exempt gaming', and may be carried out without a gambling licence or permit. However, the club or alcohol licensed premises can only offer equal chance gaming that does not involve staking against a bank and where there are set daily and weekly prize limits. Where a club holds a club gaming permit additional entitlements are available.

1.2 Compliance with the code of practice should be the responsibility of a designated person:

- in pubs in England and Wales: the designated premises supervisor (which the Licensing Act 2003 requires as a condition of any alcohol premises licence)
- in premises which are licensed to serve alcohol for consumption on the premises under the relevant Scottish licence: the premises manager (which the Licensing (Scotland) Act 2005 requires as a condition of the premises licence), or, where an occasional licence is held, a responsible person designated by the holder of the licence.
- in clubs in England and Wales:
 - if an alcohol licence is held, the designated premises supervisor
 - if no alcohol licence is held, a responsible individual to be nominated by the club management or other governing body elected by the members
- in clubs in Scotland:
 - for a qualifying club under the Licensing (Clubs) (Scotland) Regulations 2007 (SI No 76 of 2007) a person nominated by the club management committee, or other governing body elected by the members, and who is trained in accordance with the Licensing (Training of Staff) (Scotland) Regulations 2007
 - for a qualifying club operating under an occasional licence a responsible person to be nominated by the club management committee or other governing body elected by the members.
 - the name and contact details of the nominated person should be made available to the clerk of the relevant licensing board.

1.3 The regulations place certain limits on stakes and prizes for equal chance gaming. All exempt gaming is expected to be 'low level' and the designated person is expected to take all reasonable steps to ensure that this remains the case. Gaming in pubs and clubs should be ancillary to the main purpose of the premises – the gaming should not be the main reason to go to the premises. The statutory limits on stakes, prizes and, for clubs, participation fees are set out in the attached table. Pubs may not charge participation fees. All gaming in pubs (other than dominoes and cribbage) has a stakes limit of £5 per person per game. Neither clubs nor pubs may impose levies or deductions on stakes or prizes.

- 1.4** All gaming carried out on the premises must be in a place where it can be supervised by staff whose duties include supervision of gaming (including bar or floor staff).
- 1.5** The designated person should put into effect procedures designed to prevent under age gambling. This should include:
- holding the gaming in premises or parts of premises which are restricted to adults
 - checking the age of potentially under age players and
 - refusing access to the gaming to anyone apparently under age who cannot produce an acceptable form of age verification and identification.
- 1.6** Permit holders should only accept identification which:
- contains a photograph from which the individual can be identified
 - states the individuals date of birth
 - is valid
 - is legible and has no visible signs of tampering or reproduction.
- 1.7** The Commission considers acceptable forms of identification to include: any identification carrying the PASS logo (for example Citizencard or Validate); a driving licence (including provisional licence) with photocard; or a passport.
- 1.8** Procedures should be in place for dealing with cases where an under age person repeatedly attempts to gamble including verbal warnings and reporting the offence to the Commission and the police.
- 1.9** The designated person should take reasonable steps to ensure that all employees understand their responsibilities under this code.
- 1.10** All payments in respect of the gaming covered by this code (including, in the case of clubs, any participation fees) should be paid for in cash before the commencement of the game. No credit may be offered to customers by the designated person. All players should be notified of any stakes limits that apply.
- 1.11** All equipment used in the gaming should be supplied by the premises and the equipment should be secured when not in use. The equipment should be replaced when damaged or marked. No player should supply his/her own equipment.
- 1.12** For all organised games, the rules of the game being played should be displayed or otherwise made available to all players before and during the game, for example by providing the rules on a laminated card.
- 1.13** The designated person should ensure a pleasant atmosphere and deny participation to customers who cheat or collude with other players or employees, threaten other players or employees, create a disturbance or damage equipment.
- 1.14** In Scotland care will need to be taken to ensure that the provision of facilities for equal chance gaming is provided for in the premises licence operating plan.

2 Specific provisions for poker

- 2.1** To ensure that the stake and prize limits are not breached, it is strongly advised that cash games should not be permitted. Where cash games are allowed, the sum of money wagered (known as the 'pot') should be kept in sight so that it can be viewed by the designated person at all times.
- 2.2** In any event, all poker games organised by, or on behalf of, the management of the premises should not be cash games but tournament poker played with poker chips supplied by the premises.
- 2.3** The maximum stakes and prizes set out in the regulations are for a game and not a hand of poker. In the context of the code a game is what is generally considered to be an established and conventional game.

2.4 The designated person is to keep a record of:

- the number of games played
- the number of players and
- the amount staked
- the amount won

to ensure that the individual, daily and weekly stake and prize limits are not exceeded.

2.5 The designated person should take all reasonable steps to ensure that individual stakes limits are not exceeded through side bets, additional raises, re-buys or other ways of increasing the pot. Where this is discovered to be the case, the game should be stopped immediately and stakes returned to the individual players.

3 Specific provisions for bingo

3.1 Separate provisions apply in respect of bingo. The designated person should contact the Commission if the total stakes or prizes for bingo games played in any seven day period exceeds £2,000 (either in money taken or prizes awarded).

4 Specific provisions for clubs

4.1 Clubs must ensure that appropriate membership records are completed for each member with a record of subscriptions paid. Records of daily participation fees should be kept separately. The club should demonstrate it has a bona fide club membership scheme.

4.2 Clubs that hold a club gaming permit may offer two kinds of banker's game only: pontoon and chemin de fer.

5 Complaints and disputes

5.1 The designated person should put into effect a written procedure for handling customer complaints and disputes regarding equal chance gaming.

5.2 A 'complaint' means a complaint about any aspect of the permit holder's conduct of their permissible activities, and a 'dispute' is any complaint which:

- is not resolved at the first stage of the complaints procedure and
- relates to the outcome of the complainant's gambling transaction.

5.3 The designated person should ensure that:

- customers are told the name and status of the person to contact about their complaint
- customers are given a copy of the complaints procedure on request or on making a complaint
- all complaints are handled in accordance with the procedure.

Keeping gambling fair and safe for all

Copies of this document are available in alternative formats on request.

Appendix: Summary of gaming entitlements for clubs and alcohol-licensed premises

	Members' club, commercial club or MW institute without a club gaming permit or club machine permit	Members' club or commercial club with club machine permit	Members' club or MW institute with club gaming permit	Bridge or whist club	Alcohol-licensed premises
Equal chance gaming	Yes	Yes	Yes	Bridge and/or whist only	Yes
Limits on stakes	<u>Poker</u> £1,000 per week £250 per day £10 per person per game <u>Other gaming</u> No limit	<u>Poker</u> £1,000 per week £250 per day £10 per person per game <u>Other gaming</u> No limit	No limit	No limit	<u>Poker</u> £100 per premises per day £5 per person per game <u>Other gaming</u> £5 per person per game <u>Cribbage & dominoes</u> No limit
Limits on prizes	<u>Poker</u> £250 per game <u>Other gaming</u> No limit	<u>Poker</u> £250 per game <u>Other gaming</u> No limit	No limit	No limit	<u>Poker</u> £100 per game <u>Other gaming</u> No limit
Maximum participation fees – per person per day	<u>Bridge and/or Whist</u> ¹ £18 <u>Other gaming</u> £1	<u>Bridge and/or whist</u> ¹ £18 <u>Other gaming</u> £3 (commercial club) £1 (members' club)	<u>Bridge and/or whist</u> ¹ £20 <u>Other gaming</u> £3	£18 (without club gaming permit) £20 (with club gaming permit)	None permitted
Bankers or unequal chance gaming	None permitted	None permitted	Pontoon Chemin de fer	None permitted	None permitted
Limits on bingo	Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.	Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.	Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.	No bingo permitted	Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.

¹ On a day when no other facilities for gaming are provided