

**2007 No. xx**

**BETTING, GAMING AND LOTTERIES**

**The Gambling Act 2005 (Gaming in Clubs) Regulations 2007**

*Made* - - - - *xx 2007*

*Laid before Parliament* *xx 2007*

*Coming into force* - - *1st August 2007*

The Secretary of State makes the following Regulations in exercise of the powers conferred upon her by sections 266(2)(a), 267(2)(a) and paragraph 10(3)(a) and (b) of Schedule 12 to the Gambling Act 2005(a):

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Gambling Act 2005 (Gaming in Clubs) Regulations 2007 and shall come into force on 1st August 2007.

(2) In these Regulations “the Act” means the Gambling Act 2005.

(3) A reference in these regulations to a numbered paragraph is a reference to that paragraph of Schedule 12 to the Act so numbered.

**Members’ clubs and commercial clubs**

2. Bridge and whist are prescribed kinds of gaming for the purposes of sections 266(2)(a) and 267(2)(a) of the Act (which provide that a club is respectively a members’ club or commercial club if it is established or conducted wholly or mainly to provide facilities for gaming of a prescribed kind, but for no other kind of gaming).

**Fast-track procedure**

3. Bridge and whist are prescribed kinds of gaming for the purposes of paragraphs 10(3)(a) and (b) (which enables licensing authorities to refuse applications to which paragraph 10 applies for the grant of a club gaming permit if the applicant is established or conducted to provide gaming other than of the prescribed kinds).

Minister of State  
Department for Culture, Media and Sport

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(a) 2005 c.19; for the meaning of ‘prescribed’ in sections 266 to 275 of the Act, see section 276 of the Act; for the meaning of ‘prescribed’ in Schedule 12 to the Act, see paragraph 30 of Schedule 12 to the Act.

## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations prescribe the kinds of gaming for which a club may be established or conducted to provide facilities, in order to be a members' club or a commercial club despite sections 266(1)(a) and 267(1)(a) of the Gambling Act 2005 (the Act).

By virtue of sections 266(1) and 267(1) of the Act, a club which is established or conducted wholly or mainly for the purposes of providing facilities for gaming does not qualify as a members' club or a commercial club under the Act, unless the gaming is of a kind which has been prescribed by the Secretary of State.

Regulation 2 prescribes bridge and whist, as the kinds of gaming for which a club may be established or conducted to provide facilities for play, and still be a members' club or a commercial club despite sections 266(1)(a) and 267(1)(a) of the Act. Such clubs will still have to comply with the other applicable conditions in section 266(1)(b) to (d) and section 267(1)(b) to (c) in order to be members' clubs or commercial clubs respectively). Under the Act, members' clubs and commercial clubs are able to use exempt permissions or apply for a club machine permit in accordance with the relevant provisions. Members' clubs (but not commercial clubs) may also apply for a club gaming permit.

Paragraph 10 of Schedule 12 to the Act provides a fast-track application procedure for applying for club gaming and club machine permits where the applicant is the holder of a club premises certificate under section 72 of the Licensing Act 2003 (c. 17). Paragraph 10(3) of Schedule 12 to the Act requires licensing authorities to grant such applications unless they think the conditions in sub-paragraphs (3)(a), (3)(b) or (3)(c) apply.

Under sub-paragraph 3(a), an authority does not have to grant an application made under paragraph 10, if it thinks that the applicant is established or conducted wholly or mainly for the purposes of the provision of facilities for gaming, other than gaming of a prescribed kind: both bridge and whist are prescribed in Regulation 3 for this purpose.

Under sub-paragraph 3(b), an authority does not have to grant an application made under paragraph 10, if it thinks that the applicant is established or conducted wholly or mainly for the purposes of the provision of facilities for gaming of a prescribed kind (and also provides facilities for gaming of another kind): again, both bridge and whist are prescribed in Regulation 3 for this purpose.