

Circumstances where no permissions are required

Generally the Act is intended to legislate for commercial activities. There are certain activities which are either not considered gambling or for which the legislation makes a specific exclusion.

The following is a list of the more common exclusions. However, if you have any doubt whether these apply to your activity you should seek the advice of your solicitor or contact the licensing team at Vale of Glamorgan Council. Please remember that the Act does not come into force until 1 September 2007 and there may be some exclusions under the present legislation which do not currently apply.

- **Activities** which are entirely based on the skill, knowledge, or judgement of the participants. It should be noted that this should be genuine skill and any element of chance introduced into the competition will make it gambling. It should also be noted that the level of skill required needs to be suitably challenging for the participants. Simply guessing whether something is true or false is not regarded as a skill based activity.
- **Equal chance gaming on alcohol licensed premises.** This will be subject to conditions, namely; the facilities are limited to equal chance gaming, stakes and prizes must not exceed a specified limit (yet to be announced), no deductions may be made from money staked or won, no participation fees may be charged (including membership fees), there may not be any linking between premises, and children and young persons must be excluded.
- **A small lottery** incidental to a bazaar, sale of work, fete, dinner, dance, sporting or athletic event or other entertainment of a similar nature. The proceeds must be used for other than private gain, the tickets may only be sold on the premises and during the event, no more than £250 may be spent on prizes, and no money prizes can be offered.
- **Private bets** between friends.
- **Private lotteries.** These are lotteries where the sale of tickets is confined to:
 - a) members of one society not established or conducted for the purposes of gambling, gaming, or lotteries, or to persons on the society's premises, or
 - b) persons who work or reside on the same premises. There are quite strict rules for running such a lottery and these include; the promoter must be a member of the society authorised in writing by the society's governing body, the only permitted deductions allowed are for printing and stationary, the money raised can be used totally for prizes or divided between prizes and the society's funds, no advertisement of the lottery may be exhibited except on the society premises, or where the members work or reside, the price of every ticket must be the same and they may not be sent through the post.
- **Private gaming.** Gaming is private when it takes place in a private dwelling and on a domestic occasion.

- **Travelling fairs.** Travelling fairs may offer prize gaming and make available one or more gaming machines in the lowest category, provided that it is no more than an ancillary amusement to the fair. A travelling fair is defined in the Gambling Act 2005, but in brief it is the provision of amusements by persons who travel from place to place for the purpose of providing fairs and at a place for no more than 27 days in that calendar year.

Football Pools. Holders of a pool betting operating licence can authorise persons to distribute and collect coupons and pay winnings. Such persons can operate from ordinary retail premises (such as newsagents) without the need for a premises licence.