STATUTORY INSTRUMENTS

1969 No. 552 (S.50)

BETTING AND GAMING

The Gaming Act (Registration under Part II) (Scotland) Regulations 1969

Made - - -	15*th April* 1969
Laid before Parliament	24*th April* 1969
Coming into Operation	
Regulation 4	1*st May* 1969
Regulations 2 *and* 3 *in accordance with Regulations* 1(5) *and* (6)	

In exercise of the powers conferred upon me by sections 13(2), 14(2), and 51 of the Gaming Act 1968(**a**), and of all other powers enabling me in that behalf, and after consultation with the Gaming Board for Great Britain, I hereby make the following regulations :—

1.—(1) These Regulations may be cited as the Gaming Act (Registration under Part II) (Scotland) Regulations 1969.

(2) The Interpretation Act 1889(**b**) applies for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

(3) In these regulations, "the Act" means the Gaming Act 1968.

(4) Nothing in these regulations shall have effect in relation to any premises, or any part of any premises, in respect of which a licence under the Act is for the time being in force.

(5) Regulation 2 of these regulations shall come into operation on the day to be appointed under section 54(4) of the Act for the purposes of section 13 of the Act.

(6) Regulation 3 of these regulations shall come into operation on the day to be appointed under section 54(4) of the Act for the purposes of section 14 of the Act.

(7) Subject to paragraphs (5) and (6) above, these regulations shall come into operation on 1st May 1969.

2.—(1) Section 13(1) of the Act (which prohibits bankers' games) shall not have effect in relation to the games of pontoon and chemin de fer when played on premises in respect of which a club or miners' welfare institute is for the time being registered under Part II of the Act.

(2) The reference in this Regulation to the game of pontoon does not include a reference to the game of blackjack, or to any other form of the game of pontoon whose rules do not provide for the right to hold the bank to pass amongst the players in certain events arising in the course of play.

(**a**) 1968 c. 65. (**b**) 1889 c. 63.

3.—(1) Where, on any day, gaming takes place on premises in respect of which a club or miner's welfare institute is for the time being registered under Part II of the Act, one or more charges (which, apart from this Regulation, would be prohibited by section 3 as applied by section 14(1) of the Act) may be made in respect of a person taking part in the gaming on that day, if the amount of the charge, or (in the case of more than one charge being made) of the charges in aggregate, does not exceed one pound in respect of that person for that day.

(2) In this regulation, the reference to a day is a reference to the period between midday on one day and midday on the next.

4.—(1) An application for registration, renewal of registration or cancellation of registration under Part II of the Act shall be made in writing, in the appropriate form set out in Schedule 1 to these regulations, by lodging the application with the sheriff clerk for the county or other area in which the relevant premises are situated.

(2) A certificate of registration or renewal of registration under Part II of the Act shall be in the appropriate form set out in Schedule 2 to these regulations.

(3) The register to be kept under paragraph 2 of Schedule 10 to the Act for the purposes of registration under Part II of the Act shall be in the form set out in Schedule 3 to these regulations.

(4) Any reference in this regulation to a form includes a reference to a form to the like effect with any variations which the circumstances may require.

William Ross,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.
15th April 1969.

SCHEDULE 1

Regulation 4(1)

Application for registration under Part II of the Gaming Act 1968 *of a Members' Club*

To the Sheriff Clerk, Sheriff Clerk's Office [ ]

I, A.B. of

hereby apply for the registration under Part II of the Gaming Act 1968 of the club named as follows:—

in respect of the premises consisting of:—

(*Give description sufficient to identify the premises precisely and in case of difficulty attach a plan of them*)

situated at the following address:—

The club is a bona fide members' club and is not carried on for any purpose other than those mentioned below. In particular it is not carried on for the private advantage of anyone other than its members generally. It has not less than 25 members, and is not of a merely temporary character. It is not established for the principal purpose of gaming other than bridge or whist or both bridge and whist.

The purposes of the club are as follows:

*The club has not previously been registered under Part II of the Act in respect of these or any other premises.

*The club has previously been registered under Part II of the Act. No such registration has been cancelled (otherwise than by relinquishment). Renewal of such a registration has never been refused.

*Delete one or other of these paragraphs or (if both) give particulars on a sheet to be attached.

I am the [chairman] [secretary] of the club and am duly authorised to make this application on its behalf.

I understand that while the registration continues in force the officers of the club will be responsible to see that no one takes part in gaming of any kind (apart from gaming by means of slot-machines) on the premises AT ANY TIME who is not genuinely a member of the club or a guest of a member (Gaming Act 1968, ss 12 & 23).

Dated the of 19 .

(*Signature*) A.B.

NOTES

A copy of the application must be sent to the chief constable for the area, to the Collector of Customs and Excise for the area, and to the secretary of the Gaming Board for Great Britain not later than 7 days after it is sent to the sheriff clerk.

Notice of the application must be advertised, and a copy of the advertisement sent to the sheriff clerk—see paragraph 5 of Schedule 4 to the Gaming Act 1968 and paragraph 10 of Schedule 2 there referred to.

Application for registration under Part II of the Gaming Act 1968 *of a Miners' Welfare Institute*

To the Sheriff Clerk, Sheriff Clerk's Office [ ]

I, A.B. of

hereby apply for the registration under Part II of the Gaming Act 1968 of the miners' welfare institute (as defined in section 52(2) of that Act) named as follows:—

in respect of the premises consisting of:—

(*Give description sufficient to identify the premises precisely and in case of difficulty attach a plan of them*)

situated at the following address:—

*The institute has not previously been registered under Part II of the Act in respect of these or any other premises.

*The institute has previously been registered under Part II of the Act.

No such registration has been cancelled (otherwise than by relinquishment). Renewal of such a registration has never been refused.

*Delete one or other of these paragraphs or (if both) give particulars on a sheet to be attached.

I am the [chairman] [secretary] of the institute and am duly authorised to make this application on its behalf.

I understand that while the registration continues in force the officers of the institute will be responsible to see that no one takes part in gaming of any kind (apart from gaming by means of slot-machines) on the premises AT ANY TIME who is not genuinely a member of the institute or a guest of a member (Gaming Act 1968, ss 12 & 23).

Dated the of 19 .

(*Signature*) A.B.

NOTES

A copy of the application must be sent to the chief constable for the area, to the Collector of Customs and Excise for the area, and to the secretary of the Gaming Board for Great Britain not later than 7 days after it is sent to the licensing authority.

Notice of the application must be advertised, and a copy of the advertisement sent to the sheriff clerk—see paragraph 5 of Schedule 4 to the Gaming Act 1968 and paragraph 10 of Schedule 2 there referred to.

Application for renewal of registration under Part II of the Gaming Act 1968

To the Sheriff Clerk, Sheriff Clerk's Office [ ]

I, A.B. of

not more than ten.

hereby apply for the renewal for a period of years of the registration under Part II of the Gaming Act 1968 of the club or miners' welfare institute named as follows:—

in respect of the premises specified in the register and situated at the following address:—

I am the [chairman] [secretary] of the club or institute and am duly authorised to make this application on its behalf.

I understand that while the registration continues in force the officers of the club or institute are responsible to see that no one takes part in gaming of any kind (apart from gaming by means of slot-machines) on the premises AT ANY TIME who is not genuinely a member of the club or institute or a guest of a member (Gaming Act 1968, ss 12 & 23).

Dated the of 19 .

(*Signature*) A.B.

Appication for cancellation of the registration under Part II of the Gaming Act 1968 *of a club or institute*

To the Sheriff Clerk, Sheriff Clerk's Office [ ]

I, A.B. of

hereby apply for the cancellation of the registration under Part II of the Gaming Act 1968 of the club or institute named as follows:—

in respect of the premises situated at the following address:—

This application is made on the grounds specified in the statement of which two copies are attached.

Dated the of 19 .

(*Signature*) A.B.

SCHEDULE 2

Regulation 4(2)

Certificate of registration under Part II of the Gaming Act 1968

In the Sheriff Court of [ ] at [ ]

Before Sheriff [ ]

The [club] [miners' welfare institute] named as follows:
is registered under Part II of the Gaming Act 1968 in respect of the premises consisting of:—

situated at the following address:—

[Restrictions have been imposed limiting gaming (which is not gaming by means of a machine to which Part III of the Act applies) to those parts of the premises specified in the Schedule to this Certificate.]

Unless renewed, the registration expires (subject to Schedule 4 § 20 to the Act) at the end of December 19 .

Dated the of 19 .

C.D.
Sheriff Clerk

SCHEDULE

Parts of premises to which gaming is restricted
[Not applicable]

Certificate of renewal of registration under Part II of the Gaming Act 1968

In the Sheriff Court of [ ] at [ ]
Before Sheriff [ ]

The registration under Part II of the Gaming Act 1968 of the club or miners' welfare institute named as follows:—
in respect of the premises specified in the register kept under paragraph 2 of Schedule 10 to the Act and situated at the following address:—
has been renewed.

[On renewal of the registration, restrictions were imposed limiting gaming (which is not gaming by means of a machine to which Part III of the Act applies) to those parts of the premises specified in the Schedule to this Certificate].

Unless renewed, the registration expires (subject to Schedule 4 (§ 20) to the Act) at the end of December 19 .

Dated the of 19 .

C.D.
Sheriff Clerk

SCHEDULE

Parts of premises to which gaming is restricted
[Not applicable]

SCHEDULE 3

Regulation 4(3)

Register of Premises registered under Part II of the Gaming Act 1968

Name of Club or Institute:—
Description of premises:—
Address of premises:—
Parts of premises to which gaming was restricted on date indicated below:—
No. 1

Brief description of the purposes of club (*or in case of miners' welfare institute, state that it is such*):—

Date of issue or renewal	Period of Validity	Restriction No. (*see above*)	Name and Address of Chairman or Secretary	Remarks (including details of refusal of renewal, cancellation or relinquishment	
				Date	Details

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations relate to the registration in Scotland of members' clubs and miners' welfare institutes under Part II of the Gaming Act 1968, and makes provision in relation to gaming on premises so registered.

Regulation 2 allows the games of pontoon and chemin de fer to be played on registered premises notwithstanding the general prohibition upon the playing of bankers' games. Regulation 3 allows charges to be made for gaming at a rate not exceeding £1 a person a day. These Regulations come into force with the sections of the Act to which they relate.

Regulation 4 prescribes the forms necessary for registration under Part II of the Act, including the form of the register.