Fact Sheet

Prize Gaming Permits Application Pack

- For Non-gambling premises
- For Low Stakes and prizes gambling
- **NOT** for gaming machines

For more information contact:
Write to Doncaster Council
Licensing Section
Civic Office
Waterdale
Doncaster
DN1 3BU

Telephone: 01302 737590
Email: licensing@doncaster.gov.uk
Website: www.doncaster.gov.uk
Prize gaming and prize gaming permits

What is prize gaming?
Prize gaming normally consists of low stakes and prizes gambling in which neither the nature nor the size of the prize is determined by the number of persons playing nor the amount paid for or raised by the gaming. It can comprise of a variety of games, providing that the participation fees and prizes do not exceed prescribed limits. The prize can be a cash or non-cash prize.

What is a prize gaming permit?
A prize gaming permit will allow a person to provide facilities for gaming, like those above, on specified premises. Any non-gambling premises (that is, one that has not got a premises licence under the Gambling Act 2005) that wishes to provide such gambling would need to apply for a prize gaming permit.

Prize gaming permits do not permit the provision of gaming machines and only certain equipment such as mechanised cash bingo equipment for example, may be used for prize gaming and not be treated as a gaming machine. (see Section 235 of Gambling Act 2005).

Some premises are already authorised by the Act to offer prize gaming, without needing a separate prize gaming permit. These are -

- holders of adult gaming centre premises licences
- holders of family entertainment centre premises licences
- holders of bingo premises licences
- holders of family entertainment centre gaming machine permits
- travelling fairs

Who can apply for a prize gaming permit?
An application for a permit can only be made by a person who occupies or plans to occupy the relevant premises and if the applicant is an individual, s/he must be aged 18 or over.

Holders of premises licences under the Act and holders of club gaming permits may not apply for prize gaming permits.

Applicants are not required to have an operating licence issued by the Gambling Commission.

What do I have to produce in making an application?
Documents to produce -

- the appropriate application form
- the appropriate fee for the application being made
- details of the types of gaming that it is intended to offer
- evidence that applicants understand the limits to stakes and prizes that are set out in the Regulations.
- evidence that the gaming offered is within the law

Who do I send my application to?
Doncaster Metropolitan Borough Council, Licensing Department, P O Box 257, The Council House, College Road, Doncaster, DN1 1RN.

Do I have to copy my application to anyone else?
No. However, the Act requires us to consult South Yorkshire Police on any prize gaming permit application which we receive. We will forward a copy to them and they then have 14 days in which to make any comments on the application.

What can you do with my application?
We can either grant or refuse an application for a permit, but we cannot add conditions. Should we decide to refuse an application we will write to you with our reasons and you will be given the opportunity to make representations against our decision.
How long does a prize gaming permit last?
A permit lasts for 10 years. There is no annual fee for this type of permit (details of renewal are below).

Can my permit lapse before it expires?
The permit may lapse for a number of reasons:
- if the holder ceases to occupy the premises
- if an individual permit holder dies, becomes incapable by reason of mental or physical incapacity, becomes bankrupt, or sequestration of his estate is ordered
- if the company holding the Permit ceases to exist, or goes into liquidation.
Where a permit lapses, the Act provides that the Permit may be relied upon for a period of six months after it has lapsed, by the following persons:
- the personal representative of the holder (in the case of death)
- the trustee of the bankrupt's estate (in the case of individual bankruptcy)
- the holder's interim or permanent trustee (in the case of an individual whose estate is sequestrated)
- the liquidator of the company (in the case of a company that goes into liquidation)
The permit may also cease to have effect if the holder surrenders it to us. Notice of such surrender must be accompanied by the permit, or by an explanation of why the permit cannot be produced.

If the permit holder is convicted of a relevant offence (that is an offence listed in schedule 7 of the Act) the court may order the forfeiture of the permit. The court must order the holder to deliver the permit to the licensing authority, or provide a statement explaining why it is not reasonably practicable to produce it. The court must notify the licensing authority that it has made a forfeiture order as soon as is reasonably practicable after making the order. Such an order may be suspended by a higher court pending appeal against conviction of a relevant offence.

Do I need to keep a copy of my permit on the premises?
Yes. It must be kept on the premises and available for inspection at all times. It is an offence not to produce it when requested to do so by a constable, an enforcement officer, or an authorised local authority officer. If a permit is lost, stolen or damaged, you may apply for a replacement (such replacement being subject to a fee).

What if my business changes its name?
If the person to whom the permit is issued changes their name, or wants to be known by another name, they may send the permit back to us for amendment, together with the appropriate fee. We must comply with the request and return the permit to the holder.

What about renewals?
An application for renewal of a permit must be made during the period beginning six months before the permit expires and ending two months before it expires. The application procedure for renewal is the same as for a new permit, except that you will have to return your Prize Gaming permit along with your application form and documents.
The duration of the permit will not be curtailed while a renewal application is pending, including any appeal against a decision not to renew.

Limits on participation fees and prizes for prize gaming
The participation fee which may be charged for any one chance to win a prize in a game shall not exceed 50p.
Where in paying for a chance to win a prize in a game a person acquires an opportunity to win more than one prize then the limit is still 50p for that chance. For example, in a game of bingo, the purchase of one game card (the chance) may provide the person with three opportunities to win a prize (one line, two lines, full house), but the maximum participation fee for each game card is still 50p. There is a limit of £500 on the aggregate amount of participation fees that may be charged in a particular game.
A money prize cannot exceed £70, except where the prize gaming is being provided in an adult gaming centre, in which case the limit is £50. The aggregate amount or value of prizes in a game cannot exceed £500.

### Application fees

<table>
<thead>
<tr>
<th>Service</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grant fee</td>
<td>£300</td>
</tr>
<tr>
<td>Renewal fee</td>
<td>£300</td>
</tr>
<tr>
<td>Change of name</td>
<td>£25</td>
</tr>
<tr>
<td>Copy of permit fee</td>
<td>£10.50</td>
</tr>
</tbody>
</table>
APPLICATION FOR THE CONVERSION OR NEW GRANT / CHANGE OF NAME OF A
PRIZE GAMING PERMIT
(FOR USE BY THOSE OCCUPYING / PROPOSING TO OCCUPY PREMISES WHERE FACILITIES FOR
GAMING WITH PRIZES WILL BE MADE AVAILABLE)

Please refer to guidance notes at the back of this form before completing.

To: Doncaster Metropolitan Borough Council
Licensing Section
Civic Office
Waterdale
Doncaster, DN1 3BU.

<table>
<thead>
<tr>
<th>SECTION A – What do you want to do?</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Please indicate what you would like to do:</td>
</tr>
<tr>
<td>a) Apply to <strong>convert</strong> an existing Section 16 permit issued under the Lotteries and Amusements Act 1976, into a prize gaming permit <em>(if you choose this option then please complete sections B, D and E)</em></td>
</tr>
<tr>
<td>b) Apply for a <strong>new</strong> prize gaming permit <em>(if you choose this option then please complete sections B, D and E)</em></td>
</tr>
<tr>
<td>c) Request that the licensing authority <strong>changes the name</strong> on the permit due to the existing permit holder’s change of name or wish to be known by another name <em>(if you choose this option then please complete sections C, D and E)</em></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SECTION B – Application for grant (includes both new and conversion applications)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. Do you have an existing Section 16 permit issued under the Lotteries and Amusements Act 1976? *</td>
</tr>
<tr>
<td>If ‘yes’ the permit should be enclosed. * Existing Section 16 permit enclosed</td>
</tr>
</tbody>
</table>

| 3. Are you aware of any premises licence, issued under the Gambling Act 2005, which exists in relation to the premises to which this application relates? If ‘yes’ please provide details (e.g. premises licence reference number) |

| 4. Are you aware of any club gaming permit, issued under the Gambling Act 2005, which exists in relation to the premises to which this application relates? If ‘yes’ please provide details (e.g. premises licence reference number) |

Please keep a copy of your existing permit on the premises to which it relates.
APPLICATION FOR THE GRANT / CHANGE OF NAME OF A PRIZE GAMING PERMIT
(FOR USE BY THOSE OCCUPYING / PROPOSING TO OCCUPY PREMISES WHERE FACILITIES FOR GAMING WITH PRIZES WILL BE MADE AVAILABLE)

<table>
<thead>
<tr>
<th>Section D – General Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>9. Name of premise………………………………………………………………….......................</td>
</tr>
<tr>
<td>10. Address of premises…………………………………………………………………..................</td>
</tr>
<tr>
<td>11. Telephone number of premises…………………………………………………………………</td>
</tr>
<tr>
<td>12. Name of applicant ……………………………………………………………………..................</td>
</tr>
<tr>
<td>13. Address of applicant…………………………………………………………………..................</td>
</tr>
<tr>
<td>14. Telephone number (daytime) of applicant …………………………………………………………</td>
</tr>
<tr>
<td>15. E-mail address of applicant ……………………………………………………………………</td>
</tr>
<tr>
<td>16. Name, address, telephone and e-mail of agent (e.g. solicitor) if submitted on behalf of the applicant…………………………………………………………………</td>
</tr>
<tr>
<td>17. Please specify the nature of the gaming for which the permit is sought (see guidance note 11)…………………………………………………………………</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Section C – Change of name</th>
</tr>
</thead>
<tbody>
<tr>
<td>5. What is the name of the permit holder on the existing permit?</td>
</tr>
<tr>
<td>6. What is the reference (e.g. number) of the existing permit?</td>
</tr>
<tr>
<td>7. What name change is requested by the permit holder?</td>
</tr>
<tr>
<td>8. Why is this change of name being requested? (see guidance note 10)</td>
</tr>
</tbody>
</table>

..............................................................................................................................
..............................................................................................................................
APPLICATION FOR THE GRANT / CHANGE OF NAME OF A
PRIZE GAMING PERMIT
(FOR USE BY THOSE OCCUPYING / PROPOSING TO OCCUPY PREMISES WHERE FACILITIES FOR
GAMING WITH PRIZES WILL BE MADE AVAILABLE)

Section E – Fee and Signature(s)

I enclose a sum of £…….. (cheques should be made payable to DMBC.) □

I confirm that I occupy / propose to occupy the premises to which this application relates. □

I confirm that I am 18 years of age or older. □

Please note: It is an offence under section 342 of the Gambling Act 2005 if a person, without reasonable excuse, gives to a licensing authority for a purpose connected with that Act information which is false or misleading.

Dated ………………………………………………………………………………………………………………………………

Signed (by or on behalf of applicant / permit holder)…………………………………………………………………

Print Name…………………………………………………………………………………………………………………………
APPLICATION FOR THE GRANT / CHANGE OF NAME OF A
PRIZE GAMING PERMIT
(FOR USE BY THOSE OCCUPYING / PROPOSING TO OCCUPY PREMISES WHERE FACILITIES FOR
GAMING WITH PRIZES WILL BE MADE AVAILABLE)

Guidance notes:

1. This form is to be used for an application for a grant (or to request a change of name) of a prize gaming permit under the Gambling Act 2005 Part 13 and Schedule 14. **This form can be used for both new applications and for applications to convert an existing Section 16 permit** under the Lotteries and Amusements Act 1976 in accordance with the Gambling Act 2005 Statutory Instrument 2006 / 3272.

2. This permit application is for prize gaming as defined in Section 288 Gambling Act 2005 as follows:

   “Gaming is prize gaming for the purposes of this Act if neither the nature nor the size of a prize played for is determined by reference to -
   (a) the number of persons playing; or
   (b) the amount paid for or raised by the gaming.”

3. A number of statutory conditions apply to prize gaming permits under Section 293 Gambling Act 2005 as follows:

   I. The first condition is compliance with such limits as may be prescribed in respect of participation fees (and those limits may, in particular, relate to players, games or a combination; and different limits may be prescribed in respect of different classes or descriptions of fee).

   II. The second condition is that -
   a) all the chances to participate in a particular game must be acquired or allocated on one day and in the place where the game is played,
   b) the game must be played entirely on that day, and
   c) the result of the game must be made public- (i) in the place where the game is played, and (ii) as soon as is reasonably practicable after the game ends, and in any event on the day on which it is played.

   III. The third condition is that a prize for which a game is played, or the aggregate of the prizes for which a game is played- (a) where all the prizes are money, must not exceed the prescribed amount, and (b) in any other case, must not exceed the prescribed value.

   IV. The fourth condition is that participation in the game by a person does not entitle him or another person to participate in any other gambling (whether or not he or the other person would also have to pay in order to participate in the other gambling).
4. The ‘prescribed’ participation fee and the ‘amount’ or ‘value’ of prizes are set-out in regulations SI 2007 / 1777 available via http://www.opsi.gov.uk. The current regulations are:
   - Participation fee - the maximum participation fee for a chance to win a prize in a single game is 50p (even if paying for that chance offers the opportunity of more than one prize). The aggregate amount of participation fees in a particular game cannot exceed £500.

5. The permit’s duration is 10 years. A renewal application must be made 2-6 months before the expiry date of the permit (Schedule 14 paragraph 18 Gambling Act 2005).

6. The fee for a new application for grant is £300. The fee for the conversion of an existing Section 16 Lotteries and Amusements Act 1976 permit is £100. The fee for a change of name is £25.

7. Applicants should be aware that this Licensing Authority has published a ‘Statement of Principles’ under Schedule 14 paragraph 8 (3) of the Gambling Act 2005 relating to prize gaming permits. The Statement is available via this authority’s website or via a request made to the contact details provided at the top of this form.

8. This licensing authority must notify the applicant of its grant / refusal of the application for a permit as soon as is reasonably practicable after that decision to grant / refuse has been made.

9. If an application has been made to convert an existing Section 16 Lotteries and Amusements Act 1976 permit before 31st July 2007, then the applicant can assume that, even where a decision has not been formally made by this licensing authority, his/her application is to be treated as granted from September 2007. Following this, a permit must be provided by this authority as soon as reasonably practicable.
10. These permits cannot be transferred. Change of name is only permitted where the permit holder changes his / her name or wishes to be known by another name (Schedule 14 paragraph 12(2)).

11. A Prize Gaming Permit authorises ‘prize gaming’ as defined at Section 288 Gambling Act 2005 which states:

Gaming is prize gaming for the purposes of this Act if neither the nature nor the size of a prize played for is determined by reference to-

(a) the number of persons playing, or
(b) the amount paid for or raised by the gaming.