

GAMBLING AND OTHER ACTIVITIES – AMENDMENTS TO STANDING ORDERS AND GUIDANCE**Basic Information**

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Status of Paper	Final
Action Required	Decision
Draft Resolution	The Council approves the report for presentation to the Conference
Alternative Options to Consider, if Any	

Summary of Content

Subject and Aims	Amendments to Standing Orders and CPD Guidance sections about Gambling in the light of the Gambling Act 2005
Main Points	Proposed amendments are set out and explained
Background Context and Relevant Documents (with function)	Report to 1999 Conference The Gambling Act 2005
Consultations	Joint Public Issues Team

Summary of Impact

Standing Orders	SO 014 and 924; Book VI, Part 2 Guidance, Section 6, Amendments require L&P Scrutiny
Faith and Order	
Financial	
Personnel	
Legal	
Wider Connexional	
External (e.g. ecumenical)	
Risk	Not being in line with the law or clear about Methodist discipline.

GAMBLING AND OTHER ACTIVITIES – AMENDMENTS TO STANDING ORDERS AND GUIDANCE

1. The 2005 Gambling Act changed some of the regulations and other wording in official documents to which our Standing Orders and Guidance refer. Amendments therefore need to be brought to the Conference to update those Standing Orders and Guidance. In the course of preparing such amendments some other issues have come to light that need attention. Particular points to be addressed are set out in the following paragraphs.
2. In 1999 the Conference debated the question of whether Methodist bodies should be able to apply for Good Causes funding from the National Lottery. The Conference adopted Resolution 30/1 of the report on *The Methodist Church and the National Lottery* to the effect that “Church Courts may be permitted to apply for lottery funding through Good Causes (subject to any approval required by Standing Orders) and any such applications made by Church Courts or other Methodist bodies should be particularly sensitive to the feelings of their natural constituency and supporters”. This requires an amendment to SO 014(1), following which the substance of Resolution 30/1 (1999) should be added as an editorial note, together with a note that no forms of approval in these matters have been prescribed in Standing Orders.
3. Amendments to SO 924 (2) and (3) are required by the Gambling Act 2005 Section 297, 236 and part 14 respectively.
4. In respect of CPD *Book VI, Part 2 Guidance, Section 6 – Permitted Gambling*, the paragraph to be called “Forms of Gambling Permitted at Non-Commercial Events” includes text to make it clear that it is not the Conference’s intention to allow funds to be raised for Methodist purposes by race nights, poker nights or private gaming.
5. In the paragraph in the Guidance to be called “Incidental non-commercial lotteries” the law of the land is set out followed by reference to some aspects of Methodist discipline that are more restrictive than the law of the land. The proposed amendments also clarify that the limit of £50 for what may be set aside from what is raised by a raffle in order to cover the cost of prizes does not include the presumed costs of any prizes that are donated by others.
6. The other proposed amendments in the Guidance sections of CPD are required by the Gambling Act 2005 and associated regulations.

Proposed amendments to Standing Orders and Guidance

SO 014 Gambling and other Activities. (1) ***Subject to any specific resolution of the Conference,*** it is not permissible in any circumstances to raise funds for Church purposes by any form of gambling which could not be permitted on Methodist premises under Standing Order 924.

(2) Entertainments and diversions forbidden on Methodist premises by Standing Orders 925 and 927 shall not be held elsewhere in the name of the Church and no entertainment inconsistent with Standing Order 927(1) may be arranged by any Methodist organisation.

(3) Activities relating to intoxicants and forbidden on Methodist premises by Standing Order 922 clauses (1) to (3), shall not take place elsewhere as part of any publicly advertised event using the name of the Methodist Church unless:

- (i) the body authorising the use of the name of the Methodist Church has authority to do so and, having considered its social responsibility and the witness which will be given, has explicitly approved the activities in question, or
- (ii) the event is organised in conjunction with partners who are not governed by any similar restrictions, and (in either case)
- (iii) all public announcements of the event contain an explicit warning that intoxicants will be available, and
- (iv) suitable alternatives are provided.

SO 924 Gambling. (1) Except as provided in clause (2), no form of gambling is permitted on Methodist premises.

Funds may not be raised for Church purposes by any form of gambling which could not be permitted on Methodist premises under this Standing Order (S.O. 014(1)).

(2) Subject to clause (3) below and to any specific resolution of the Conference those forms of gambling allowed by law at ~~exempt and non-commercial entertainments~~ **events** may at the discretion of the trustees take place at such entertainments held on Methodist premises.

See the guidance as to permitted gambling in Book VI, Part 2, Section 6.

(3) Notwithstanding clause (2) above the use of gaming machines, including ~~Amusements with Prizes machines~~ **Category D gaming machines**, and the offer or payment of cash prizes in connection with ~~Amusements with Prizes~~ **non-commercial gaming and betting**, are prohibited in any event.

(4) Methodist premises may not be used in such a way as to advertise or promote, whether directly or by means of sponsored events, any form of gambling which would not be permitted on such premises under this Standing Order.

Book VI, Part 2 Guidance, Section 6 - Permitted Gambling

The Conference of 1992 authorised the publication here of the following guidance as to the forms of gambling which trustees might permit on Methodist premises under Standing Order 924. This guidance was compiled for the assistance of trustees and others, but in so far as it deals with matters of law it is not offered by way of legal advice, and neither the Conference nor anyone else associated with its publication accepts any liability in law for its accuracy. Anyone in doubt as to the current legal position should obtain appropriate professional advice. As to Methodist discipline, reference should be made to Standing Order 924 itself for the full and definitive statement of our rules on the subject.

The ~~law~~ **Gambling Act 2005** makes provision for minor forms of gambling in the ~~Lotteries and Amusements Act 1976 and the Gaming Act 1968~~.

Exempt and Non-Commercial Entertainments Events

Minor forms of gambling may take place at ~~exempt and non-commercial~~ **events where no part of the proceeds are appropriated for private gain**. entertainments of the following sort:

~~'A bazaar, sale of work, fete, dinner dance, sporting or athletic event or other entertainment of similar character whether limited to one day or extending over two or more days'.~~

Forms of Gambling Permitted at Exempt and Non-Commercial Entertainments Events

The law allows at such events ~~small~~ **incidental non-commercial** lotteries, ~~amusements and other non-commercial prize gaming and betting~~ with prizes, and the use of gaming machines, as follows.

Methodist discipline, however, does not allow funds to be raised for Methodist purposes at such events by race nights, poker nights or private gaming.

Small Incidental non-commercial Lotteries

Raffles may be held at fundraising functions, usually for donated prizes, and subject to the following rules.

- ~~1. The only expenses that can be deducted in connection with the lottery are those of printing the tickets, and of purchasing prizes.~~
- ~~2. The sum expended on prizes must not exceed £50.~~
- ~~3. None of the prizes may be cash prizes.~~
- ~~4. The sale of tickets or chances in the lottery and the announcement of the results must take place during the course of the event (thus it is not permitted to sell tickets door to door).~~
- ~~5. The lottery must not be a substantial inducement for persons to attend the event.~~

According to the law

- 1. The amounts deducted from the proceeds of the lottery in respect of (a) the cost of prizes, and (b) the costs incurred in organising the lottery must not exceed the sums prescribed by the Secretary of State*;**
- 2. The lottery must be promoted wholly for a purpose other than private gain;**
- 3. No rollovers are allowed;**
- 4. Lottery tickets may only be sold on the premises on which the event is taking place, and while the event itself is in progress.**
- 5. The result of the lottery must be made public while the event is taking place.**

According to Methodist discipline

- 1. The 1992 Conference set a limit of £50 for the total amount of money that can be spent on prizes and the costs incurred in organising the lottery for non-commercial lotteries held on Methodist premises. In this regard £50 is the limit allowed by our discipline. This limit does not include donated prizes.**
- 2. The award of cash prizes is prohibited on Methodist premises by Standing Order 924(3). The award of prizes containing alcohol or other intoxicants is prohibited on Methodist premises by Standing Order 922(1).**

Amusements with Prizes ~~Other non-commercial gaming and betting~~

Provision is made under section 15 ~~part 14~~ of the 1976 ~~gambling~~ Act **2005** to allow activities like rolling a penny, wheel of fortune, bingo etc. at ~~exempt or non-commercial entertainments~~ **events**.

The rules are as those for small lotteries, but prizes may be in cash or kind, and there is no limit to the stakes or the prizes. In practice, the stakes and prizes are limited in value by the modest scale of the event. ~~Nonetheless,~~ The award of cash prizes **and the use of gaming machines** in connection with Amusements with Prizes **non-commercial gaming and betting** is prohibited on Methodist premises by Standing Order 924(3).

Gaming Machines

The use of gaming machines, including Amusement with Prizes machines, is permitted by section 33 of the 1968 Act, but such use is prohibited on Methodist premises by Standing Order 924(3).