



Poker Regulations Questions and Answers

Questions and answers about the Lottery and Gaming (Poker) Variation Regulations 2015.

Are all forms of poker in a public place prohibited?

The forms of poker that can be played in a public place are:

- poker where no participant in the game could, as a result of playing or engaging, win any money or other prize.
- general poker tournament that meet specific requirements set out in the regulations. A general poker tournament is similar to sporting tournaments.
- trade promotion poker tournament that meet specific requirements set out in the regulations. A trade promotion poker tournament is run to promote the trade of a venue. It may include features that promote trade and move away from a common starting position.

These are set out in the Lottery and Gaming Regulations 2008.

Are poker tournaments with entry fees prohibited?

No. The entry fee for a trade promotion poker tournament, however, is capped at \$50.

Can the entry fee cover the costs of operating a poker tournament?

For a trade promotion poker tournament the entry fees can only be applied to the prizes. For a general poker tournament the entry fees can cover the cost of operating a poker tournament and any prizes.

Can poker tournament rules allow for bonus chips?

The rules of a trade promotion poker tournament can allow for bonus chips (up to 20%) to be provided to participants that start early or purchase food or beverages at the premises where the poker tournament is held.

- From 1 January 2016 new regulations will determine what forms of poker are legal in a public place.
- The regulations set out three classes of poker that are legal to play in a public place: Poker with no prizes, tournament poker, and trade promotion tournament poker.

Background

The *Lottery and Gaming Act 1936* broadly prohibits most forms of gambling.

There has been some uncertainty about gambling on poker in a public place.

The Parliament amended the *Lottery and Gaming Act 1936* to prohibit poker in a public place except where set out in the regulations.

The *Lottery and Gaming (Poker) Variation Regulations 2015* amend the *Lottery and Gaming Regulations 2008* to set out the exceptions.

Both the amendments and the regulations commence on 1 January 2016.



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Are poker tournaments required to publish their rules?

A copy of the rules must be available for inspection by any person at the premises at which the poker tournament is held at any time during the poker tournament

Can poker tournament rules allow for re-entry or re-buying a new stack of poker chips?

The rules of a trade promotion poker tournament can allow for a player that exits from the tournament early to re-enter the tournament. Re-entry must not involve an additional fee.

Are poker tournaments with prizes prohibited?

The regulations set out requirements on how the prizes are determined. The value of the prize cannot be determined by reference to the nominal value or the number of poker chips a player has at the end of the poker tournament.

Do the prize amounts need to be determined before the commencement of the poker tournament?

For a trade promotion poker tournament the prizes can be determined as a percentage of the entry fees collected. The percentages must be determined before the commencement of the tournament and specified in the rules.

For a general poker tournament. The prizes must be determined before the commencement of the tournament and specified in the rules.

How are the prize winners determined?

The regulations enable poker tournaments to determine prize winners on the basis of elimination or on the basis of the nominal value of poker chips.

Can a poker tournament finish early?

The poker tournament rules can allow a poker tournament to be concluded early and for the prizes to be divided amongst the participants of the tournament in circumstances that are specified in the rules.

How were the trade promotion poker tournament rules determined?

The regulations were subject to public consultation on the Government's Your Say website. Submissions received helped define some of the popular characteristics of trade promotion poker tournaments that are now provided for in the regulations.

Where can I get the regulations?

The *Lottery and Gaming Regulations 2008* and the *Lottery and Gaming (Poker) Variation Regulations 2015* are available from the South Australian Government's legislation website (<http://www.legislation.sa.gov.au>).

Poker is a game of skill. Why is it being regulated?

There are many games and sports that involve skill. However, poker is closely associated with gambling. There are a range of provisions in the *Lottery and Gaming Act 1936* that address gambling in a public place.

The purpose of the amendments to the *Lottery and Gaming Act 1936* and the *Lottery and Gaming (Poker) Variation Regulations 2015* is to allow poker to be played in a public place if there is no gambling associated with the game of poker.

Can I make further suggestions for regulations?

The South Australian Government will monitor the implementation of the regulations. However, if you believe that there may be further issues to be considered then please send your suggestions by e-mail to gamblingpolicy@sa.gov.au