

# Poker Tournaments

## Information on the types of poker permitted to be played in a public place

*Gaming Offences Act 1936 and Gaming Offences Regulations 2021*

### Gaming Offences Act 1936

Under the [Gaming Offences Act 1936](#) (Act) the playing at or engaging in a game using cards or other items, or with money, where a person or persons who are *not* playing the game (such as receiving a fee to host a poker game or tournament) receive any part or percentage of any money or thing played for, staked or wagered **is unlawful**.

Despite this, there are limited circumstances under which playing poker in a public place is permitted.

### Playing Poker in a Public Place

What forms of poker can be played in a public place?

Under the [Gaming Offences Regulations 2021](#) (Regulations) there are only three types of poker that are legal to play in public places. These are:

- General poker tournaments
- Trade promotion poker tournaments
- Poker where participants do not win any money or other prize.

Are entry fees for poker tournaments permitted?

**YES**— for a **general poker tournament**, if a fee is payable to participate, all entrants must pay the same fee.

**YES**— for a **trade promotion tournament**, the entry fee cannot exceed \$50 and all entrants must pay the same fee.

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

**YES**— for a **general poker tournament**, a portion of the entry fee may be used for administration purposes. Details should be specified in the rules of the tournament.

**NO**— for a **trade promotion poker tournament**, any entry fee must only be used for the payment of prizes. A portion of the entry fee cannot be used for administration purposes.

Are poker tournament organisers required to make a copy of the rules of the tournament available to entrants?

**YES**— the rules for a **general poker tournament** or a **trade promotion poker tournament** must be made available to any person at the premises at which the tournament is being held at any time during the tournament.

In addition to specifying the rules for the tournament being conducted, the rules should also reflect the common knowledge rules for playing Poker.

The Regulations require that the amount of any entry fee and the prizes to be awarded are to be specified in the rules for the tournament.

Information such as how prizes may be divided, if a participant is eligible to receive “*bonus chips*” or able to “*re-buy*” into a game, must also be included.

If you are considering participating in a poker tournament you should inform yourself about the rules and conditions of the tournament before paying any entry fee.



### Are bonus chips allowed?

**NO**— all participants in a **general poker tournament** must be given an equal number and value of poker chips on commencement, and no participant may purchase or otherwise be supplied with bonus chips (except by winning them in the course of playing games as part of the tournament).

**YES**— bonus chips may be supplied to a participant in a **trade promotion tournament** as an early entry bonus or in exchange for purchasing food and beverage at the premises, provided the value of the bonus chips does not exceed 20% of the value of the chips given at the commencement of the tournament.

### Can the tournament rules allow for the “re-buy” of a new stack of poker chips?

**YES**— subject to the rules of a **general poker tournament**, a player may be allowed to “re-buy” into the tournament if they lose all their chips by paying the amount specified in the rules within a predetermined time limit, such as within the first hour of the tournament commencing. Once this period has concluded, a player would not normally be permitted to re-buy into the tournament.

The rules should clearly stipulate whether there is a limit on the number of times a participant can re-buy into the tournament.

Alternatively, the rules of the tournament may specify that the tournament is being operated on a freeze out basis, meaning that if a player loses all their chips they exit the tournament and are not able to re-buy into the tournament to continue playing.

**YES**— subject to the rules of a **trade promotion poker tournament** an eliminated participant may be permitted to “re-enter” the tournament, provided that no additional fee is payable on re-entry.

However, a person who re-enters a trade promotion poker tournament must not be provided with a number and value of poker chips which exceeds the number and value of chips given to entrants when commencing the tournament.

The rules should also stipulate whether there is a limit on the number of times a participant can re-enter into the tournament.

### Are poker tournaments with prizes permitted?

**YES**— however the Regulations contain strict requirements about how prizes are to be distributed.

### Do the prize amounts need to be determined before the start of a poker tournament?

**YES**— the prizes (whether a monetary prize or a non-monetary prize) must be determined before the start of the tournament and must be specified in the rules.

**For a general poker tournament**— in the case of a monetary prize it can be determined as an amount of money or as a percentage of the total prize pool (for example, the player who places first wins 50% of the total prize pool, the player who places second wins 25% and so on), provided that information is specified in the rules of the tournament.

**For a trade promotion poker tournament**— in the case of a monetary prize, it can be determined as an amount of money or a percentage of the entry fees collected, provided that all fees collected are disbursed.

### How are the prize winners to be determined?

Prizes may only be awarded to participants in the tournament in accordance with the Regulations.

Prize winners are to be determined by:

- the total number of poker chips won by a participant as a result of playing games in the tournament, such that:
  - the first prize is awarded to the participant who has the highest value of poker chips
  - the second prize (if any) is awarded to the participant who has the second highest value of poker chips and so forth until all prizes have been distributed

**OR**

- through a process of elimination as specified in the tournament rules such that:
  - the first prize is awarded to the person who has not been eliminated at the end of play of all games in the tournament
  - the second prize (if any) is awarded to the participant who was eliminated from the tournament immediately before the person who won the first prize, and so forth until all prizes have been distributed.

The tournament rules may also provide for prizes to be divided amongst participants in specified circumstances.

[Can a player join a tournament after it has started?](#)

**YES**— the Regulations do not prohibit a player joining a poker tournament after it has started.

However, the tournament organiser must ensure that if there is an entry fee to participate, each entrant pays the same fee.

Late entry to a tournament may only be permitted within a predetermined time limit as specified in the rules, such as within the first 30 minutes of the tournament commencing.

[Can a poker tournament be run over a number of weeks?](#)

**YES**— for a **general poker tournament**, however only the entrants from the first game of the tournament may continue to participate. No new entrants are able to join the tournament.

While a general poker tournament may consist of more than one game of poker, the entry fee paid by entrants is for the *tournament* rather than on a per game basis.

Organisers may also keep and use a portion of the entry fees collected in earlier tournaments for later tournaments, provided the prizes are determined prior to the commencement of the final tournament.

**For a trade promotion poker tournament—YES**, provided the tournament complies with the Regulations, such as the amount of fee paid to participate in the tournament does not exceed \$50, all fees collected must be used for the payment of prizes and no additional fee must be paid for re-entry.

[Are poker tournament participants able to exchange their chips for cash during a game?](#)

**NO**— the Regulations do not allow a player participating in a poker tournament to exchange their tournament chips at any time for the same value in cash.

It should be remembered that the values of the chips used in a tournament are only relevant to the tournament itself.

For example, while a player may have more chips than anyone else after an hour, the player cannot walk away and exchange the chips for money. The chips only relate to the player's position in the tournament. To get paid, a player must finish in one of the positions that receives a prize as specified in the rules.

[Are cash poker games permitted?](#)

**NO**— other than as permitted at the Adelaide Casino, participating in a cash poker game in South Australia is unlawful regardless of whether this is in a public or private place.

Any cash poker games that take place in residential premises also meet the definition of unlawful gaming and are not permitted.

## Cash Poker vs Tournament Poker

In addition to the variety of poker games and betting variations available, the game of Poker can be played using different formats, most commonly as either cash poker games or tournament poker games.

While cash poker games can only be played in South Australia at the Adelaide Casino, it is important to understand the differences between unlawful cash poker games and lawful tournament poker games.

- Cash poker games are played on one table.
- Tournaments can be played on one table but can also consist of multiple tables.
- In cash poker games, players exchange money for poker chips, usually with a minimum and maximum “buy-in” amount, depending on the stakes.
- In tournaments, each player “buys-in” for the same amount and is given the same amount of tournament chips, as specified in the rules of the tournament.
- In cash poker games, a player has the option to quit or to “cash-out” of a game at any time, whereby any poker chips held by the player are exchanged for cash at face value.
- Tournaments typically end when there is one player who has all the chips with prizes paid based on where each player finished in the tournament. However, a player may quit the tournament and forfeit all of their chips at any time.
- In cash poker games, the “blinds” often stay the same for each hand, depending on the stakes (e.g. \$1/\$2).
- In tournaments, the blinds generally escalate (e.g. increase every 15 mins) as specified in the rules of the tournament.
- In cash poker games, if a player exhausts their supply of poker chips they may then “buy-in” again if they wish to continue playing subject to table limits and for an amount that they choose.
- In tournaments, if a player loses all their poker chips, they generally exit the tournament. If a player is permitted to re-buy, it must be in accordance with the rules of the tournament (see page 2).

## Regulation of Poker Tournaments

While a **general poker tournament** or a **trade promotion poker tournament** is only permitted if conducted in accordance with the Gaming Offences Regulations 2021, the tournament rules are not required to be approved by a governing body or government regulator.

This means that Consumer and Business Services is unable to provide general advice about the rules of a poker tournament or arbitrate in the event of a dispute between a participant and a tournament organiser.

**The organisation, promotion and playing of any unlawful game or being in a place in which any unlawful gaming is taking place, is an offence.**

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If you are considering organising a poker tournament or participating in a game of poker in a public or private place you should inform yourself about the current applicable laws by seeking your own legal and other advice.

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