
STATUTORY INSTRUMENTS

1985 No. 1204

The Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985

PART II BETTING

Licensing of tracks

Form and duration of track betting licences

40.—(1) A track betting licence shall be in such form as the Department may determine.

(2) Subject to the succeeding provisions of this Article, a track betting licence shall, unless cancelled or revoked, remain in force from the date on which it is granted until the expiration of a period of 7 years beginning with the first day of the month in which it is granted.

(3) Where a track betting licence granted provisionally is at any time declared final paragraph (2) shall apply as if the track betting licence were granted at that time.

(4) Where at any time—

- (a) the holder of a track betting licence dies or is adjudged bankrupt, or his track becomes vested in the official assignee (whether before or after his death) without his being so adjudged ^{F1}... or a receiver of his property or a committee or guardian is appointed with power to manage the track; or
- (b) in the case of a body corporate, a winding-up is commenced or a receiver is appointed as aforesaid;

the personal representative or, as the case requires, the assignees or trustee in bankruptcy, official assignee, ^{F2}... receiver, committee, guardian or liquidator shall be deemed to be the holder of the track betting licence and—

- (i) subject to sub-paragraph (ii), the track betting licence shall, where it would otherwise expire under this Article remain in force until the end of a period of 6 months from that time unless cancelled or revoked;
- (ii) the Department may on the application of the person deemed to be the holder of the track betting licence, extend the period for which that licence continues to be in force by virtue of this paragraph if it is satisfied that no circumstances make it undesirable.

(5) Where the holder of a track betting licence dies and he has no personal representative or his personal representative is unwilling or unable to act, the licence shall, unless cancelled or revoked, continue in force for the benefit of any person entitled in consequence of his death to a beneficial interest in the track until—

- (a) the expiration of a period of 2 months from the date of his death, or
- (b) paragraph (4) becomes applicable by reason of the appointment of a personal representative,

Changes to legislation: *The Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985, Section 40 is up to date with all changes known to be in force on or before 04 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

whichever first occurs.

(6) The authority conferred on any person by virtue of paragraph (4) or (5) to provide betting facilities on a track shall be suspended on the expiration of the period of 2 weeks from the date when he commenced to provide such facilities on that track unless during that period he has served notice that he is providing the facilities on that track by virtue of that paragraph (and, if he is so providing by virtue of paragraph (4), the capacity in which he is doing so) upon—

(a) the Department; and

(b) the sub-divisional commander of the police sub-division in which the track is situated;

but the authority, if so suspended, shall revive upon the service of such a notice.

F1 Words in art. 40(4)(a) repealed (1.4.2016) by [Insolvency \(Amendment\) Act \(Northern Ireland\) 2016 \(c. 2\)](#), s. 28(2), [Sch. 4](#); S.R. 2016/203, art. 2

F2 Words in art. 40(4) repealed (1.4.2016) by [Insolvency \(Amendment\) Act \(Northern Ireland\) 2016 \(c. 2\)](#), s. 28(2), [Sch. 4](#); S.R. 2016/203, [art. 2](#)

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Changes and effects yet to be applied to :

- Instrument applied by [1997 c. 16 s.15\(3\)](#)

Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

- Act applied by [1997 c. 16 s.15\(3\)](#)

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- art. 172A and cross-heading inserted by [2022 c. 14 \(N.I.\) s. 15\(1\)](#)
- art. 186(3A) inserted by [2022 c. 14 \(N.I.\) s. 15\(2\)\(a\)](#)