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STATUTORY INSTRUMENTS

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**1985 No. 1204**

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

**PART II  
BETTING**

*General restrictions on betting*

***Restriction on use of premises for betting transactions***

3.—(1) Subject to<sup>[F1]</sup> paragraphs (1A) and (2)], it shall be unlawful for any person to use, or cause or permit any other person to use, any premises for the purpose of the effecting of any betting transactions by that person or, as the case may be, that other person with persons resorting to those premises.

<sup>[F1]</sup>(1A) Subject to paragraphs (1B) and (1C), paragraph (1) shall not apply to the use of premises as a place where persons may deliver—

- (a) completed coupons or other entry forms for qualifying competitions promoted by a registered pool promoter within the meaning of section 4(2) of the Betting, Gaming and Lotteries Act 1963, who carries on his pool betting business by post<sup>[F2]</sup> and any of such other means as may be prescribed by regulations]; and
- (b) the stake money in respect of such coupons or other entry forms,

for forwarding to the registered pool promoter.

(1B) Paragraph (1A) shall not affect the operation of paragraph (1) in relation to such premises as may be prescribed by regulations.

(1C) In paragraph (1A), the reference to coupons or other entry forms for qualifying competitions does not include any coupon or other entry form that can effect entry to a competition that is not a qualifying competition.

(1D) In paragraphs (1A) and (1C), “qualifying competition” means a competition—

- (a) that is a competition for prizes for making forecasts as to association football games<sup>F2</sup>. . . , and
- (b) that requires each entry in the competition to consist of a forecast as to at least 4 such games.]

(2) Paragraph (1) shall not apply—

- (a) where the premises are a licensed office and the person using the premises or, as the case may be, the other person is the licensed bookmaker who is the holder of the bookmaking office licence or his servant or agent;

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- (b) subject to paragraph (3), to bookmaking or a pool betting business carried on on any track on any day on which under Articles 36, 47 and 48 betting may lawfully be carried on on the track;
- (c) where both the person using the premises and all the persons with whom the betting transactions are effected either reside or work on those premises or on premises of which those premises form part.

(3) [<sup>F2</sup>Subject to paragraph (3A),] nothing in paragraph (2)(b) shall affect the operation of paragraph (1) in relation to the use on a track by a licensed bookmaker for the purposes of his business—

- (a) of any permanent structure other than a structure used by him in common with members of the public resorting to the track; or
- (b) of any position specially appropriated for his use by, or by any person purporting to act on behalf of, the occupier of the track.

[<sup>F2</sup>(3A) In the case of a licensed track, paragraph (3) shall not apply in relation to the use of a permanent structure by a licensed bookmaker for the purposes of his business if—

- (a) the use takes place on a day on which the public are admitted to the track for the purpose of attending horse or, as the case may be, dog racing and no other sporting events are taking place; and
- (b) no betting transactions in connection with races run on the track are effected in the course of the use.]

(4) Any person acting in contravention of paragraph (1) shall be guilty of an offence.

**F1** [1994 NI 8](#)  
**F2** [2004 NI 1](#)

***Persons found on premises used for betting transactions***

4.—(1) Any person found on any premises which are being used in contravention of Article 3(1) shall, unless he proves that he is there for a lawful purpose, be guilty of an offence.

(2) Where, on being asked by a constable for his name and address, a person found as mentioned in paragraph (1)—

- (a) refuses to give them, or
- (b) gives a false name or address, or
- (c) refuses to answer satisfactorily any question put to him to ascertain the correctness of the name or address given,

he shall be guilty of an offence.

(3) <sup>F3</sup> .....

**F3** [Art. 4\(3\) repealed \(1.3.2007\) by Police and Criminal Evidence \(Amendment\) \(Northern Ireland\) Order 2007 \(S.I. 2007/288 \(N.I. 2\)\), arts. 1\(2\), 15\(4\), 41\(2\), Sch. 1 para. 23, Sch. 2](#)

***Prohibition of betting in streets and public places***

5.—(1) Any person frequenting or loitering in a street or public place, on behalf either of himself or of any other person, for the purpose of bookmaking, betting, agreeing to bet, or paying, receiving or settling bets shall be guilty of an offence.

(2) [<sup>F4</sup>Where a person is found committing an offence under this Article, any constable] may seize and detain any books, cards, papers and other articles relating to betting which may be found in his possession.

(3) In this Article—

- (a) “street” includes any bridge, road, lane, footway, subway, square, court, alley or passage, whether a thoroughfare or not, which is open to the public; and
- (b) the doorways and entrances of premises abutting upon, and any ground adjoining and open to, a street shall be treated as forming part of the street.

F4 1989 NI 12

### *Licensing of bookmakers*

#### ***Prohibition on acting as a bookmaker without a licence***

6. It shall be unlawful for any person to—

- (a) carry on business or act as a bookmaker, or
- (b) hold himself out or represent himself to be a bookmaker,

unless he holds a bookmaker's licence authorising him to do so and any person acting in contravention of this Article shall be guilty of an offence.

#### ***Persons to whom bookmakers' licences may be granted***

7.—(1) The person to whom a bookmaker's licence is granted shall be the owner of the business proposed to be carried on under the licence.

(2) A bookmaker's licence may be granted to an individual, to a body corporate or to 2 or more persons carrying on business in partnership.

(3) In considering the fitness of a person to hold a bookmaker's licence, a court shall have regard to the character, reputation and financial standing—

- (a) of the applicant; and
- (b) of any other person by whom the business which is or is proposed to be carried on under the licence would be managed, or for whose benefit that business would be carried on;

but may also take into consideration any other circumstances appearing to it to be relevant in determining whether the applicant is likely to be capable of, and diligent in, securing that the provisions of this Part will be complied with.

(4) In considering the fitness of a body corporate to hold a bookmaker's licence, a court shall also have regard to the character, reputation and financial standing of the directors of the body corporate and any other persons who have executive control of it or who have a financial interest in it, as if the licence were, or were proposed to be, held by them jointly.

[<sup>F5</sup>(4A) In considering the fitness of any applicant to hold a bookmaker's licence, the court shall have regard to—

- (a) any failure of the applicant or of any other person mentioned in paragraph (3)(b); and
- (b) where the applicant is a body corporate, any failure of any director of the applicant or of any other person mentioned in paragraph (4);

to pay any amount due from him or it by way of general betting duty or pool betting duty.]

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(5) Subject to paragraphs (6) and (7), the following persons shall be disqualified for obtaining or holding a bookmaker's licence—

- (a) a person under the age of [<sup>F6</sup>18];
- <sup>F7</sup>(b) .....
- <sup>F8</sup>(c) .....
- <sup>F9</sup>(d) .....
- <sup>F10</sup>(6) .....
- <sup>F11</sup>(7) .....

(8) A bookmaker's licence purporting to be held by any person

- (a) who is disqualified by paragraph (5) for holding or obtaining such a licence, or
- (b) in respect of whom there is in force a disqualification order under Article 30 or 53,

is void.

<b>F5</b>	1986 c. 41
<b>F6</b>	Word in art. 7(5)(a) substituted (27.4.2022) by Betting, Gaming, Lotteries and Amusements (Amendment) Act (Northern Ireland) 2022 (c. 14), ss. <b>11(1)(a)</b> , 17(2)
<b>F7</b>	Art. 7(5)(b) repealed (27.4.2022) by Betting, Gaming, Lotteries and Amusements (Amendment) Act (Northern Ireland) 2022 (c. 14), ss. <b>11(2)(a)</b> , 17(2)
<b>F8</b>	Art. 7(5)(c) repealed (27.4.2022) by Betting, Gaming, Lotteries and Amusements (Amendment) Act (Northern Ireland) 2022 (c. 14), ss. <b>11(2)(a)</b> , 17(2)
<b>F9</b>	Art. 7(5)(d) repealed (27.4.2022) by Betting, Gaming, Lotteries and Amusements (Amendment) Act (Northern Ireland) 2022 (c. 14), ss. <b>11(3)(a)</b> , 17(2)
<b>F10</b>	Art. 7(6) repealed (27.4.2022) by Betting, Gaming, Lotteries and Amusements (Amendment) Act (Northern Ireland) 2022 (c. 14), ss. <b>11(3)(a)</b> , 17(2)
<b>F11</b>	Art. 7(7) repealed (27.4.2022) by Betting, Gaming, Lotteries and Amusements (Amendment) Act (Northern Ireland) 2022 (c. 14), ss. <b>11(2)(a)</b> , 17(2)

**Grant of bookmakers' licences**

**8.—**(1) An application for the grant of a bookmaker's licence shall be made to a court of summary jurisdiction.

(2) The procedure for applications for the grant of bookmakers' licences is set out in Schedule 1.

(3) On an application for the grant of a bookmaker's licence the court shall hear the objections, if any, made under Schedule 1.

(4) A court shall, subject to paragraph (5), refuse an application for the grant of a bookmaker's licence unless it is satisfied—

- (a) that the procedure relating to the application set out in Schedule 1 has been complied with; and
- (b) that the applicant is a fit person to hold a bookmaker's licence; and
- (c) that the applicant is not a person in respect of whom a disqualification order under Article 30 or 53 is in force; and
- (d) that the applicant has not been refused the grant or renewal of a bookmaker's licence on the ground mentioned in sub-paragraph (b) or (e)[<sup>F12</sup> or in Article 17(2)(d)] within the immediately preceding 12 months; and

(e) that the applicant will not allow the business proposed to be carried on under the bookmaker's licence to be managed by, or carried on for the benefit of, a person other than the applicant who would himself be refused the grant of a bookmaker's licence.

(5) A court may grant a bookmaker's licence notwithstanding that the procedure relating to the application set out in Schedule 1 has not been complied with if, having regard to the circumstances, it is reasonable to do so.

(6) A court may refuse an application for the grant of a bookmaker's licence if it is satisfied that the applicant has been convicted of an offence under this Part<sup>F13</sup> or Chapter III of Part III] or Part I of the Betting and Lotteries Act (Northern Ireland) 1957.

(7) Where the court refuses an application for the grant of a bookmaker's licence, it shall specify in its order the reasons for its refusal.

**F12** 1993 c. 39

**F13** 2004 NI 1

### *Licensing of bookmaking offices*

#### ***Prohibition on using certain premises without a bookmaking office licence***

**9.** It shall be unlawful for any licensed bookmaker to carry on or represent himself as carrying on the business of a bookmaker in any premises unless he holds a bookmaking office licence authorising him to do so in those premises and any licensed bookmaker acting in contravention of this Article shall be guilty of an offence.

#### ***Persons to whom bookmaking office licences may be granted***

**10.—(1)** The licensed bookmaker to whom a bookmaking office licence is granted shall be the owner of the business proposed to be carried on under the licence.

(2) Article 7(2) shall apply to a bookmaking office licence as it applies to a bookmaker's licence.

(3) Any bookmaking office licence purporting to be held by a person—

(a) who is disqualified by Article 7(5) for holding or obtaining a bookmaker's licence, or

(b) in respect of whom there is in force a disqualification order under Article 30 or 53,

is void.

#### ***Premises for which bookmaking office licences may be granted***

**11.—(1)** Any premises for which there is in force a disqualification order under Article 30 shall not be premises for which a bookmaking office licence may be granted.

(2) In considering the suitability of premises for use as a licensed office a court shall have regard—

(a) to the lay-out, character and condition of the premises; and

(b) to the provision in the premises of adequate sanitary appliances and things used in connection with such appliances; and

(c) in the case of an application for the grant of a bookmaking office licence, to the location of the premises.

(3) Any bookmaking office licence purporting to be held by a person in respect of premises for which there is in force a disqualification order under Article 30 is void.

**Grant of bookmaking office licences**

12.—(1) An application for the grant of a bookmaking office licence shall be made to a<sup>F14</sup> county court].

(2) The procedure for applications for the grant of bookmaking office licences is set out in Schedule 2.

(3) On an application for the grant of a bookmaking office licence the court shall hear the objections, if any, made under Schedule 2.

(4) A court shall, subject to paragraphs (5) and (7), refuse an application for the grant of a bookmaking office licence unless it is satisfied—

- (a) that the procedure relating to the application set out in Schedule 2 has been complied with; and
- (b) that the applicant is a licensed bookmaker; and
- (c) that the applicant is not a person in respect of whom a disqualification order in respect of bookmaking office licences under Article 30 or 53 is in force; and
- (d) that the premises are not premises in respect of which a disqualification order under Article 30 is in force; and
- (e) <sup>F15</sup> .....
- (f) that the applicant owns the premises either in fee simple or for a term of years of which at least 21 are unexpired at the date of the application; and
- (g) that the premises will not injuriously affect, or be detrimental to, the interests of persons attending a place of worship, a religious institution, a school or premises habitually used by members of a youth organisation in the vicinity of the premises; and
- (h) that the premises do not form part of licensed premises within the meaning of the<sup>F16</sup> Licensing (Northern Ireland) Order 1996]; and

*Sub-para. (i) rep. by 2004 NI 1*

- (j) that, having regard to the demand in the locality in which the premises to which the application relates are situated for facilities afforded by licensed offices, the number of such offices for the time being available (including any premises for which a licence is provisionally granted) to meet that demand is inadequate, and
- (k) either—
  - (i) that there is in force planning permission to use the premises as a bookmaking office for the period during which the licence would be in force; or
  - (ii) that the premises may be used as such an office for that period without such permission.

(5) A court may grant a bookmaking office licence notwithstanding that the procedure relating to the application set out in Schedule 2 has not been complied with if, having regard to the circumstances, it is reasonable to do so.

(6) A court may refuse an application for the grant of a bookmaking office licence if it is satisfied—

- (a) that the premises are not suitable as a licensed office; or
- (b) that the applicant has been convicted of an offence under this Part<sup>F14</sup> or Chapter III of Part III] or Part I of the Betting and Lotteries Act (Northern Ireland) 1957.

(7) Paragraph(4)(j) shall not apply to an application for the grant of a bookmaking office licence in respect of premises which are on the site or in the vicinity of a licensed office for which the

applicant holds a bookmaking office licence and which is a licensed office to which Article 26(1) (a) to (e) applies.

(8) Where the court refuses an application for the grant of a bookmaking office licence, it shall specify in its order the reasons for its refusal.

**F14** 2004 NI 1

**F15** Art. 12(4)(e) repealed (15.11.2010) by [Fire and Rescue Services \(Northern Ireland\) Order 2006 \(S.I. 2006/1254 \(N.I. 9\)\)](#), arts. 1(3), 63(2), **Sch. 4** (with art. 62); S.R. 2010/328, **art. 2**

**F16** 1996 NI 22

### ***Grant of bookmaking office licence conditional on alterations being made in licensed office***

**13.**—(1) A court which grants a bookmaking office licence may grant the licence subject to the condition that, within a period fixed by the court, the licensed bookmaker—

- (a) shall make such alterations in the licensed office as the court may specify, being alterations which the court thinks necessary to ensure that the premises are suitable for use as a licensed office; and
- (b) shall deposit with the<sup>[F17]</sup> chief clerk] a plan of the premises showing the alterations so specified.

(2) Notice of any alteration required under paragraph (1) shall be served by the<sup>[F17]</sup> chief clerk] on the person whose name has been notified to the court as the owner of the premises.

(3) The period fixed by a court under paragraph (1) may be extended by a court of summary jurisdiction on the application of the licensed bookmaker.

(4) A bookmaking office licence granted conditionally under this Article shall, unless it is revoked or is a licence to which a disqualification order under Article 30 or 53 applies or it ceases to be in force under Article 173, remain in force from the date on which it is granted until the expiration of the period fixed by the court under paragraph (1) or any extended period and the<sup>[F17]</sup> chief clerk or, as the case may be, the clerk] shall note the date of that expiration on the licence.

(5) A<sup>[F17]</sup> county court], on the application of the licensed bookmaker, shall declare the grant of a bookmaking office licence to be unconditional, if it is satisfied that alterations to the licensed office have been completed in accordance with the plans deposited with the<sup>[F17]</sup> chief clerk] under paragraph (1)(b) and the<sup>[F17]</sup> chief clerk] shall amend the licence accordingly.

**F17** 2004 NI 1

### ***Provisional grant of bookmaking office licences***

**14.**—(1) Where premises are about to be constructed, altered or extended or are in the course of construction, alteration or extension, an application may be made to a<sup>[F18]</sup> county court] for the provisional grant of a bookmaking office licence for those premises.

(2) An application for the provisional grant of a bookmaking office licence may be made by the licensed bookmaker who proposes to be the owner of the business to be carried on under the licence after it has been declared final under paragraph (7).

(3) The procedure for applications for the provisional grant of bookmaking office licences is set out in Part I of Schedule 2 as modified by Part II of that Schedule.

(4) For the purposes of the provisional grant of bookmaking office licences Article 12 shall have effect as if—

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- (a) any reference in paragraphs (3) to (8) to the grant of a bookmaking office licence were a reference to the provisional grant of such a licence; and
  - (b) where the application relates to premises about to be constructed or in the course of construction, any reference in paragraphs (4)(f) to (k), (6) and (7) to the premises were a reference to the proposed premises and paragraph (4)(d)<sup>F19</sup> . . . were omitted.
- (5) A bookmaking office licence which is provisionally granted shall not authorise a licensed bookmaker to carry on the business of a bookmaker in the premises until the grant of the licence is declared final.
- (6) At any time before a licence which has been provisionally granted is declared final, a<sup>F18</sup> county court] may consent to any modification of the plans deposited under Part I of Schedule 2 as modified by Part II of that Schedule if, in its opinion, the premises, when completed in accordance with the modified plans, will be suitable to be licensed as a bookmaking office and, if it does so, it shall require a copy of the modified plans to be deposited with the<sup>F18</sup> chief clerk].
- (7) Where a bookmaking office licence has been granted provisionally for any premises, on the application of the licensed bookmaker, a<sup>F18</sup> county court] shall, subject to paragraph (9), declare the grant of the licence final, if it is satisfied—
- (a) that the premises have been completed in accordance with the plans deposited under Part I of Schedule 2 as modified by Part II of that Schedule or in accordance with those plans with modifications consented to under paragraph (6); and
  - (b) <sup>F20</sup> . . . . .
- (8) The procedure for applications to have the provisional grant of bookmaking office licences declared final is set out in Part III of Schedule 2.
- (9) A<sup>F18</sup> county court] shall not entertain an application made under paragraph (7) after the expiration of 2 years from the date on which the licence was granted provisionally, unless the applicant satisfies the court that there were reasonable grounds for the failure to complete the construction, alteration or extension of the premises within that period.
- (10) Where the provisional grant of a licence is declared final the<sup>F18</sup> chief clerk] shall note the declaration on the licence.

**F18** 2004 NI 1  
**F19** Words in art. 14(4)(b) repealed (15.11.2010) by [Fire and Rescue Services \(Northern Ireland\) Order 2006 \(S.I. 2006/1254 \(N.I. 9\)\)](#), arts. 1(3), 63(2), **Sch. 4** (with art. 62); S.R. 2010/328, **art. 2**  
**F20** Art. 14(7)(b) repealed (15.11.2010) by [Fire and Rescue Services \(Northern Ireland\) Order 2006 \(S.I. 2006/1254 \(N.I. 9\)\)](#), arts. 1(3), 63(2), **Sch. 4** (with art. 62); S.R. 2010/328, **art. 2**

**Form and duration of new bookmakers' licences and bookmaking office licences**

- 15.—(1) A bookmaker's licence shall be in such form as may be prescribed by regulations and shall specify—
- (a) the name and address of the holder of the licence;
  - (b) such other matters as may be so prescribed.
- (2) A bookmaking office licence shall be in such form as may be prescribed by regulations and shall specify—
- (a) the name and address of the holder of the licence;
  - (b) the address of the licensed office;
  - (c) the name and address of the owner of the licensed office;



(d) such other matters as may be so prescribed.

(3) Subject to Article 13(4) and to the succeeding provisions of this Article, a bookmaker's licence or a bookmaking office licence shall, unless it is revoked or is a licence to which a disqualification order under Article 30 or 53 applies or it ceases to be in force under Article 173, remain in force from the date on which it is granted until—

- (a) the expiration of the licensing year in which it is granted, or
- (b) if it is granted within the 3 months immediately preceding the expiration of that year, the expiration of the next following licensing year.

(4) Where, at the hearing of an application for the grant of a bookmaker's licence or a bookmaking office licence, any person appears before the court and opposes the grant, but the court grants the licence—

- (a) until the expiry of the time for bringing an appeal against the grant and, if an appeal is brought, until the grant is confirmed or the appeal is abandoned, the licence granted shall not come into force;
- (b) if on appeal the grant is confirmed or if the appeal is abandoned, for the purpose of determining the period for which the licence is to be in force the date when the appeal is disposed of shall be substituted for the date on which the licence was granted and the<sup>F21</sup> chief clerk or, as the case may be, the clerk] shall (if necessary) amend the licence accordingly.

(5) Where a bookmaking office licence granted conditionally is at any time declared unconditional paragraph (3), other than sub-paragraph (b), shall apply as if the licence were granted at that time.

(6) Where a bookmaking office licence granted provisionally is at any time declared final paragraphs (3) and (4) shall apply as if the licence were granted at that time.

(7) Paragraph (3) shall not prejudice the operation of Articles 21 and 29 under which a bookmaker's licence and a bookmaking office licence may continue in force after the time when they would otherwise expire.

(8) Where at any time—

- (a) a licensed bookmaker dies or is adjudged bankrupt, or his business becomes vested in the official assignee (whether before or after his death) without his being so adjudged<sup>F22</sup>... or a receiver of his property or a committee or guardian is appointed with power to manage the business; or
- (b) in the case of a body corporate, a winding-up is commenced or a receiver is appointed as aforesaid;

except for the purposes of the renewal of the licence, the personal representative or, as the case requires, the assignees or trustee in bankruptcy, official assignee,<sup>F23</sup>... receiver, committee, guardian or liquidator shall be deemed to be the licensed bookmaker and—

- (i) subject to sub-paragraph (ii), any bookmaker's licence and bookmaking office licence held by the licensed bookmaker shall, where they would otherwise expire under this Article or Article 22(1), continue in force until the end of a period of 6 months from that time unless the licences are revoked or are licences to which a disqualification order under Article 30 or 53 applies or the licences cease to be in force under Article 173;
- (ii) a court of summary jurisdiction may on the application of the person deemed to be the licensed bookmaker, extend the period for which those licences continue to be in force by virtue of this paragraph if it is satisfied that no circumstances make it undesirable.

(9) Where a licensed bookmaker dies and he has no personal representative or his personal representative is unwilling or unable to act, any bookmaker's licence and bookmaking office licence

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held by the licensed bookmaker shall, unless the licences are revoked or are licences to which a disqualification order under Article 30 or 53 applies or the licences cease to be in force under Article 173, continue in force for the benefit of any person entitled in consequence of his death to a beneficial interest in the business carried on under the licences until—

- (a) the expiration of a period of 2 months from the date of his death, or
- (b) paragraph (8) becomes applicable by reason of the appointment of a personal representative,

whichever first occurs.

(10) The authority conferred on any person by virtue of paragraph (8) or (9) to carry on a business under a licence shall be suspended on the expiration of the period of 2 weeks from the date when he commenced to carry on that business unless during that period he has served notice that he is carrying on the business by virtue of that paragraph (and, if he is carrying it on by virtue of paragraph (8), the capacity in which he is doing so) [<sup>F24</sup>upon—

- (a) the clerk of petty sessions; and
- (b) the district commander of the police district in which the bookmaker's licence was granted, or as the case may be, the licensed office is situated;]

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

**F21** 2004 NI 1

**F22** Words in art. 15(8)(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

**F23** Words in art. 15(8) repealed (1.4.2016) by [Insolvency \(Amendment\) Act \(Northern Ireland\) 2016 \(c. 2\), s. 28\(2\), Sch. 4](#); S.R. 2016/203, art. 2

**F24** Words in art. 15(10) substituted (31.10.2016) by [Justice Act \(Northern Ireland\) 2015 \(c. 9\), s. 106\(2\), Sch. 1 para. 91\(1\)](#) (with [Sch. 8 para. 1](#)); S.R. 2016/387, art. 2(k) (with art. 3)

### *Renewal of bookmakers' licences and bookmaking office licences*

#### **Renewal of bookmakers' licences**

**16.—(1)** An application for the renewal of a bookmaker's licence shall be made to a court of summary jurisdiction except where the licence is renewed by the clerk of petty sessions under this Article.

(2) The procedure for applications for the renewal of bookmakers' licences is set out in Part I of Schedule 3.

(3) Subject to paragraph (4), where notice of an application for the renewal of a bookmaker's licence otherwise than under Article 20 has been served on the clerk of petty sessions, he may renew the licence as if the application had been made to him and may do so in the absence of the applicant.

(4) Where—

- (a) a notice of objection has been served on the clerk of petty sessions and has not been withdrawn; or
- (b) in the case of an application for the renewal of a bookmaker's licence held by partners or a body corporate, the clerk is not satisfied that—
  - (i) in the case of partners, the partners; or
  - (ii) in the case of a body corporate, the directors or the persons who have executive control of it or who have a financial interest in it;

have not changed since the licence was last renewed or, in the case of a first renewal, since the licence was granted; or

- (c) the clerk is of the opinion, for any other reason, that an application for the renewal of the bookmaker's licence should be made to the court;

the clerk shall require the application to be made to the court and shall notify the applicant and the objectors, if any, of the requirement and of the time and place of the hearing.

(5) Where a bookmaker's licence is renewed, the clerk of petty sessions shall note the renewal on the licence.

### ***Renewal of bookmakers' licences by a court***

17.—(1) On an application for the renewal of a bookmaker's licence a court of summary jurisdiction shall hear the objections, if any, made under Schedule 3.

(2) A court shall, subject to paragraph (3), refuse an application for the renewal of a bookmaker's licence unless it is satisfied—

- (a) that the procedure relating to the application set out in Schedule 3 has been complied with; and
- (b) that the applicant is a fit person to hold a bookmaker's licence; and
- (c) that the applicant has not allowed the business carried on under the bookmaker's licence to be managed by, or carried on for the benefit of, a person other than the applicant, who would himself be refused the grant of a bookmaker's licence<sup>[F25]</sup>; and]
- <sup>[F25]</sup>(d) that neither the applicant nor any employee of his has, since the licence was granted, received or negotiated a bet on the outcome of any lottery forming part of a National Lottery for the purposes of Part I of the National Lottery etc. Act 1993.]

<sup>[F25]</sup>(2A) For the purposes of paragraph (2)(d), the court shall disregard any bet which ought properly to have been raised by way of objection on a previous occasion when the licence was renewed.]

(3) A court may renew a bookmaker's licence notwithstanding that the procedure relating to the application set out in Schedule 3 has not been complied with if, having regard to the circumstances, it is reasonable to do so.

(4) A court may refuse an application for the renewal of a bookmaker's licence if it is satisfied that the applicant has been convicted of an offence under this Part<sup>[F26]</sup> or Chapter III of Part III] or Part I of the Betting and Lotteries Act (Northern Ireland) 1957.

(5) Where the court refuses an application for the renewal of a bookmaker's licence, it shall specify in its order the reasons for its refusal.

**F25** 1993 c. 39

**F26** 2004 NI 1

### ***Renewal of bookmaking office licences***

18.—(1) An application for the renewal of a bookmaking office licence shall be made to a court of summary jurisdiction except where the licence is renewed by the clerk of petty sessions under this Article.

(2) The procedure for applications for the renewal of bookmaking office licences is set out in Part I of Schedule 4.

*Changes to legislation: The Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985, PART II is up to date with all changes known to be in force on or before 19 April 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*

(3) Subject to paragraph (4), where notice of an application for the renewal of a bookmaking office licence otherwise than under Article 20 or 24 has been served on the clerk of petty sessions he may renew the licence as if the application had been made to him and may do so in the absence of the applicant.

(4) Where—

- (a) a notice of objection has been served on the clerk of petty sessions and has not been withdrawn; or
- (b) <sup>F27</sup> .....
- (c) in the case of an application for the renewal of a bookmaking office licence held by partners or a body corporate, the clerk is not satisfied that—
  - (i) in the case of partners, the partners; or
  - (ii) in the case of a body corporate, the directors or the persons who have executive control of it or who have a financial interest in it;
 have not changed since the licence was last renewed or, in the case of a first renewal, since the licence was granted; or
- (d) the clerk is of the opinion, for any other reason, that an application for the renewal of the bookmaking office licence should be made to the court;

the clerk shall require the application to be made to the court and shall notify the applicant and the objectors, if any, of the requirement and of the time and place of the hearing.

(5) Where a bookmaking office licence is renewed, the clerk of petty sessions shall note the renewal on the licence.

**F27** [Art. 18\(4\)\(b\)](#) repealed (15.11.2010) by [Fire and Rescue Services \(Northern Ireland\) Order 2006 \(S.I. 2006/1254 \(N.I. 9\)\)](#), arts. 1(3), 63(2), [Sch. 4](#) (with art. 62); S.R. 2010/328, [art. 2](#)

**Renewal of bookmaking office licences by a court**

**19.**—(1) On an application for the renewal of a bookmaking office licence a court of summary jurisdiction shall hear the objections, if any, made under Schedule 4.

(2) A court shall, subject to paragraph (3), refuse an application for the renewal of a bookmaking office licence unless it is satisfied—

- (a) that the procedure relating to the application set out in Schedule 4 has been complied with; and
- (b) that the applicant is a licensed bookmaker; and
- (c) <sup>F28</sup> .....

(3) A court may renew a bookmaking office licence notwithstanding that the procedure relating to the application set out in Schedule 4 has not been complied with if, having regard to the circumstances, it is reasonable to do so.

(4) A court may refuse an application for the renewal of a bookmaking office licence if it is satisfied—

- (a) that the premises are not suitable for use as a licensed office; or
- (b) that, having regard to the manner in which the business carried on in the licensed office has been conducted since the last previous renewal of the licence (or, where the renewal applied for is the first renewal of the licence, since the licence was granted), it is unlikely that, if the licence is renewed, the business will be properly conducted; or

- (c) that a person has been convicted of an offence in respect of a contravention, in connection with the licensed office, of any of the provisions of this Part, of any regulations made under it, or<sup>F29</sup> of Chapter III of Part III, or any regulations made under it, or] of Part I of the Betting and Lotteries Act (Northern Ireland) 1957; or
  - (d) that, since the last previous renewal of the licence (or, where the renewal applied for is the first renewal of the licence, since the licence was granted), the licensed office has been used for an unlawful purpose or as a resort of persons of known bad character.
- (5) Where the court refuses an application for the renewal of a bookmaking office licence, it shall specify in its order the reasons for its refusal.

**F28** Art. 19(2)(c) repealed (15.11.2010) by [Fire and Rescue Services \(Northern Ireland\) Order 2006 \(S.I. 2006/1254 \(N.I. 9\)\)](#), arts. 1(3), 63(2), [Sch. 4](#) (with art. 62); S.R. 2010/328, [art. 2](#)

**F29** 2004 NI 1

### ***Renewal of bookmakers' licences and bookmaking office licences out of time***

**20.**—(1) Where the holder of a bookmaker's licence or a bookmaking office licence which falls to expire at the end of a licensing year fails to serve due notice of the application for its renewal before the renewal date in that year a court of summary jurisdiction, upon application for the renewal of the bookmaker's licence or, as the case may be, the bookmaking office licence being made not later than the end of the next following licensing year, may renew the licence if it is satisfied that there was good reason for the failure.

(2) The procedure for applications under this Article for the renewal of bookmakers' licences is set out in Part I of Schedule 3 as modified by Part II of that Schedule, and for the renewal of bookmaking office licences is set out in Part I of Schedule 4 as modified by Part II of that Schedule.

### ***Continuance of bookmakers' licences and bookmaking office licences pending determination of appeal***

**21.** Where a court refuses an application for the renewal of a bookmaker's licence or a bookmaking office licence and the holder of the licence appeals, the licence shall, unless it is revoked or is a licence to which a disqualification order under Article 30 or 53 applies or it ceases to be in force under Article 173, continue in force until the appeal is determined or abandoned.

### ***Duration of renewed bookmakers' licences and bookmaking office licences***

**22.**—(1) Subject to paragraph (2), on the renewal of a bookmaker's licence or a bookmaking office licence, the licence shall, unless it is revoked or is a licence to which a disqualification order under Article 30 or 53 applies or it ceases to be in force under Article 173, remain in force until—

- (a) if it is renewed within the 3 months immediately preceding the expiration of the then current licensing year, the expiration of the next following licensing year, or
- (b) in any other case, the expiration of the then current licensing year.

(2) Paragraph (1) shall not prejudice the operation of Articles 15(8) and (9), 21 and 29 under which a bookmaker's licence or a bookmaking office licence may continue in force after the time when it would otherwise expire.

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*Transfer of bookmaking office licences*

**Transfer of bookmaking office licences**

23.—(1) An application for the transfer of a bookmaking office licence shall be made to a court of summary jurisdiction.

(2) The application may be made by the licensed bookmaker who proposes to, or has, become the owner of the business carried on under the bookmaking office licence in the licensed office.

(3) This Article shall apply in relation to the transfer of a bookmaking office licence provisionally granted as if the reference in paragraph (2) to the business carried on under the bookmaking office licence in the licensed office were a reference to that business as proposed to be carried on in that office after the licence has been declared final.

(4) The procedure for applications for the transfer of, respectively, bookmaking office licences and bookmaking office licences provisionally granted is set out in Parts I and II of Schedule 5.

(5) On an application for the transfer of a bookmaking office licence the court shall hear the objections, if any, made under Schedule 5.

(6) A court shall, subject to paragraph (7), refuse an application for the transfer of a bookmaking office licence unless it is satisfied—

- (a) that the procedure relating to the application set out in Schedule 5 has been complied with; and
- (b) that the applicant is a licensed bookmaker; and
- (c) that the applicant is not a person in respect of whom a disqualification order in respect of bookmaking office licences under Article 30 or 53 is in force; and
- (d) <sup>F30</sup> .....

(7) A court may transfer a bookmaking office licence notwithstanding that the procedure relating to the application set out in Schedule 5 has not been complied with if, having regard to the circumstances, it is reasonable to do so.

(8) A court may refuse an application for the transfer of a bookmaking office licence if it is satisfied—

- (a) that the premises are not suitable for use as a licensed office; or
- (b) that the applicant has been convicted of an offence under this Part<sup>F31</sup> or Chapter III of Part III] or Part I of the Betting and Lotteries Act (Northern Ireland) 1957.

(9) Where a bookmaking office licence is transferred, the clerk of petty sessions shall note the transfer on the licence.

(10) Where the court refuses an application for the transfer of a bookmaking office licence, it shall specify in its order the reasons for its refusal.

<p><b>F30</b> Art. 23(6)(d) repealed (15.11.2010) by <a href="#">Fire and Rescue Services (Northern Ireland) Order 2006 (S.I. 2006/1254 (N.I. 9))</a>, arts. 1(3), 63(2), <a href="#">Sch. 4</a> (with art. 62); S.R. 2010/328, <a href="#">art. 2</a></p> <p><b>F31</b> 2004 NI 1</p>
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**Concurrent transfer and renewal of bookmaking office licences**

24.—(1) Where a person applies for a transfer of a bookmaking office licence the holder of which has not applied for a renewal of that licence, the court on the application of that person may renew the licence before transferring it to him.

(2) A court shall not renew a bookmaking office licence on an application under this Article unless the application is made—

- (a) within the 3 months immediately preceding the date on which the licence is due to expire; or
- (b) not later than the end of the licensing year next following the date on which the licence expired; or
- (c) where the licence continues in force under Article 15(8) or (9).

(3) The procedure for applications under this Article for the renewal of bookmaking office licences is set out in Part I of Schedule 4 as modified by Part II of that Schedule.

### ***Appeal from transfer***

**25.** Where, at the hearing of an application for the transfer of a bookmaking office licence, any person appears before the court and opposes the transfer, but the court grants the transfer, the transfer shall not take effect until the expiry of the time for bringing an appeal against the transfer and, if an appeal is brought, until the transfer is confirmed or the appeal is abandoned.

### *Temporary continuance of business in other premises*

### ***Temporary continuance of business in certain circumstances***

**26.—**(1) Where any licensed office—

- (a) has, by reason of fire, tempest, or other unforeseen and unavoidable calamity, become incapable of being used for the business carried on in it under the bookmaking office licence; or
- (b) has been or, is likely to be, acquired or demolished, either wholly or to a substantial extent, under any statutory provision; or
- (c) has been or, is likely to be, extended to include premises which are, or are to be constructed so as to be, contiguous to it; or
- (d) is or is to be used for the purpose of the same business in conjunction with additional premises which are or are to be constructed adjacent to it; or
- (e) has been or is to be wholly or substantially demolished and new premises have been or are to be constructed wholly or partly within its curtilage;

and the licensed bookmaker is unable to carry on the business of a bookmaker in the licensed office, a court of summary jurisdiction may, on an application made by him in compliance with the procedure set out in Schedule 6, make an order authorising the continuance of that business in—

- (i) temporary premises erected or to be erected wholly or partly within the curtilage or on the site, of the licensed office; or
- (ii) premises in the vicinity of the licensed office or its site, for such period, not exceeding 6 months, as the court thinks fit.

(2) A court shall not make an order under paragraph (1) unless it is satisfied—

- (a) that the premises in which the business is proposed to be carried on are adequate for the conduct of the business and will continue to be adequate during the period of the order; and
- (b) that the premises are not premises in respect of which a disqualification order under Article 30 is in force; and
- (c) <sup>F32</sup> .....
- (d) that the licensed bookmaker either—

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- (i) proposes to resume business in the licensed office within a reasonable period; or
- (ii) has made an application for a new bookmaking office licence for those or other premises, or proposes to do so within a reasonable period.

<sup>F33</sup>(3) .....

(4) Where an order has been made under paragraph (1), a court of summary jurisdiction may, on application by the licensed bookmaker, make such further order or orders under that paragraph as it thinks fit.

(5) The temporary continuance of a business under this Article shall cease—

- (a) at the end of the period specified in an order or a further order made under paragraph (1), or
- (b) when the licensed bookmaker resumes business in the licensed office or in premises for which a new bookmaking office licence is granted,

whichever first occurs.

(6) Where under this Article a court authorises the temporary continuance of a business in any premises, those premises shall be deemed to be the licensed office.

- F32** Art. 26(2)(c) repealed (15.11.2010) by [Fire and Rescue Services \(Northern Ireland\) Order 2006 \(S.I. 2006/1254 \(N.I. 9\)\)](#), arts. 1(3), 63(2), **Sch. 4** (with art. 62); S.R. 2010/328, **art. 2**
- F33** Art. 26(3) repealed (31.10.2016) by [Justice Act \(Northern Ireland\) 2015 \(c. 9\)](#), s. 106(2), Sch. 1 para. 91(2), **Sch. 9 Pt. 1** (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k)(m) (with art. 3)

### *Revocation of bookmakers' licences and bookmaking office licences*

#### ***Revocation of bookmakers' licences***

**27.**—(1) An application for the revocation of a bookmaker's licence may be made by any person to a court of summary jurisdiction on any of the following grounds—

- (a) that the licensed bookmaker is not a fit person to hold a bookmaker's licence; or
- (b) that any information which, in or in connection with the application on which the licence was granted or renewed, was given to the court by the applicant was false in a material particular; or
- (c) that the licensed bookmaker has been refused the grant or renewal of a bookmaker's licence on the ground mentioned in sub-paragraph (a) or (d) within the preceding 12 months; or
- (d) that the licensed bookmaker has allowed the business carried on under the licence to be managed by, or carried on for the benefit of, a person other than the bookmaker who would himself be refused the grant of a bookmaker's licence; or
- <sup>F34</sup>(da) that the business carried on under the licence has been carried on in a manner which involved serious, repeated or continuous failure to comply with a code of practice in force under Article 180A; or]
- (e) that the licensed bookmaker has been convicted of an offence under this Part<sup>F35</sup> or Chapter III of Part III] or Part I of the Betting and Lotteries Act (Northern Ireland) 1957<sup>F36</sup>; or]
- <sup>F36</sup>(f) that the licensed bookmaker or an employee of his has, since the licence was granted, received or negotiated a bet on the outcome of any lottery forming part of a National Lottery for the purposes of Part I of the National Lottery etc. Act 1993.]

(2) The procedure for applications for the revocation of bookmakers' licences is set out in Schedule 7.



(3) On an application for the revocation of a bookmaker's licence a court shall hear the objections, if any, made under Schedule 7.

(4) A court shall refuse an application for the revocation of a bookmaker's licence unless it is satisfied that the application is not made on grounds which—

- (a) have been, or ought to have been, raised previously by way of objection either when the bookmaker's licence was granted or on an occasion when it has been renewed; or
- (b) are or have been the subject matter of proceedings for such an offence as is mentioned in Article 53.

(5) Where the court refuses an application for the revocation of a bookmaker's licence, it shall specify in its order the reasons for its refusal.

<p><b>F34</b> <a href="#">Art. 27(1)(da)</a> inserted (1.10.2023) by <a href="#">Betting, Gaming, Lotteries and Amusements (Amendment) Act (Northern Ireland) 2022</a> (c. 14), <b>ss. 16(2)(a)</b>, 17(3); S.R. 2023/74, art. 2, Sch.</p> <p><b>F35</b> 2004 NI 1</p> <p><b>F36</b> 1993 c. 39</p>
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### ***Revocation of bookmaking office licences***

**28.**—(1) An application for the revocation of a bookmaking office licence may be made by any person to a court of summary jurisdiction on any of the following grounds—

- (a) that any information which, in or in connection with the application on which the licence was granted, transferred or renewed, was given to the court by the applicant was false in a material particular; or
- (b) that a person has been convicted of an offence in respect of a contravention, in connection with the licensed office, of any of the provisions of this Part, of any regulations made under it, or<sup>F37</sup> of Chapter III of Part III, or any regulations made under it, or] of Part I of the Betting and Lotteries Act (Northern Ireland) 1957; or
- (c) that the premises are not suitable for use as a licensed office; or
- (d) that the business carried on in the licensed office has not been properly conducted; or
- <sup>F38</sup>(da) that the business carried on in the licensed office has been carried on in a manner which involved serious, repeated or continuous failure to comply with a code of practice in force under Article 180A; or]
- (e) that the licensed office has been used for an unlawful purpose or as a resort of persons of known bad character; or
- (f) <sup>F39</sup> .....

(2) The procedure for applications for the revocation of bookmaking office licences is set out in Schedule 7.

(3) On an application for the revocation of a bookmaking office licence a court shall hear the objections, if any, made under Schedule 7.

(4) A court shall refuse an application for the revocation of a bookmaking office licence unless it is satisfied that the application is not made on grounds which—

- (a) have been, or ought to have been, raised previously by way of objection either when the bookmaking office licence was granted or transferred or on an occasion when it has been renewed; or
- (b) are or have been the subject matter of proceedings for such an offence as is mentioned in Article 53.

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(5) Where the court refuses an application for the revocation of a bookmaking office licence, it shall specify in its order the reasons for its refusal.

- F37** 2004 NI 1
- F38** Art. 28(1)(da) inserted (1.10.2023) by [Betting, Gaming, Lotteries and Amusements \(Amendment\) Act \(Northern Ireland\) 2022 \(c. 14\)](#), **ss. 16(2)(b)**, 17(3); S.R. 2023/74, art. 2, Sch.
- F39** Art. 28(1)(f) repealed (15.11.2010) by [Fire and Rescue Services \(Northern Ireland\) Order 2006 \(S.I. 2006/1254 \(N.I. 9\)\)](#), arts. 1(3), 63(2), **Sch. 4** (with art. 62); S.R. 2010/328, **art. 2**

### ***Continuance of bookmakers' licences or bookmaking office licences pending determination of appeal against revocation***

**29.** Where a court revokes a bookmaker's licence or a bookmaking office licence and the licensed bookmaker appeals, the licence shall, unless it is a licence to which a disqualification order under Article 30 or 53 applies or it ceases to be in force under Article 173, continue in force until the appeal is determined or abandoned.

### ***Disqualification of licensed bookmaker or licensed office on revocation of licence***

**30.**—(1) Where a court of summary jurisdiction revokes a bookmaker's licence or a bookmaking office licence, the court may make a disqualification order prohibiting—

- (a) the person to whom the bookmaker's licence or, as the case may be, the bookmaking office licence was granted from holding such a licence; or
- (b) a bookmaking office licence from being held in respect of the premises to which the revoked licence related;

during such period, not exceeding 5 years from the date on which the order takes effect, as may be specified in the order.

(2) Where a disqualification order under paragraph (1) is made—

- (a) in the case of a disqualification from holding a bookmaker's licence, any bookmaker's licence and any bookmaking office licence held by the bookmaker, or
- (b) in the case of a disqualification from holding a bookmaking office licence, any bookmaking office licence held by the bookmaker, or
- (c) in the case of a disqualification of a licensed office as premises for which a bookmaking office licence may be held, any bookmaking office licence,

within the prohibition obtained before the order is made or before it takes effect shall by virtue of the order be void as from the time the order takes effect.

(3) A disqualification order under paragraph (1) shall not take effect—

- (a) until the expiry of the time for bringing an appeal against the revocation of the bookmaker's licence or, as the case may be, the bookmaking office licence or against the making of the order, and
- (b) if such an appeal is brought, until the appeal has been determined or abandoned.

### *Licensed bookmakers and licensed offices*

### ***Closing of licensed offices on certain days***

**31.**—(1) A licensed office shall not be opened or kept open for the transaction of business at any time on any [<sup>F40</sup>Christmas Day] or at such other times, if any, as may be prescribed by regulations.

(2) If paragraph (1) is contravened the licensed bookmaker and any servant or agent of his by whom the contravention was committed shall be guilty of an offence.

(3) In any proceedings for an offence by reason of a contravention of paragraph (1) it shall be a defence for the licensed bookmaker to prove that the contravention took place without his consent or connivance and that he exercised due diligence to prevent it.

**F40** Words in art. 31(1) substituted (27.4.2022) by [Betting, Gaming, Lotteries and Amusements \(Amendment\) Act \(Northern Ireland\) 2022 \(c. 14\), ss. 2, 17\(2\)](#)

### **Conduct of licensed offices**

**32.**—(1) The licensed bookmaker shall—

- (a) display his bookmaking office licence in the licensed office; and
- (b) exhibit in that office such notices in such form and in such positions as may be prescribed by regulations; and
- (c) comply with such restrictions with respect to the exhibiting of other written matter or of signs of any description or of audible or visual displays in the licensed office as may be prescribed by regulations.

*Para. (2) rep. by 2004 NI 1*

[<sup>F41</sup>(3) Except as permitted by paragraph (3A) or (3B), no apparatus for making information or other material available in the form of sounds or visual images or both shall be used in the licenced office.

(3A) Subject to paragraphs (4) to (4B) such apparatus as is mentioned in paragraph (3) may be used in the licenced office provided that the matter seen or heard comprises only information about, and the coverage of, a sporting event including—

- (a) information relating to any betting on such an event; and
- (b) any other matter, including an advertisement, which is incidental to such an event or such coverage.

(3B) Subject to paragraphs (4) to (4B) such apparatus as is mentioned in paragraph (3) may be used in the licenced office provided that the matter seen or heard comprises only—

- (a) information relating to any betting on any event in connection with which betting transactions may be or have been effected in that office; and
- (b) the result of such an event.

(4) No apparatus for making information or other material available in the form of sounds or sounds and visual images shall be used in the licensed office so as to be audible outside that office.

(4A) No apparatus for making information or other material available in the form of visual images shall be used in the licensed office unless those images appear on a screen; and any screen so used shall not—

*Sub-para. (a) rep. by 2004 NI 1*

- (b) be so positioned that those images can be seen from outside the licensed office.

(4B) No apparatus for showing visual images of a sporting event shall be used in the licensed office if—

- (a) the service by means of which such images appear is not intended to be received by the general public or other licensed offices generally; or
- (b) in the case of images that appear by means of the use of video recordings, identical recordings of the same event are not available to other licenced offices generally.

(4C) In paragraph (4B) “video recording” has the same meaning as in section 1(3) of the Video Recordings Act 1984.

(5) <sup>F42</sup>[Subject to paragraph (6) and Article 95(1)(b),] A licenced office shall not be used for any purpose other than the effecting of betting transactions and no music, dancing or other entertainment, except any entertainment which complies with the provisions of paragraph (3A), shall be provided or allowed, and no refreshment of any kind shall be served, in such an office.

<sup>F42</sup>[ (6) A licensed office may be used as a place where persons may collect amounts payable by way of winnings in respect of competitions of the kind mentioned in Article 3(1A)(a).]

(7) Except for the licensed bookmaker and his servant or agent, no person resorting to the licensed office shall be allowed to use any means of direct access between the licensed office and premises used for the effecting with persons resorting to those premises of transactions other than betting transactions.

(8) The licensed bookmaker himself or by his servant or agent shall not permit overcrowding or loitering in a licensed office.

(9) If any provision of paragraphs (1) to (8) is contravened the licensed bookmaker and any servant or agent of his by whom the contravention was committed shall be guilty of an offence.

(10) In any proceedings for an offence by reason of a contravention of paragraphs (1) to (8) it shall be a defence for the licensed bookmaker to prove that the contravention took place without his consent or connivance and that he exercised due diligence to prevent it.

(11) Where any advertisement, other than <sup>F42</sup>[an advertisement published in a material form or] an advertisement to which paragraph (12) applies, is published—

- (a) indicating that any particular premises are a licensed office; or
- (b) indicating where any such office may be found; or
- (c) drawing attention to the availability of, or to the facilities afforded to persons resorting to, such offices;

then, in the case of an advertisement in connection with the licensed office of a particular licensed bookmaker, that bookmaker, and in every case any person who published the advertisement or caused or permitted it to be published shall be guilty of an offence.

(12) This paragraph applies to an advertisement if <sup>F42</sup>[it is published otherwise than in a material form and]

- (a) it is published inside but not outside a licensed office; or
  - (b) it complies with such restrictions as may be prescribed by regulations and is, in such manner as may be so prescribed, published outside a licensed office—
    - (i) from a place inside such an office; or
    - (ii) in premises giving access to such an office;<sup>F42</sup> . . .
- Sub-para. (b)(iii) rep. by 2004 NI 1*

(13) In any proceedings for an offence under paragraph (11) it shall be a defence—

- (a) for any person charged to prove that he did not know and had no reasonable cause to suspect that the advertisement was, and that he had taken all reasonable steps to ascertain that it was not, an advertisement as mentioned in paragraph (11); and
- (b) for the licensed bookmaker to prove that the advertisement was published without his consent or connivance and that he exercised all due diligence to prevent the publishing of any such advertisement in connection with his licensed office.

(14) The Department may, by order subject to affirmative resolution, substitute for paragraphs (3) to (6) new provisions with respect to the facilities (other than those in respect of which a bookmaking office licence or a licence under the<sup>F43</sup> Licensing (Northern Ireland) Order 1996] is required) that may be provided in a licensed office and, without prejudice to the generality of the foregoing, such an order may—

- (a) require compliance with such restrictions as may be specified in the order in relation to—
- (i) the use in a licensed office of any apparatus for making information or other material available in the form of sounds or visual images or both;
  - (ii) the use of a licensed office for any form of entertainment; and
  - (iii) the provision in a licensed office of any form of refreshment;

*Sub-para. (b) rep. by 2004 NI 1*

**F41** SR 1987/396

**F42** 2004 NI 1

**F43** 1996 NI 22

### ***Employment of agents***

**33.** A person who, in connection with the business carried on in a licensed office, employs any other person directly or indirectly as his agent or collector of bets at any place other than that office shall be guilty of an offence.

### ***Employment of disqualified persons***

**34.—**(1) A licensed bookmaker who employs in his bookmaking business a person in respect of whom there is in force a disqualification order under Article 30 or 53 shall be guilty of an offence.

(2) In any proceedings for an offence by reason of a contravention of paragraph (1) it shall be a defence for the licensed bookmaker to prove that the contravention took place without his consent or connivance and that he exercised due diligence to prevent it.

### ***Power to exclude drunken persons, etc., from licensed offices***

**35.—**(1) Without prejudice to any other right to refuse a person admission to premises or to expel a person from premises, the licensed bookmaker or his servant or agent may refuse to admit to, or may expel from, the licensed office any person who is drunken, or is acting in a disorderly manner, or whose presence on the licensed office would subject the licensed bookmaker or his servant or agent to a penalty under this Order.

(2) Any person liable to be expelled from a licensed office under this Article, when requested by the licensed bookmaker himself or his servant or agent or a constable to leave that office, fails to do so, shall be guilty of an offence.

(3) A constable shall, on the demand of the licensed bookmaker or his servant or agent, help to expel from the licensed office any person liable to be expelled from that office under this Article, and may use such force as may be required for the purpose.

*Licensing of tracks*

**Restriction of bookmaking and pool betting on tracks**

**36.**—(1) Subject to paragraph (2), it shall be unlawful for bookmaking or a pool betting business to be carried on on any track unless the occupier of the track holds a track betting licence authorising the provision of betting facilities in accordance with regulations under Article 43 on that track.

- (2) Paragraph (1) shall not apply to bookmaking on any track on any day if—
  - (a) during the year in which that day falls, bookmaking has not been carried on on that track on more than 7 previous days; and
  - (b) not less than 1 week before that day, notice of the intention to permit bookmaking on that track on that day is served by the occupier of the track on the sub-divisional commander of the police sub-division in which the track is situated.

*Para. (3) rep. by 2004 NI 1*

(4) If bookmaking or a pool betting business is carried on by any person in contravention of this Article or of regulations made under Article 43, that person and the occupier of the track also, shall be guilty of an offence.

**Grant of track betting licences**

**37.**—(1) An application for the grant of a track betting licence shall be made by the occupier of the track for which the licence is sought to the Department.

- (2) An application for a track betting licence shall—
  - (a) be in such form and be made in such manner,
  - (b) comply with such requirements, and
  - (c) contain such information,

as the Department may determine and the applicant shall attach to the application such fee as the Department, with the consent of the Department of Finance and Personnel, may specify by order, subject to affirmative resolution.

(3) Subject to paragraph (4), on an application made for the grant of a track betting licence, the Department, after hearing representations, if any, from the applicant or any other person who wishes to object to the grant of the licence, may grant the track betting licence if it is satisfied—

- (a) <sup>F44</sup> .....
- (b) either—
  - (i) that there is in force planning permission to use the land in question as a track for the period during which the licence would be in force; or
  - (ii) that the land may be used as a track for that period without such permission.

- (4) The Department may refuse to grant a track betting licence if it is satisfied—
  - (a) that the existence or user of the track—
    - (i) would injuriously affect either the health or the comfort of persons residing in the vicinity of the track, or be detrimental to the interests of persons receiving instruction or residing in any school or institution in that vicinity; or
    - (ii) would seriously impair the amenities of that vicinity; or
    - (iii) would result in undue congestion of traffic or seriously prejudice the preservation of law and order; or
  - (b) that the applicant has been convicted—

- (i) of any offence under this Part;
- (ii) of any offence involving fraud or dishonesty.

(5) On the grant of a track betting licence and, during the currency of that licence, on the anniversary of that grant, the holder of the licence shall pay to the Department such fee as the Department, with the consent of the Department of Finance and Personnel, may specify by order, subject to affirmative resolution.

**F44** Art. 37(3)(a) repealed (15.11.2010) by [Fire and Rescue Services \(Northern Ireland\) Order 2006 \(S.I. 2006/1254 \(N.I. 9\)\)](#), arts. 1(3), 63(2), **Sch. 4** (with art. 62); S.R. 2010/328, **art. 2**

### ***Appeal against refusal of track betting licences***

**38.**—(1) If the Department decides to refuse the application for the grant of a track betting licence, it shall serve notice of the decision on the applicant and such notice shall inform him of his right of appeal under paragraph (2) and of the time within which the appeal may be brought.

(2) A person aggrieved by a decision refusing the grant of a track betting licence may, within 21 days from the date on which notice is served on him, appeal to the county court.

(3) The decision of a county court on an appeal brought under paragraph (2) shall be final, and the Department shall give effect to that decision.

### ***Provisional grant of track betting licences***

**39.**—(1) Where a track is about to be constructed, altered or extended or is in the course of construction, alteration or extension the person who proposes to be the occupier of the track may apply to the Department for the provisional grant of a track betting licence for that track.

(2) For the purposes of a provisional grant of a track betting licence, Articles 37 and 38 shall have effect as if—

- (a) any reference to the grant of a track betting licence, except in Article 37(5), were a reference to the provisional grant of a track betting licence, and in Article 37(5), were a reference to the declaration of the grant of a track betting licence final; and
- (b) where the application relates to a track about to be constructed, any reference to the track for which the track betting licence is sought included a reference to the proposed track

**F45**  
. . . . .

(3) A track betting licence which is provisionally granted shall not authorise the provision of betting facilities in accordance with regulations under Article 43 until the grant of the licence is declared final.

(4) Where a track betting licence has been granted provisionally for any track, the Department, on the application of the holder of the licence shall, subject to paragraph (5), declare the grant of the track betting licence final if it is satisfied that the track has been completed <sup>F46</sup> . . . . .

(5) The Department shall not entertain an application under paragraph (4) after the expiration of 2 years from the date on which the track betting licence was granted provisionally, unless the applicant satisfies the Department that there were reasonable grounds for the failure to complete the construction, alteration or extension of the track within that period.

**F45** Words in art. 39(2)(b) repealed (15.11.2010) by [Fire and Rescue Services \(Northern Ireland\) Order 2006 \(S.I. 2006/1254 \(N.I. 9\)\)](#), arts. 1(3), 63(2), **Sch. 4** (with art. 62); S.R. 2010/328, **art. 2**

**F46** Words in art. 39(4) repealed (15.11.2010) by [Fire and Rescue Services \(Northern Ireland\) Order 2006 \(S.I. 2006/1254 \(N.I. 9\)\)](#), arts. 1(3), 63(2), **Sch. 4** (with art. 62); S.R. 2010/328, **art. 2**



### **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 <sup>F47</sup>... 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, <sup>F48</sup>... 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,

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.

**F47** 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](#)

**F48** 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](#)



### ***Cancellation of track betting licences***

**41.**—(1) The Department shall, on application by the holder of a track betting licence, cancel the licence.

(2) Where the Department cancels a track betting licence, it shall forthwith send notice of the cancellation to the sub-divisional commander of the police sub-division in which the track is situated.

(3) Where the Department cancels a track betting licence, the person to whom the licence was granted, or any other person in whose possession or under whose control the licence may be, shall surrender it to the Department within 7 days of the date of the cancellation and if any person fails to comply with this paragraph he shall be guilty of an offence.

### ***Revocation of track betting licences***

**42.**—(1) The Department may, after hearing representations, if any, from the holder of a track betting licence, revoke the licence if it is satisfied—

- (a) that the track has been conducted in a disorderly manner or so as to cause a nuisance; or
- [<sup>F49</sup>(aa) that the track has been conducted in a manner which involved serious, repeated or continuous failure to comply with a code of practice in force under Article 180A; or]
- (b) that undue congestion of traffic or serious prejudice to the preservation of law and order has resulted from the existence of the track; or
- (c) upon a report made to it by the accountant appointed under Schedule 8, or upon a refusal of that accountant to give such a certificate as is mentioned in paragraph 15 of that Schedule, that any totalisator on the track is not an apparatus such as is mentioned in paragraph 1 of that Schedule or that it has been maintained or operated otherwise than in accordance with that Schedule or regulations made under this Part; or
- (d) that the holder of the licence has been convicted of an offence mentioned in Article 37(4)(b)

(2) Article 38 shall apply to the revocation of a track betting licence as it applies to the refusal to grant a track betting licence with the substitution of the reference in Article 38(1) to the applicant by a reference to the holder of the licence.

(3) Where the Department revokes a track betting licence and the holder of the licence appeals, the licence shall continue in force until the appeal is determined or abandoned.

(4) Where the Department revokes a track betting licence, it shall forthwith send notice of the revocation to the sub-divisional commander of the police sub-division in which the track is situated.

(5) Where an appeal against the revocation of a track betting licence is abandoned or determined by a county court in favour of the Department, the person to whom the licence was granted, or any other person in whose possession or under whose control the licence may be, shall surrender it to the Department within 7 days of the date of that abandonment or determination and if any person fails to comply with this paragraph he shall be guilty of an offence.

**F49** Art. 42(1)(aa) inserted (1.10.2023) by [Betting, Gaming, Lotteries and Amusements \(Amendment\) Act \(Northern Ireland\) 2022 \(c. 14\)](#), ss. **16(2)(c)**, 17(3); S.R. 2023/74, art. 2, Sch.

### ***Regulation of licensed tracks***

**43.**—(1) Regulations may prescribe—

- (a) the conditions relating to betting at, or the operation of the totalisator at, licensed tracks; and

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**Changes to legislation:** The Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985, PART II is up to date with all changes known to be in force on or before 19 April 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

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(b) the number of days on which such betting may take place or on which the totalisator may be so operated.

(2) If the holder of a track betting licence contravenes any of the provisions of regulations made under paragraph (1) he shall be guilty of an offence.

### *Totalisators*

#### ***Restriction of pool betting***

**44.**—(1) No pool betting business shall be carried on on any licensed track except by means of a totalisator operated in accordance with Article 45.

(2) Subject to <sup>F50</sup>paragraphs (3) and (3A)], no person shall carry on any pool betting business otherwise than on a licensed track.

(3) Paragraph (2) shall not apply to a registered pool promoter within the meaning of section 4(2) of the Betting, Gaming and Lotteries Act 1963, who carries on his pool betting business by post<sup>F51</sup> and any of such other means as may be prescribed by regulations].

<sup>F52</sup>(3A) If the conditions mentioned in paragraph (3B) are satisfied, paragraph (2) does not apply to a licensed bookmaker who, on licensed premises, carries on a pool betting business which is linked to such a business carried on by means of a totalisator at a licensed track.

(3B) The conditions are that—

- (a) a person placing a bet at the licensed premises by way of the pool betting business does so on the same terms and conditions as if the bet were placed by means of the totalisator at the licensed track concerned, and
- (b) before receiving a bet by way of the pool betting system, the licensed bookmaker displays at the licensed premises a notice—
  - (i) indicating the name of the licensed track concerned; and
  - (ii) containing information corresponding to that which the operator of that track is required to post at the track in accordance with paragraph 3 of Schedule 8.]

(4) Any person acting in contravention of paragraph (1) or (2) shall be guilty of an offence.

**F50** Words in art. 44(2) substituted (27.4.2022) by [Betting, Gaming, Lotteries and Amusements \(Amendment\) Act \(Northern Ireland\) 2022 \(c. 14\)](#), ss. 4, 17(2)

**F51** 2004 NI 1

**F52** Art. 44(3A)(3B) inserted (27.4.2022) by [Betting, Gaming, Lotteries and Amusements \(Amendment\) Act \(Northern Ireland\) 2022 \(c. 14\)](#), ss. 4, 17(2)

#### ***Totalisators on licensed tracks***

**45.**—(1) Where, in the case of any licensed track, by virtue of Article 44, the occupier of the track or any person authorised in that behalf in writing by the occupier of the track has set up a totalisator, that totalisator shall be operated only—

- (a) while the public are admitted to the track for the purpose of attending horse or, as the case may be, dog racing and no other sporting events are taking place on the track; and
- (b) for effecting with persons resorting to the track betting transactions on horse or, as the case may be, dog races run on that track on that day or on that day together with no more than 5 consecutive days on which such races are run on that track; and
- (c) in accordance with the provisions of Schedule 8.

- (2) The occupier of a licensed track—
- (a) shall not so long as a totalisator is being lawfully operated on the track exclude any licensed bookmaker from the track by reason only that he proposes to carry on bookmaking on the track; and
  - (b) subject to paragraph (3), shall take such steps as are necessary to secure that so long as a totalisator is being lawfully operated on the track there is available for licensed bookmakers space on the track where they can conveniently carry on bookmaking in connection with horse or, as the case may be, dog races run on the track on that day.
- (3) The space made available for bookmakers under paragraph (2)(b) shall be sufficient to accommodate no less than the greatest number of bookmakers admitted to the track at any time during the 2 years immediately preceding the introduction of a totalisator on the track.

#### *Conduct of licensed tracks*

#### ***Charges to bookmakers on licensed tracks***

**46.**—(1) The occupier of any licensed track may make to a licensed bookmaker or to any assistant accompanying a licensed bookmaker to the track for the purpose of his business any charge for admission to any particular part of the track not exceeding, in the case of the licensed bookmaker, 10 times the amount, or, in the case of an assistant, the amount, of the highest charge made to members of the public for admission to that part of the track; so, however, that there shall not be made to any licensed bookmaker or licensed bookmaker's assistant for admission to any particular part of the track any charge differing in amount from the charge made to any other licensed bookmaker or licensed bookmaker's assistant, as the case may be, for admission to that part of the track.

(2) If in the case of any licensed track any charge other than a charge authorised by paragraph (1) is made to a licensed bookmaker or licensed bookmaker's assistant, or any payment, valuable thing or favour, other than a charge so authorised or an amount so payable, is demanded or received by or for the benefit of the occupier of the track as a consideration for facilities being given to a licensed bookmaker for the carrying on of his business, the person immediately responsible, and, if that person is not the occupier of the track, that occupier also, shall be guilty of an offence.

(3) In any proceedings for an offence under paragraph (2) it shall be a defence for the occupier of the track to prove that the contravention took place without his consent or connivance and that he exercised due diligence to prevent it.

[<sup>F53</sup>(4) In paragraph (2) the reference to facilities shall be construed as a reference to facilities other than in relation to a permanent structure.]

**F53** 2004 NI 1

#### ***Saving for right of occupier of licensed tracks to prohibit betting***

**47.** Nothing in this Part shall be construed as requiring the occupier of a licensed track to permit betting on the track at any time when no totalisator is being operated on the track.

#### ***Restriction on betting on tracks on certain days***

**48.**—(1) Betting by way of bookmaking or by means of a totalisator shall not take place on any track on<sup>F54</sup> . . . Christmas Day or Good Friday or at such other times, if any, as may be prescribed by regulations.

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(2) If bookmaking is carried on, or a totalisator is operated, by any person in contravention of paragraph (1), that person and the occupier of the track also, shall be guilty of an offence.

(3) In any proceedings for an offence under paragraph (2) it shall be a defence for the occupier of the track to prove that the contravention took place without his consent or connivance and that he exercised due diligence to prevent it.

F54 2004 NI 1

***Occupiers of licensed tracks not to have an interest in bookmaking on the track***

49.—(1) It shall not be lawful for—

- (a) the occupier of any licensed track or any servant or agent of his, or
- (b) any person having under a lease, agreement or licence granted by the occupier any interest in or right over or in respect of any part of the track,

to engage either directly or indirectly, and either on his own behalf or on behalf of another, in bookmaking carried on, on that track.

(2) If paragraph (1) is contravened, the occupier of the licensed track and the person by whom the contravention was committed shall be guilty of an offence.

(3) In any proceedings for an offence by reason of a contravention of paragraph (1) it shall be a defence for the occupier of the licensed track to prove that the contravention took place without his consent or connivance and that he exercised due diligence to prevent it.

[<sup>F55</sup>(4) Paragraph (1) shall only apply in relation to bookmaking in connection with races run on that track.]

F55 2004 NI 1

*Special provisions with respect to young persons*

***Young persons prohibited from licensed offices***

50.—(1) A person under the age of 18 shall not be admitted to a licensed office.

(2) A licensed bookmaker himself or by his servant or agent, or such servant or agent, shall not allow a person under the age of 18 to be in a licensed office.

(3) Any person acting in contravention of paragraph (1) or (2) shall be guilty of an offence.

(4) In any proceedings for an offence by reason of a contravention of paragraph (1) or (2) it shall be a defence—

- (a) for the licensed bookmaker to prove that the contravention took place without his consent or connivance and that he exercised due diligence to prevent it; or
- (b) for the licensed bookmaker or his servant or agent to prove that he had good reason to believe that the person under the age of 18 had attained that age.

(5) Nothing in this Article shall apply with respect to a person under the age of 18 who is a person who has attained the upper limit of compulsory school age as determined under Article 36(2) of the Education and Libraries (Northern Ireland) Order 1972 and is apprenticed to the licensed bookmaker under a contract in writing.

(6) Where a person under the age of 18 who is found in a licensed office is apprenticed to the licensed bookmaker, that person or the bookmaker shall at the request of a constable produce the

contract of apprenticeship within 7 days of the request to, or in accordance with reasonable directions of, the constable for examination, and if it is not so produced that person or, as the case may be, the bookmaker shall be guilty of an offence.

### ***Betting with young persons***

**51.**—(1) If any person—

- (a) has any betting transaction with a person under the age of 18, or
- (b) employs a person under the age of 18 in the effecting of any betting transaction, or
- (c) receives or negotiates any bet through a person under the age of 18,

he shall be guilty of an offence.

(2) If any person under the age of 18 enters into any betting transaction he shall be guilty of an offence.

(3) A person shall not be guilty of an offence under paragraph (1) by reason of—

- (a) the employment of a person under the age of 18 in the effecting of betting transactions by post; or
- (b) the carriage by a person under the age of 18 of a communication relating to a betting transaction for the purposes of its conveyance by post.

(4) In any proceedings for an offence under paragraph (1) it shall be a defence to prove that there was good reason to believe that the person under the age of 18 had attained that age.

[<sup>F56</sup>(4A) In any case concerning—

- (a) a bet which is an entry in a qualifying competition (as defined in Article 3(1D)), or
- (b) a betting transaction relating to such a bet,

this Article shall have effect with the substitution in paragraphs (1) to (4) of “ 16 ” for “ 18 ”.]

(5) Paragraphs (5) and (6) of Article 50 shall apply to persons under the age of 18 for the purposes of this Article as they apply to such persons for the purposes of Article 50.

**F56** 1994 NI 8

### ***Betting circulars not to be sent to young persons***

**52.**—(1) If any person, for the purpose of earning commission, reward or other profit, sends or causes to be sent to a person whom he knows to be under the age of 18 any circular, notice, advertisement, letter, telegram or other document which invites or may reasonably be implied to invite the person receiving it—

- (a) to make any bet, or
- (b) to enter into or take any share or interest in any betting transaction, or
- (c) to apply to any person or at any place with a view to obtaining information or advice for the purpose of any bet or for information as to any race, fight, game, sport or other contingency upon which betting is generally carried on,

he shall be guilty of an offence.

(2) If any document such as is mentioned in paragraph (1) names or refers to anyone as a person to whom any payment may be made, or from whom information may be obtained, for the purpose of or in relation to betting, the person so named or referred to shall be deemed to have sent that document or caused it to be sent unless he proves that he had not consented to be so named and that he was not in any way a party to, and was wholly ignorant of, the sending of the document.

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(3) If any document such as is mentioned in paragraph (1) is sent to any person at any university, college, school or other place of education and that person is under the age of 18, the person sending the document or causing it to be sent shall be deemed to have known that person to be under that age unless he proves that he had good reason to believe that the person under the age of 18 had attained that age.

[<sup>F57</sup>(4) In any case concerning—

- (a) a bet which is an entry in a qualifying competition (as defined in Article 3(1D)),
- (b) a betting transaction relating to such a bet, or
- (c) information as to any game of association football upon which such betting is carried on,

this Article shall have effect with the substitution in paragraphs (1) and (3) of “ 16 ” for “18”.]

**F57** [1994 NI 8](#)

### *Miscellaneous*

#### ***Disqualification of licensed bookmaker on conviction of offence***

**53.**—(1) Where a licensed bookmaker is convicted of—

- (a) an offence under this Part [<sup>F58</sup> or Chapter III of Part III]; or
- (b) any offence involving fraud or dishonesty;

the court by which he is convicted may make a disqualification order prohibiting him from holding a bookmaker's licence or a bookmaking office licence during such period, not exceeding 5 years from the date on which the order takes effect, as may be specified in the order.

(2) Where a disqualification order under paragraph (1) is made—

- (a) in the case of a disqualification from holding a bookmaker's licence, any bookmaker's licence and any bookmaking office licence held by the bookmaker, or
- (b) in the case of a disqualification from holding a bookmaking office licence, any bookmaking office licence held by the bookmaker,

within the prohibition obtained before the order is made or before it takes effect shall by virtue of the order be void as from the time when the order takes effect.

(3) A disqualification order under paragraph (1) shall not take effect—

- (a) until the expiry of the time for bringing an appeal against the conviction or against the making of the order, and
- (b) if such an appeal is brought, until the appeal has been determined or abandoned.

**F58** [2004 NI 1](#)

#### **[<sup>F59</sup>Rights of betting workers as respects Sunday working**

**53A.** Schedule 8A shall have effect for the purpose of making provision about the rights of betting workers as respects Sunday working.]

**F59** [2004 NI 1](#)

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### **Exclusion of Sunday Observance Act (Ireland) 1695**

**53B.** The Sunday Observance Act (Ireland) 1695 does not apply to any person by reason of his having effected a betting transaction on a non-sporting event at a track which is open on a Sunday and on which betting is taking place [<sup>F60</sup>or having effected a betting transaction on a non-sporting event at a licensed office which is open on a Sunday.]

**F60** Words in art. 53B inserted (27.4.2022) by [Betting, Gaming, Lotteries and Amusements \(Amendment\) Act \(Northern Ireland\) 2022 \(c. 14\)](#), ss. 3(5), 17(2)

**Changes to legislation:**

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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\(2\)\(a\)](#)