
STATUTORY INSTRUMENTS

1985 No. 1204

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

PART III

GAMING

CHAPTER III

GAMING BY WAY OF A GAMING MACHINE

Gaming machines at exempt entertainments

Use of gaming machines at exempt entertainments

122.—(1) The conditions set out in paragraph (2) shall be observed where a gaming machine is used for gaming as an incident of any exempt entertainment which takes place elsewhere than on—

- (a) bingo club premises; or
- (b) the premises of a registered club.

(2) The conditions referred to in paragraph (1) are—

- (a) the whole proceeds of the entertainment (including the proceeds from the use of the gaming machine), after deducting, subject to paragraph (9), the expenses of the entertainment, shall be devoted to purposes other than private gain; and
- (b) that the facilities for winning prizes by means of the gaming machine, or those facilities together with any other facilities for participating in lotteries or gaming shall not be the only, or the only substantial, inducement to persons to attend the entertainment.

(3) Regulations may impose such restrictions (in addition to those specified in paragraph (2)) as the Department may consider necessary or expedient with respect to the use of any gaming machine for gaming as an incident of an exempt entertainment as mentioned in paragraph (1).

(4) The person who organises the exempt entertainment shall—

- (a) make, and keep for a period of at least 18 months, records and accounts relating to that entertainment;
- (b) record in those accounts the purposes for which the proceeds of the entertainment are to be applied; and
- (c) inform all potential participants of those purposes.

(5) Any person who organises an exempt entertainment at which a gaming machine is to be used for gaming shall, not less than 7 days before the date on which the entertainment is to take place, serve notice of the entertainment upon the sub-divisional commander of the police sub-division in which the premises where the entertainment is to take place are situated.

Changes to legislation: *The Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985, Cross Heading: Gaming machines at exempt entertainments is up to date with all changes known to be in force on or before 14 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(6) Where any of the provisions of this Article or of any regulations made under this Article is contravened in relation to an exempt entertainment, every person concerned in the conduct of that entertainment shall be guilty of an offence.

(7) In any proceedings for an offence under paragraph (6) it shall be a defence for any person charged to prove that the contravention occurred without his consent or connivance and that he exercised due diligence to prevent it.

(8) Where any of the provisions of this Article is contravened in relation to a gaming machine, then (without prejudice to any liability of any other person under paragraph (6)) any person who, knowing or having reasonable cause to suspect that the provisions in question would be contravened in relation to the gaming machine, supplied the gaming machine shall be guilty of an offence.

(9) The reference to expenses in paragraph (2)(a) shall not include a reference to any charge mentioned in Article 2(9) and falling to be determined as there mentioned.

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