

SCHEDULES

SCHEDULE 1

Articles 8(2), (3), (4)(a) and (5) and
187(1).

APPLICATIONS FOR THE GRANT OF BOOKMAKERS' LICENCES

F1 1.

F1 Sch. 1 para. 1 repealed (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 91(12), Sch. 9 Pt. 1 (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k)(m) (with art. 3)

2.—(1) A person who intends to make an application for the grant of a bookmaker's licence shall—

- (a) not more than 6 weeks or less than 2 weeks before the time of the court sitting at which the application is to be made, cause notice of the application to be published at least once in 2 newspapers circulating in the area in which he resides or, in the case of an applicant who does not reside in Northern Ireland, circulating throughout Northern Ireland;
- (b) not less than 3 weeks before that time, serve notice of the application upon the clerk of petty sessions and at the same time serve a copy of the notice upon—
 - (i) the sub-divisional commander of the police sub-division in which the application is to be made; and
 - (ii) except in the case of an applicant who does not reside in Northern Ireland, where the applicant resides in some other police sub-division the sub-divisional commander of that sub-division.

(2) For the purposes of sub-paragraph (1)(a), a body corporate shall be taken not to reside in Northern Ireland.

(3) Sub-paragraph (1)(b)(ii) shall not apply if the applicant is a body corporate.

3.—(1) The notice mentioned in paragraph 2(1) shall be in such form and shall contain such information as may be prescribed by magistrates' courts rules.

(2) Without prejudice to sub-paragraph (1), where the notice mentioned in paragraph 2(1) relates to an application to be made by a body corporate, the notice served under paragraph 2(1)(b) shall specify—

- (a) the names of the directors of the body corporate;
- (b) the names of any persons who have executive control of the body corporate;
- (c) the names of any persons who have a financial interest in the body corporate; and
- (d) a statement of the nature and extent of the financial interest of persons mentioned in head (c) (including a description of any right of direction or instruction to the directors given by that financial interest).

4. The applicant shall attach to the notice mentioned in paragraph 2(1)(b)—

- (a) the receipt issued by the Department under Article 172(3) in respect of payment of the charge specified in Article 172(1)(a); and

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- (b) except in the case of an applicant who intends to apply for the grant of a bookmaking office licence, the receipt issued by the Department of Agriculture under^[F2] Article 9(2) of the Horse Racing (Northern Ireland) Order 1990] in respect of payment, in relation to his application for the grant of a bookmaker's licence, of the charge^[F2] under Article 9(1)] of that Order.

F2 1990 NI 12

5. Any person shall be entitled to appear at the hearing of the application and object to the grant of the bookmaker's licence on any of the grounds mentioned in Article 8(4) and (6).

6. A person intending to object under paragraph 5 shall, not less than 1 week before the time mentioned in paragraph 2(1)(a),—

- (a) serve upon the applicant notice of his intention to object briefly stating his grounds for so doing;
- (b) serve a copy of the notice upon the clerk of petty sessions.

SCHEDULE 2

Articles 12(2), (3), (4)(a) and (5), 14(3),
(6), (7)(a) and (8) and 187(1).

APPLICATIONS FOR THE GRANT OF BOOKMAKING OFFICE LICENCES

PART I

GRANT OF BOOKMAKING OFFICE LICENCES

1. A licensed bookmaker who intends to make an application for the grant of a bookmaking office licence shall—

- (a) not more than 6 weeks or less than 2 weeks before the time of the^[F3] opening of the court sitting at which the application is to be made, cause notice of the application to be published at least once in 2 newspapers circulating in the vicinity of the premises for which the licence is to be sought;
- (b) not less than 3 weeks before that time, serve notice of the application upon the^[F3] chief clerk] and at the same time serve a copy of the notice upon—
- (i) the sub-divisional commander of the police sub-division in which the premises are situated; and
- (ii) the district council for the district in which the premises are situated;
- (c) during the 2 weeks before that time, cause notice of the application to be displayed outside the premises for which the licence is to be sought.

F3 2004 NI 1

2.—(1) The notice mentioned in paragraph 1 shall specify—

- (a) the name of the applicant;
- (b) the address of the premises for which the licence is sought;
- (c) the name of the owner of the premises;

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and shall be in such form and shall contain such other information as may be prescribed by^{F4} county court] rules.

(2) Without prejudice to sub-paragraph (1) where the notice mentioned in paragraph 1 relates to an application to be made by a body corporate, the notice served under paragraph 1(b) shall specify—

- (a) the names of the directors of the body corporate;
- (b) the names of any persons who have executive control of the body corporate;
- (c) the names of any persons who have a financial interest in the body corporate; and
- (d) a statement of the nature and extent of the financial interest of persons mentioned in head (c) (including a description of any right of direction or instruction to the directors given by that financial interest).

F4 2004 NI 1

3. The applicant shall attach to the notice mentioned in paragraph 1(b)—

- (a) the receipt issued by the Department under Article 172(3) in respect of payment of the charge specified in Article 172(1)(b); and
- (b) the receipt issued by the Department of Agriculture under^{F5} Article 9(2) of the Horse Racing (Northern Ireland) Order 1990] in respect of payment, in relation to his application for the grant of a bookmaking office licence, of the charge^{F5} under Article 9(1)] of that Order.

F5 1990 NI 12

4. Any person shall be entitled to appear at the hearing of the application and object to the grant of the bookmaking office licence on any of the grounds mentioned in Article 12(4) and (6).

5. A person intending to object under paragraph 4 shall, not less than 1 week before the time mentioned in paragraph 1(a),—

- (a) serve upon the applicant notice of his intention to object briefly stating his grounds for so doing;
- (b) serve a copy of the notice upon the^{F6} chief clerk]

F6 2004 NI 1

PART II

PROVISIONAL GRANT OF BOOKMAKING OFFICE LICENCES

6. Part I shall apply for the purposes of an application for the provisional grant of a bookmaking office licence subject to the following modifications—

- (a) for any reference to the grant of a bookmaking office licence there shall be substituted a reference to the provisional grant of such a licence;
- (b) where the application relates to premises about to be constructed, or in the course of construction, for any reference to the vicinity, the police sub-division or the district in which the premises are situated there shall be substituted a reference to the vicinity, the police sub-division or the district in which the premises are to be situated and in paragraph

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- 1(c) after the word “premises” there shall be inserted the words “ or the site of the proposed premises ”;
- (c) in paragraph 2(1)(b) and (c) after the word “premises” there shall be inserted the words “ or proposed premises ”;
- (d) in paragraph 3 for sub-paragraphs (a) and (b) there shall be substituted the words “ a plan of the premises for which the provisional licence is sought showing the premises as they will be when their construction, alteration or extension has been completed ”.

PART III

APPLICATIONS TO HAVE PROVISIONAL GRANT OF BOOKMAKING OFFICE LICENCES DECLARED FINAL

7. A licensed bookmaker who intends to make an application to have the provisional grant of a bookmaking office licence declared final shall, not less than 3 weeks before the time of the^[F7] opening of the] court sitting at which the application is to be made, serve notice of the application upon the^[F7] chief clerk] and at the same time serve a copy of the notice upon the sub-divisional commander of the police sub-division in which the premises for which the licence was provisionally granted are situated.

F7 2004 NI 1

8. The applicant shall attach to the notice mentioned in paragraph 7—
- (a) the receipt issued by the Department under Article 172(3) in respect of payment of the charge specified in Article 172(1)(c); and
- (b) the receipt issued by the Department of Agriculture under^[F8] Article 9(2) of the Horse Racing (Northern Ireland) Order 1990] in respect of payment, in relation to his application to have the provisional grant of a bookmaking office licence declared final, of the charge^[F8] under Article 9(1)] of that Order.

F8 1990 NI 12

9. Before or at the hearing of the application to have the provisional grant of a bookmaking office licence declared final, the applicant shall deposit the licence with the^[F9] chief clerk].

F9 2004 NI 1

SCHEDULE 3

Articles 16(2), 17(1), (2)(a) and (3), 20(2)
and 187(1).

APPLICATIONS FOR THE RENEWAL OF BOOKMAKERS' LICENCES

PART I

GENERAL PROCEDURE

1. [^{F10}The Department of Justice] shall, not less than 6 weeks before the renewal date, cause notice of that date and of the provisions of paragraph 5 to be published in 2 newspapers circulating [^{F10}throughout Northern Ireland] .

F10 Words in Sch. 3 para. 1 substituted (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 91(13)(a) (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k) (with art. 3)

2.—(1) A person who intends to make an application for the renewal of a bookmaker's licence shall, not less than 3 weeks before the renewal date, serve notice of the application upon the clerk of petty sessions ^{F11}... and at the same time serve a copy of the notice upon—

- (a) the sub-divisional commander of the police sub-division in which the application is to be made; and
- (b) except in the case of an applicant who does not reside in Northern Ireland, where the applicant resides in some other police sub-division, the sub-divisional commander of that sub-division.

(2) Sub-paragraph (1)(b) shall not apply if the applicant is a body corporate.

F11 Words in Sch. 3 para. 2(1) repealed (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 91(13)(b), Sch. 9 Pt. 1 (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k)(m) (with art. 3)

3.—(1) The notice mentioned in paragraph 2(1) shall be in such form and shall contain such information as may be prescribed by magistrates' courts rules.

(2) Without prejudice to sub-paragraph (1), where the notice mentioned in paragraph 2(1) relates to an application to be made by a body corporate, that notice shall specify—

- (a) the names of the directors of the body corporate;
- (b) the names of any persons who have executive control of the body corporate;
- (c) the names of any persons who have a financial interest in the body corporate; and
- (d) a statement of the nature and extent of the financial interest of persons mentioned in head (c) (including a description of any right of direction or instruction, to the directors given by that financial interest);

and shall specify details of any change in the information specified under heads (a) to (d) from the information so specified on the application for the last previous renewal of the bookmaker's licence (or where the renewal to be applied for is the first renewal of the licence, on the application for the grant of the licence).

4. The applicant shall attach to the notice mentioned in paragraph 2(1)—

- (a) the receipt issued by the Department under Article 172(3) in respect of payment of the charge specified in Article 172(1)(d); and

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- (b) except in the case of an applicant who intends to apply for the grant, or renewal, of a bookmaking office licence, the receipt issued by the Department of Agriculture under^[F12] Article 9(2) of the Horse Racing (Northern Ireland) Order 1990] in respect of payment, in relation to his application for the renewal of a bookmaker's licence, of the charge^[F12] under Article 9(1)] of that Order.

F12 1990 NI 12

5. Any person shall be entitled to appear at the hearing of the application and object to the renewal of the bookmaker's licence on any of the grounds mentioned in Article 17(2) and (4).

6. A person intending to object under paragraph 5 shall, not less than 1 week before the renewal date,—

- (a) serve upon the applicant notice of his intention to object briefly stating his grounds for so doing;
- (b) serve a copy of the notice upon the clerk of petty sessions.

7. Before the renewal date, the applicant shall deposit the bookmaker's licence with the clerk of petty sessions.

PART II

PROCEDURE FOR RENEWALS OUT OF TIME

8. Part I shall apply for the purposes of an application under Article 20(1) for the renewal of a bookmaker's licence subject to the following modifications—

- (a) paragraph 1 shall be omitted;
- (b) in paragraphs 2, 6 and 7 for any reference to the renewal date there shall be substituted a reference to the time of the court sitting at which the application is to be made.

SCHEDULE 4

Articles 18(2), 19(1), (2)(a) and (3), 20(2),
24(3) and 187(1).

APPLICATIONS FOR THE RENEWAL OF BOOKMAKING OFFICE LICENCES

PART I

GENERAL PROCEDURE

1. ^[F13]The Department of Justice] shall, not less than 6 weeks before the renewal date, cause notice of that date and of the provisions of paragraph 5 to be published in 2 newspapers circulating ^[F13]throughout Northern Ireland] .

F13 Words in Sch. 4 para. 1 substituted (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 91(14) (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k) (with art. 3)

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2. A licensed bookmaker who intends to make an application for the renewal of a bookmaking office licence shall, not less than 3 weeks before the renewal date, serve notice of the application upon the clerk of petty sessions and at the same time serve a copy of the notice upon—

- (a) the sub-divisional commander of the police sub-division in which the licensed office is situated; and
- (b) the district council for the district in which the licensed office is situated.

3.—(1) The notice mentioned in paragraph 2 shall be in such form and shall contain such information as may be prescribed by magistrates' courts rules.

(2) Without prejudice to sub-paragraph (1), where the notice mentioned in paragraph 2 relates to an application to be made by a body corporate, that notice shall specify—

- (a) the names of the directors of the body corporate;
- (b) the names of any persons who have executive control of the body corporate;
- (c) the names of any persons who have a financial interest in the body corporate; and
- (d) a statement of the nature and extent of the financial interest of persons mentioned in head (c) (including a description of any right of direction or instruction to the directors given by that financial interest);

and shall specify details of any change in the information specified under heads (a) to (d) from the information so specified on the application for the last previous renewal of the bookmaking office licence (or where the renewal to be applied for is the first renewal of the licence, on the application for the grant or, as the case may be, the transfer of the licence).

4. The applicant shall attach to the notice mentioned in paragraph 2—

- (a) the receipt issued by the Department under Article 172(3) in respect of payment of the charge specified in Article 172(1)(e); and
- (b) the receipt issued by the Department of Agriculture under^{F14} Article 9(2) of the Horse Racing (Northern Ireland) Order 1990] in respect of payment, in relation to his application for the renewal of a bookmaking office licence, of the charge^{F14} under Article 9(1)] of that Order.

F14 1990 NI 12

5. Any person shall be entitled to appear at the hearing of the application and object to the renewal of the bookmaking office licence on any of the grounds mentioned in Article 19(2) and (4).

6. A person intending to object under paragraph 5 shall, not less than 1 week before the renewal date,—

- (a) serve upon the applicant notice of his intention to object briefly stating his grounds for so doing;
- (b) serve a copy of the notice upon the clerk of petty sessions.

7. Before the renewal date, the applicant shall deposit the bookmaking office licence with the clerk of petty sessions.

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PART II

PROCEDURE FOR RENEWALS OUT OF TIME

8. Part I shall apply for the purposes of an application under Article 20(1) or 24(1) for the renewal of a bookmaking office licence subject to the following modifications—

- (a) paragraph 1 shall be omitted;
- (b) in paragraphs 2, 6 and 7 for any reference to the renewal date there shall be substituted a reference to the time of the court sitting at which the application is to be made.

9. Where the application is made under Article 24(1) the requirements of this Schedule shall be taken to be satisfied if the notices mentioned in paragraphs 2 and 6(a) were served by and upon either the holder of the bookmaking office licence or the licensed bookmaker who intends to make application for the transfer of the licence.

SCHEDULE 5

Articles 23(4), (5), (6)(a) and (7) and
187(1).

APPLICATIONS FOR THE TRANSFER OF BOOKMAKING OFFICE LICENCES

PART I

TRANSFER OF BOOKMAKING OFFICE LICENCES

1. A licensed bookmaker who intends to make an application for the transfer of a bookmaking office licence shall—

- (a) not more than 6 weeks or less than 2 weeks before the time of the court sitting at which the application is to be made, cause notice of the application to be published at least once in 2 newspapers circulating in the vicinity of the licensed office;
- (b) not less than 3 weeks before that time serve notice of the application upon the clerk of petty sessions and at the same time serve a copy of the notice upon—
 - (i) the sub-divisional commander of the police sub-division in which the licensed office is situated; and
 - (ii) the district council for the district in which the licensed office is situated.

2.—(1) The notice mentioned in paragraph 1 shall be in such form and shall contain such information as may be prescribed by magistrates' courts rules.

(2) Without prejudice to sub-paragraph (1), where the notice mentioned in paragraph 1 relates to an application to be made by a body corporate, the notice served under paragraph 1(b) shall specify—

- (a) the names of the directors of the body corporate;
- (b) the names of any persons who have executive control of the body corporate;
- (c) the names of any persons who have a financial interest in the body corporate; and
- (d) a statement of the nature and extent of the financial interest of persons mentioned in head (c) (including a description of any right of direction or instruction to the directors given by that financial interest).

3. The applicant shall attach to the notice mentioned in paragraph 1(b) the receipt issued by the Department under Article 172(3) in respect of payment of the charge specified in Article 172(1)(f).

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4. Any person shall be entitled to appear at the hearing of the application and object to the transfer of the bookmaking office licence on any of the grounds mentioned in Article 23(6) and (8).

5. A person intending to object under paragraph 4 shall, not less than 1 week before the time mentioned in paragraph 1(a),—

- (a) serve upon the applicant notice of his intention to object briefly stating his grounds for so doing;
- (b) serve a copy of the notice upon the clerk of petty sessions.

6.—(1) Before the hearing of the application for the transfer of a bookmaking office licence, the applicant shall deposit the licence with the clerk of petty sessions.

(2) Where the applicant has not possession of the bookmaking office licence and the court has reason to believe that the licence is in the possession of some other person the court may order that person to deposit it with the clerk within a reasonable period specified in the order and if he contravenes the order without reasonable excuse he shall be guilty of an offence.

PART II

TRANSFER OF BOOKMAKING OFFICE LICENCES PROVISIONALLY GRANTED

7. Part I shall apply for the purposes of an application for the transfer of a bookmaking office licence provisionally granted subject to the modification that where the application relates to a bookmaking office licence for premises about to be constructed or in the course of construction, for any reference to the vicinity, the police sub-division or the district in which the licensed office is situated there shall be substituted a reference to the vicinity, the police sub-division or the district in which the premises are to be situated.

SCHEDULE 6

Articles 26(1) and 187(1).

APPLICATIONS FOR AUTHORISATIONS OF TEMPORARY CONTINUANCE OF BUSINESS

1. A licensed bookmaker who intends to make an application for an order authorising the temporary continuance of the business carried on under a bookmaking office licence in premises other than the licensed office shall, not less than 4 days before the time of the court sitting at which the application is to be made, serve notice of the application upon the clerk of petty sessions and at the same time serve a copy of the notice upon the sub-divisional commander of the police sub-division in which the premises to which the application relates are situated.

2. The notice mentioned in paragraph 1 shall be in such form and shall contain such information as may be prescribed by magistrates' courts rules.

3. The sub-divisional commander upon whom notice is required by paragraph 1 to be served shall be entitled to appear at the hearing of the application and object to the making of the order authorising the temporary continuance of the business carried on under the bookmaking office licence in the premises in question.

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SCHEDULE 7

Articles 27(2) and (3), 28(2) and (3), 72(2)
and (3), 92(2) and (3), 149(2) and (3) and
187(1).

APPLICATIONS FOR THE REVOCATION OF LICENCES AND CERTIFICATES

1. In this Schedule “application” means an application for the revocation of—

- (a) a bookmaker's licence;
- (b) a bookmaking office licence;
- (c) a bingo club licence;
- (d) a gaming machine certificate; or
- (e) a lottery certificate.

2.—(1) A person who intends to make an application shall, not less than 3 weeks before the court sitting at which the application is to be made, serve notice of the application upon the clerk of petty sessions and at the same time serve a copy of the notice upon—

- (a) the holder of the licence or, as the case may be, the certificate;
- (b) the sub-divisional commander of the police sub-division in which the application is to be made; and
- (c) where the holder of the licence or certificate resides in some other police sub-division, the sub-divisional commander of that sub-division.

(2) Where the application is for the revocation of a bookmaker's licence or a bookmaking office licence, sub-paragraph (1)(c) shall not apply if the holder of the licence is a body corporate.

3. The notice mentioned in paragraph 2(1) shall specify the grounds on which the application is to be made and shall be in such form and contain such other information as may be prescribed by magistrates' courts rules.

4. The holder of the licence or, as the case may be, the certificate, and any other person shall be entitled to appear at the hearing of the application and object to the revocation of the licence or, as the case may be, the certificate.

5. A person intending to object under paragraph 4 shall, not less than 1 week before the time mentioned in paragraph 2(1),—

- (a) serve upon the applicant notice of his intention to object briefly stating his grounds for so doing;
- (b) serve a copy of the notice upon the clerk of petty sessions.

SCHEDULE 8

Articles 42(1)(c) and 45(1)(c).

TOTALISATORS ON LICENSED TRACKS

1. The totalisator shall be a mechanically or electrically operated apparatus complying with such conditions as may be prescribed by regulations, or such other apparatus as may be approved by the Department.

2. The person, whether the occupier of the licensed track or a person authorised in that behalf in writing by that occupier, by whom the totalisator is operated (in this Schedule referred to as “the operator”) shall take all such steps as are necessary to secure that, so long as the totalisator is in use, it is in proper working order and is properly operated.

3. The operator shall, before receiving any bets in connection with any race, post in a conspicuous position on the licensed track^{F15} or, where bets may be made by means of the totalisator in more than one distinct area of the track, in each such area] a notice^{F15} in easily legible print] showing the minimum stake (the betting unit) which will be accepted at the totalisator from persons betting on that race; and that notice shall also—

- (a) specify^{F15} prominently] the percentage,^{F15} . . . which will be deducted by the operator from amounts staked by means of the totalisator; and
- (b) if the terms on which the operator invites persons to bet include such a condition as is mentioned in paragraph 6, specify the time referred to in that paragraph.

F15 [1996 NI 11](#)

4. The operator shall, in the case of any bets made by means of the totalisator on any race or combination of races,—

- (a) deduct from the aggregate amount staked—
 - (i) any sums payable by the operator by way of the general betting duty in respect of those bets; and
 - (ii) subject to paragraph 5, the percentage specified in the notice posted in pursuance of paragraph 3; and
- (b) subject to paragraphs 5 and 6, distribute the whole of the remainder of that amount among the persons making such of those bets as are winning bets.

5. Where the number of pence in the amount payable in respect of each betting unit staked by a person winning a bet is not exactly divisible by 5, then—

- (a) if the remainder does not exceed one half of £0.05, it may be retained by the operator; but
- (b) if the remainder exceeds one half of £0.05, the amount payable in respect of each betting unit staked by the said person shall be deemed to be increased to the next greater number of pence which is so divisible.

6. The terms on which the operator invites persons to bet by means of the totalisator may include a condition entitling the operator to retain any sum payable to a person winning a bet unless the money won on the bet is claimed before such time, not being earlier than 48 hours after the conclusion of the race, or as the case may be, of the last of the races, in connection with which the bet was made as may have been specified in the notice posted in pursuance of paragraph 3.

7. The Department may appoint a qualified accountant (the accountant) who shall be charged with the duty of examining and certifying the accounts relating to the operation of the totalisator and, after consultation with the accountant, may appoint an experienced mechanician (the technical adviser) who shall act as technical adviser to the accountant and be charged with the duty of advising him as to the condition of the totalisator and all matters connected with the operation of the totalisator.

8. Subject to paragraph 9, the accountant and the technical adviser shall hold office on such terms (including terms as to remuneration) as may be determined by the Department after consultation with the occupier of the licensed track, and the remuneration of the accountant and the technical adviser shall be payable by the Department; but so much of that remuneration as is paid to the accountant or the technical adviser in respect of the performance of his functions under this Schedule in relation to the totalisator and is attributable to any period during which a track betting licence was in force in respect of the licensed track shall be recoverable by the Department as a debt due to it from the occupier of that track.

9. The terms on which the accountant is appointed shall include a term that on every day when the totalisator is operating either he or a servant of his authorised by him in that behalf in writing

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must be in attendance at the totalisator during such period or periods as may before that day have been notified to him in writing by the operator.

10. Where an accountant has been appointed under paragraph 7, the totalisator shall not be operated at any time when neither the accountant nor a servant of his authorised by him in that behalf in writing is present.

11.—(1) The accountant, the technical adviser and their respective servants and an officer of the Department authorised in writing in that behalf may, on production, if required, of their credentials, at any reasonable time, enter the premises in which the totalisator is set up and examine any part of the mechanism and test and watch the working thereof, and may require the operator or any servant of his to give to them all such information, and to produce to them all such accounts, books and other documents, as they deem necessary for the purpose of ascertaining whether the provisions of this Schedule and of regulations made under Part II are being complied with.

(2) Every person who—

- (a) obstructs any of the persons upon whom powers are conferred by sub-paragraph (1) in the exercise of any of those powers; or
- (b) neglects or refuses to give to any of the said persons any such information, or to produce to him any such document, as may have been called for by him in pursuance of sub-paragraph (1); or
- (c) knowingly gives to any of the said persons any information which is false or misleading,

shall be guilty of an offence.

12. The operator shall, within 7 days after the close of each month, submit to the accountant for examination by him a complete statement of account for that month, giving all such information as the accountant may require for the purpose of ascertaining whether the provisions of this Schedule and of regulations made under Part II have been complied with.

13. The accountant shall examine the statements of account submitted to him under paragraph 12 and shall, so often as he thinks proper, consult with the technical adviser and carry out, or cause to be carried out, such inspections as either of them deems necessary for the purpose of ascertaining whether the provisions of this Schedule and of regulations made under Part II are being complied with, and shall forthwith make a report to the Department if he has reason to believe that the totalisator is not an apparatus such as is mentioned in paragraph 1, or is not being kept in proper working order, or is not being properly operated, or if in his opinion any of the provisions of this Schedule or of regulations made under Part II are not being complied with.

14. The accountant shall retain for a period of 2 years all statements of account submitted to him under paragraph 12 and shall at any time during that period give facilities for their examination by any person authorised in that behalf by the Department.

15.—(1) Without prejudice to his duties under the preceding paragraphs, the accountant shall, as soon as may be after the close of each year, audit the accounts of the operator for the year and, if such be the fact, certify thereon that satisfactory statements of account have been submitted to him monthly in accordance with the provisions of paragraph 12 and have been examined by him, and that to the best of his information and belief, formed after consultation with the technical adviser, the accounts for the year are complete and accurate and the totalisator is an apparatus such as is mentioned in paragraph 1 and has throughout the year been maintained in proper working order and properly operated in accordance with the provisions of this Schedule and of regulations made under Part II.

(2) The operator shall forthwith cause the accounts and certificate mentioned in sub-paragraph (1) to be printed and shall transmit 2 copies thereof to the Department, who shall cause 1 of those copies

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to be deposited at its offices for inspection at any time during office hours by any member of the public free of charge.

16. Without prejudice to paragraph 11(2) and Article 43(2), if the operator contravenes any of the provisions of this Schedule (other than paragraph 11(2)) or of regulations made under Part II he shall be guilty of an offence.

[^{F16}SCHEDULE 8A

RIGHTS OF BETTING WORKERS AS RESPECTS SUNDAY WORKING

F16 2004 NI 1

Interpretation

1.—(1) In this Schedule “betting worker” means an employee who, under his contract of employment, is or may be required to do betting work.

[^{F17}(2) In this Schedule “betting work” means—

- (a) work at a track for a bookmaker on a day on which the bookmaker acts as such at the track, being work which consists of or includes dealing with betting transactions, and
- (b) work in a licensed office on a day on which the office is open for use for the effecting of betting transactions.]

(3) In this Schedule “bookmaker” means any person who—

- (a) whether on his own account or as servant or agent of any other person carries on, whether occasionally or regularly, the business of receiving or negotiating bets or conducting pool betting operations; or
- (b) by way of business in any manner holds himself out, or permits himself to be held out as a person who receives or negotiates bets or conducts such operations.

(4) In this Schedule—

[^{F18}“commencement date” means—

- (a) in relation to a person who is a betting worker by virtue of sub-paragraph (2)(a), the day on which Schedule 1 to the Betting and Gaming (Northern Ireland) Order 2004 comes into operation;
- (b) in relation to a person who is a betting worker by virtue of sub-paragraph (2)(b), the day on which section 3 of the Betting, Gaming, Lotteries and Amusements (Amendment) Act (Northern Ireland) 2022 comes into operation.]

“notice period”, in relation to an opted-out betting worker, has the meaning given by paragraph 7(3);

“opted-out”, in relation to a betting worker, shall be construed in accordance with paragraph 7(1) and (2);

“opting-in notice”, in relation to a betting worker, has the meaning given by paragraph 2(6);

“opting-out notice”, in relation to a betting worker, has the meaning given by paragraph 6(2); and

“protected”, in relation to a betting worker, shall be construed in accordance with paragraph 2(1) to (5).

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(5) This Schedule shall be construed as one with the Employment Rights (Northern Ireland) Order 1996 (NI 16), referred to in this Schedule as “the Employment Rights Order”.

(6) Chapter III of Part I of the Employment Rights Order (computation of period of continuous employment) shall have effect for the purposes of this Schedule as it has effect for the purposes of that Order.

F17 Sch. 8A para. 1(2) substituted (27.4.2022) by [Betting, Gaming, Lotteries and Amusements \(Amendment\) Act \(Northern Ireland\) 2022 \(c. 14\), ss. 3\(2\), 17\(2\)](#)

F18 Words in Sch. 8A para. 1(4) substituted (27.4.2022) by [Betting, Gaming, Lotteries and Amusements \(Amendment\) Act \(Northern Ireland\) 2022 \(c. 14\), ss. 3\(3\), 17\(2\)](#)

Protected betting workers

2.—(1) Subject to sub-paragraph (5), a betting worker is to be regarded as “protected” for the purposes of any provision of this Schedule if (and only if) sub-paragraph (2) or (3) applies to him.

(2) This sub-paragraph applies to any betting worker if—

- (a) on the day before the commencement date, he was employed as a betting worker, but not to work only on Sunday;
- (b) he has been continuously employed during the period beginning with that day and ending with the day which, in relation to the provision concerned, is the appropriate date; and
- (c) throughout that period, or throughout every part of it during which his relations with his employer were governed by a contract of employment, he was a betting worker.

(3) This sub-paragraph applies to any betting worker whose contract of employment is such that under it he—

- (a) is not, and may not be, required to work on Sunday; and
- (b) could not be so required even if the provisions of this Schedule were disregarded.

(4) Where on the day before the commencement date an employee's relations with his employer have ceased to be governed by a contract of employment, he shall be regarded as satisfying sub-paragraph (2)(a) if—

- (a) that day fell in a week which counts as a period of employment with that employer under Article 8(3) of the Employment Rights Order or under regulations under Article 15 of that Order; and
- (b) on the last day before the commencement date on which his relations with his employer were governed by a contract of employment, the employee was employed as a betting worker, but not to work only on Sunday.

(5) A betting worker is not a protected betting worker if—

- (a) he has given his employer an opting-in notice on or after the commencement date; and
- (b) after giving the notice, he has expressly agreed with his employer to do betting work on Sunday or on a particular Sunday.

(6) In this Schedule “opting-in notice”, in relation to a betting worker, means written notice, signed and dated by the betting worker, in which the betting worker expressly states that he wishes to work on Sunday or that he does not object to Sunday working.

Contractual requirements relating to Sunday work

3.—(1) Any contract of employment under which a betting worker who satisfies paragraph 2(2) (a) was employed on the day before the commencement date is unenforceable to the extent that it—

- (a) requires the betting worker to do betting work on Sunday on or after that date; or

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- (b) requires the employer to provide the betting worker with betting work on Sunday on or after that date.
- (2) Subject to paragraph (3), any agreement entered into after the commencement date between a protected betting worker and his employer is unenforceable to the extent that it—
 - (a) requires the betting worker to do betting work on Sunday; or
 - (b) requires the employer to provide the betting worker with betting work on Sunday.
- (3) Where, after giving an opting-in notice, a protected betting worker expressly agrees with his employer to do betting work on Sunday or on a particular Sunday (and so ceases to be protected), his contract of employment shall be taken to be varied to the extent necessary to give effect to the terms of the agreement.
- (4) For the purposes of paragraph 2(2)(b), the appropriate date in relation to this paragraph is the day on which the agreement is entered into.

Contracts with guaranteed hours

- 4.—(1) This paragraph applies where—
- (a) under the contract of employment under which a betting worker who satisfies paragraph 2(2)(a) was employed on the day before the commencement date, the employer is, or may be, required to provide him with betting work for a specified number of hours each week;
 - (b) under the contract the betting worker was, or might have been, required to work on Sunday before the commencement date; and
 - (c) the betting worker has done betting work on Sunday in that employment (whether or not before the commencement date) but has, on or after that date ceased to do so.
- (2) So long as the betting worker remains a protected betting worker, the contract shall not be regarded as requiring the employer to provide him with betting work on weekdays in excess of the hours normally worked by the betting worker on weekdays before he ceased to do betting work on Sunday.
- (3) For the purposes of paragraph 2(2)(b), the appropriate date in relation to this paragraph is any time in relation to which the contract is to be enforced.

Reduction of pay, etc.

- 5.—(1) This paragraph applies where—
- (a) under the contract of employment under which a betting worker who satisfies paragraph 2(2)(a) was employed on the day before the commencement date, the betting worker was, or might have been, required to work on Sunday before the commencement date;
 - (b) the betting worker has done betting work on Sunday in that employment (whether or not before the commencement date) but has, on or after that date, ceased to do so; and
 - (c) it is not apparent from the contract what part of the remuneration payable, or of any other benefit accruing, to the betting worker was intended to be attributable to betting work on Sunday.
- (2) So long as the betting worker remains a protected betting worker, the contract shall be regarded as enabling the employer to reduce the amount of remuneration paid, or the extent of the other benefit provided, to the betting worker in respect of any period by the relevant proportion.
- (3) In sub-paragraph (2) “the relevant proportion” means the proportion which the hours of betting work which (apart from this Schedule) the betting worker could have been required to do on Sunday in the period (“the contractual Sunday hours”) bears to the aggregate of those hours and the hours of work actually done by the betting worker in the period.

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(4) Where, under the contract of employment, the hours of work actually done on weekdays in any period would be taken into account in determining the contractual Sunday hours, they shall be taken into account in determining the contractual Sunday hours for the purposes of sub-paragraph (3).

(5) For the purposes of paragraph 2(2)(b), the appropriate date in relation to this paragraph is the end of the period in respect of which the remuneration is paid or the benefit accrues.

Notice of objection to Sunday working

6.—(1) A betting worker to whom this paragraph applies may at any time give his employer written notice, signed and dated by the betting worker, to the effect that he objects to Sunday working.

(2) In this Schedule “opting-out notice” means a notice given under sub-paragraph (1) by a betting worker to whom this paragraph applies.

(3) This paragraph applies to any betting worker who under his contract of employment—

- (a) is or may be required to work on Sunday (whether or not as a result of previously giving an opting-in notice); but
- (b) is not employed to work only on Sunday.

Meaning of “opted-out betting worker”

7.—(1) Subject to sub-paragraph (2), a betting worker is to be regarded as “opted-out” for the purposes of this Schedule if (and only if)—

- (a) he has given his employer an opting-out notice;
- (b) he has been continuously employed during the period beginning with the day on which the notice was given and ending with the day which, in relation to the provision concerned, is the appropriate date; and
- (c) throughout that period, or throughout every part of it during which his relations with his employer were governed by a contract of employment, he was a betting worker.

(2) A betting worker is not an opted-out betting worker if—

- (a) after giving the opting-out notice concerned, he has given his employer an opting-in notice; and
- (b) after giving the opting-in notice, he has expressly agreed with his employer to do betting work on Sunday or on a particular Sunday.

(3) In this Schedule “notice period”, in relation to an opted-out betting worker, means, subject to paragraph 8(2), the period of three months beginning with the day on which the opting-out notice concerned was given.

Explanatory statement

8.—(1) Where a person becomes a betting worker to whom paragraph 6 applies, his employer shall, before the end of the period of two months beginning with the day on which that person becomes such a worker, give him a written statement in the prescribed form.

(2) If—

- (a) an employer fails to comply with sub-paragraph (1) in relation to any betting worker; and
- (b) the betting worker, on giving the employer an opting-out notice, becomes an opted-out betting worker,

paragraph 7(3) has effect in relation to the betting worker with the substitution for “three months” of “one month”.

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(3) An employer shall not be regarded as failing to comply with sub-paragraph (1) in any case where, before the end of the period referred to in that sub-paragraph, the betting worker has given him an opting-out notice.

(4) Subject to sub-paragraph (5), the prescribed form is as follows—

“STATUTORY RIGHTS IN RELATION TO SUNDAY BETTING WORK

You have become employed under your contract of employment to do Sunday betting work, that is to say, work at a track on a Sunday on which your employer is taking bets at the track [^{F19}or in a licensed office on a Sunday on which it is open for business].

However, if you wish, you can give a notice, as described in the next paragraph, to your employer and you will then have the right not to do Sunday betting work once three months have passed from the date on which you gave the notice.

Your notice must—

- be in writing;
- be signed and dated by you;
- say that you object to doing Sunday betting work.

For three months after you give the notice, your employer can still require you to do all the Sunday betting work your contract provides for. After the three month period has ended, you have the right to complain to an industrial tribunal if, because of your refusal to do Sunday betting work, your employer—

- dismisses you, or
- does something else detrimental to you, for example, failing to promote you.

Once you have the rights described, you can surrender them only by giving your employer a further notice, signed and dated by you, saying that you wish to do Sunday betting work or that you do not object to doing Sunday betting work and then agreeing with your employer to do such work on Sundays or on a particular Sunday.”

(5) The Department for Employment and Learning may by order subject to negative resolution amend the prescribed form set out in sub-paragraph (4).

F19 Words in *Sch. 8A para. 8(4)* inserted (27.4.2022) by *Betting, Gaming, Lotteries and Amusements (Amendment) Act (Northern Ireland) 2022 (c. 14), ss. 3(4), 17(2)*

Contractual requirements relating to Sunday work

9.—(1) Where a betting worker gives his employer an opting-out notice, the contract of employment under which he was employed immediately before he gave that notice becomes unenforceable to the extent that it—

- (a) requires the betting worker to do betting work on Sunday after the end of the notice period; or
- (b) requires the employer to provide the betting worker with betting work on Sunday after the end of that period.

(2) Subject to sub-paragraph (3), any agreement entered into between an opted-out betting worker and his employer is unenforceable to the extent that it—

- (a) requires the betting worker to do betting work on Sunday after the end of the notice period; or
- (b) requires the employer to provide the betting worker with betting work on Sunday after the end of that period.

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(3) Where, after giving an opting-in notice, an opted-out betting worker expressly agrees with his employer to do betting work on Sunday or on a particular Sunday (and so ceases to be opted-out), his contract of employment shall be taken to be varied to the extent necessary to give effect to the terms of the agreement.

(4) For the purposes of paragraph 7(1)(b), the appropriate date in relation to this paragraph is the day on which the agreement is entered into.

Right not to suffer detriment for refusing Sunday work

10.—(1) An employee who is a protected betting worker or an opted-out betting worker has the right not to be subjected to any detriment by any act, or any deliberate failure to act, by his employer done on the ground that the employee refused (or proposed to refuse) to do betting work on Sunday or on a particular Sunday.

(2) Sub-paragraph (1) does not apply to anything done in relation to an opted-out betting worker on the ground that he refused (or proposed to refuse) to do betting work on any Sunday or Sundays falling before the end of the notice period.

(3) An employee who is a betting worker has the right not to be subjected to any detriment by any act, or any deliberate failure to act, by his employer done on the ground that the employee gave (or proposed to give) an opting-out notice to his employer.

(4) Sub-paragraphs (1) and (3) do not apply where the detriment in question amounts to dismissal (within the meaning of Part XI of the Employment Rights Order).

(5) For the purposes of this paragraph a betting worker who does not work on Sunday or on a particular Sunday is not to be regarded as having been subjected to any detriment by—

- (a) a failure to pay remuneration in respect of betting work on a Sunday which he has not done;
- (b) a failure to provide him with any other benefit, where that failure results from the application (in relation to a Sunday on which the employee has not done betting work) of a contractual term under which the extent of that benefit varies according to the number of hours worked by the employee or the remuneration of the employee; or
- (c) a failure to provide him with any work, remuneration or other benefit which by virtue of paragraph 4 or 5 the employer is not obliged to provide.

(6) Where an employer offers to pay a sum specified in the offer to any one or more employees—

- (a) who are protected betting workers or opted-out betting workers; or
- (b) who under their contracts of employment are not obliged to do betting work on Sunday,

if they agree to do betting work on Sunday or on a particular Sunday sub-paragraphs (7) and (8) apply.

(7) An employee to whom the offer is not made is not to be regarded for the purposes of this paragraph as having been subjected to any detriment by any failure to make the offer to him or to pay him the sum specified in the offer.

(8) An employee who does not accept the offer is not to be regarded for the purposes of this paragraph as having been subjected to any detriment by any failure to pay him the sum specified in the offer.

(9) For the purposes of paragraph 2(2)(b) or 7(1)(b), the appropriate date in relation to this paragraph is the date of the act or failure to act.

(10) For the purposes of sub-paragraph (9)—

- (a) where an act extends over a period, the “date of the act” means the first day of that period; and
- (b) a deliberate failure to act shall be treated as done when it was decided on;

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and, in the absence of evidence establishing the contrary, an employer shall be taken to decide on a failure to act when he does an act inconsistent with doing the failed act or, if he has done no such inconsistent act, when the period expires within which he might reasonably have been expected to do the failed act if it was to be done.

(11) Articles 71 and 72 of the Employment Rights Order (which relate to proceedings brought by an employee or, as the case may be, worker on the ground that he has been subjected to a detriment in contravention of Article 68, 69, 70, 70A, 70B, 70C or 70D of that Order) shall have effect as if the reference in Article 71 to those Articles included a reference to this paragraph.

(12) Article 20 of the Industrial Tribunals (Northern Ireland) Order 1996 (NI 18) (conciliation) has effect in relation to industrial tribunal proceedings, or claims which could be the subject of tribunal proceedings, arising out of a contravention or alleged contravention of this paragraph.

(13) The remedy of an employee for infringement of the right conferred by this paragraph is by way of proceedings as mentioned in sub-paragraph (11) and not otherwise.

(14) Articles 248 and 249 of the Employment Rights Order (death of employee or employer) apply in relation to this paragraph as they apply in relation to provisions of the Employment Rights Order listed in Article 248(2) of that Order.

Right not to be dismissed for refusing Sunday work

11.—(1) Where an employee who is a protected betting worker or an opted-out betting worker is dismissed, he shall be regarded for the purposes of Part XI of the Employment Rights Order as unfairly dismissed if the reason (or, if more than one, the principal reason) for the dismissal is that he refused, or proposed to refuse, to do betting work on Sunday or on a particular Sunday.

(2) Sub-paragraph (1) does not apply in relation to an opted-out betting worker where the reason (or principal reason) for the dismissal is that he refused, or proposed to refuse, to do betting work on any Sunday or Sundays falling before the end of the notice period.

(3) A betting worker who is dismissed shall be regarded for the purposes of Part XI of the Employment Rights Order as unfairly dismissed if the reason (or, if more than one, the principal reason) for the dismissal is that the betting worker gave, or proposed to give, an opting-out notice to the employer.

(4) For the purposes of paragraph 2(2)(b) or 7(1)(b), the appropriate date in relation to this paragraph is the effective date of termination.

12.—(1) An employee who is dismissed shall be regarded for the purposes of Part XI of the Employment Rights Order as unfairly dismissed if—

- (a) the reason (or, if more than one, the principal reason) for the dismissal is that the employee was redundant;
- (b) it is shown that the circumstances constituting the redundancy applied equally to one or more other employees in the same undertaking who held positions similar to that held by the employee and who have not been dismissed by the employer; and
- (c) it is shown that sub-paragraph (2) applies.

(2) This sub-paragraph applies if either—

- (a) the employee was a protected betting worker or an opted-out betting worker and the reason (or, if more than one, the principal reason) for which the employee was selected for dismissal was that specified in sub-paragraph (1) of paragraph 11 (read with sub-paragraph (2) of that paragraph); or
- (b) the employee was a betting worker and the reason (or, if more than one, the principal reason) for which the employee was selected for dismissal was that specified in sub-paragraph (3) of that paragraph.

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(3) For the purposes of paragraph 2(2)(b) or 7(1)(b), the appropriate date in relation to this paragraph is the effective date of termination.

13. Articles 140 and 141 of the Employment Rights Order (qualifying period of employment and upper age limit) and Article 142(1) of that Order (dismissal procedures agreements) do not apply if—

- (a) sub-paragraph (1) of paragraph 11 (read with sub-paragraph (2) of that paragraph) or sub-paragraph (3) of that paragraph applies; or
- (b) paragraph 12 applies.

Restrictions on contracting out of Schedule

14.—(1) Any provision in an agreement (whether a contract of employment or not) shall be void in so far as it purports—

- (a) to exclude or limit the operation of any provision of this Schedule; or
- (b) to preclude any person from presenting a complaint to an industrial tribunal by virtue of any provision of this Schedule.

(2) Sub-paragraph (1) does not apply to an agreement to refrain from presenting or continuing with a complaint where—

- (a) the Agency has taken action under Article 20 of the Industrial Tribunals (Northern Ireland) Order 1996 (conciliation); or
- (b) the conditions regulating compromise agreements (as set out in Article 245(3) of the Employment Rights Order) are satisfied in relation to the agreement.

Dismissal on grounds of assertion of statutory right

15. In Article 135 of the Employment Rights Order (dismissal on grounds of assertion of statutory right) in paragraph (4)(a) after “Order 1997” insert “ or Schedule 8A to the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 ”.

Power to confer rights on individuals

16. In Article 24 of the Employment Relations (Northern Ireland) Order 1999 (NI 9) (power to confer rights on individuals) in paragraph (1), at the beginning of sub-paragraph (d) insert “ the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 or ”.]

SCHEDULE 9

Articles 63(2), (3), (4)(a) and (5), 65(3),
(6), (7)(a) and (8) and 187(1).

APPLICATIONS FOR THE GRANT OF BINGO CLUB LICENCES

PART I

GRANT OF BINGO CLUB LICENCES

- 1.** A person who intends to make an application for the grant of a bingo club licence shall—
- (a) not more than 6 weeks nor less than 2 weeks before the time of the court sitting at which the application is to be made, cause notice of the application to be published at least once in 2 newspapers circulating in the vicinity of the premises for which the licence is to be sought;
 - (b) not less than 3 weeks before that time, serve notice of the application upon the clerk of petty sessions and at the same time serve a copy of the notice upon—

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- (i) the sub-divisional commander of the police sub-division in which the premises are situated;
 - (ii) where the applicant resides in some other police sub-division, the sub-divisional commander of that sub-division;
 - (iii) the district council for the district in which the bingo club premises are situated;
- (c) during the 2 weeks before that time, cause notice of the application to be displayed outside the premises for which the licence is to be sought.

2.—(1) The notice mentioned in paragraph 1 shall specify—

- (a) the name of the applicant;
- (b) the name of the bingo club;
- (c) the address of the premises for which the licence is sought;
- (d) the name of the owner of the premises;

and shall be in such form and shall contain such other information as may be prescribed by magistrates' courts rules.

(2) Without prejudice to sub-paragraph (1), where the notice mentioned in paragraph 1 relates to an application to be made by a body corporate, the notice served under paragraph 1(b) shall specify—

- (a) the names of the directors of the body corporate;
- (b) the names of any persons who have executive control of the body corporate;
- (c) the names of any persons who have a financial interest in the body corporate; and
- (d) a statement of the nature and extent of the financial interest of persons mentioned in head (c) (including a description of any right of direction or instruction to the directors given by that financial interest).

3. The applicant shall attach to the notice mentioned in paragraph 1(b) the receipt issued by the Department under Article 172(3) in respect of payment of the charge specified in Article 172(1)(g).

4. Any person shall be entitled to appear at the hearing of the application and object to the grant of the bingo club licence on any of the grounds mentioned in Article 63(4) and (6).

5. A person intending to object under paragraph 4 shall, not less than 1 week before the time mentioned in paragraph 1(a),—

- (a) serve upon the applicant notice of his intention to object briefly stating his grounds for so doing;
- (b) serve a copy of the notice upon the clerk of petty sessions.

PART II

PROVISIONAL GRANT OF BINGO CLUB LICENCES

6. Part I shall apply for the purposes of an application for the provisional grant of a bingo club licence subject to the following modifications—

- (a) for any reference to the grant of a bingo club licence there shall be substituted a reference to the provisional grant of such a licence;
- (b) where the application relates to premises about to be constructed, or in the course of construction, for any reference to the vicinity, the police sub-division or the district in which the premises are situated there shall be substituted a reference to the vicinity, the police sub-division or the district in which the premises are to be situated and in paragraph

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- 1(c) after the word “premises” there shall be inserted the words “ or the site of the proposed premises ”;
- (c) in paragraph 2(1)(c) and (d) after the word “premises” there shall be inserted the words “ or proposed premises ”;
- (d) in paragraph 3, for the words from “the receipt issued” onwards there shall be substituted the words “ a plan of the premises for which the provisional licence is sought showing the premises as they will be when their construction, alteration or extension has been completed ”.

PART III

APPLICATIONS TO HAVE PROVISIONAL GRANT OF BINGO CLUB LICENCES DECLARED FINAL

7. A person who intends to make an application to have the provisional grant of a bingo club licence declared final shall not less than 3 weeks before the time of the court sitting at which the application is to be made, serve notice of the application upon the clerk of petty sessions and at the same time serve a copy of the notice upon the sub-divisional commander of the police sub-division in which the premises for which the licence was provisionally granted are situated.
8. The applicant shall attach to the notice mentioned in paragraph 7 the receipt issued by the Department under Article 172(3) in respect of payment of the charge specified in Article 172(1)(h).
9. Before or at the hearing of the application to have the provisional grant of a bingo club licence declared final, the applicant shall deposit the licence with the clerk of petty sessions.

SCHEDULE 10

Articles 67(2), 68(1), (2)(a) and (3), 69(2)
and 187(1).

APPLICATIONS FOR THE RENEWAL OF BINGO CLUB LICENCES

PART I

GENERAL PROCEDURE

1. [^{F20}The Department of Justice] shall, not less than 6 weeks before the renewal date, cause notice of that date and of the provisions of paragraph 5 to be published in 2 newspapers circulating [^{F20}throughout Northern Ireland] .

F20 Words in Sch. 10 para. 1 substituted (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 91(15) (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k) (with art. 3)

2. A person who intends to make an application for the renewal of a bingo club licence shall, not less than 3 weeks before the renewal date, serve notice of the application upon the clerk of petty sessions and at the same time serve a copy of the notice upon—
- (a) the sub-divisional commander of the police sub-division in which the bingo club premises are situated; and
- (b) where the applicant resides in some other police sub-division, the sub-divisional commander of that sub-division; and

(c) the district council for the district in which the bingo club premises are situated.

3.—(1) The notice mentioned in paragraph 2 shall be in such form and shall contain such information as may be prescribed by magistrates' courts rules.

(2) Without prejudice to sub-paragraph (1), where the notice mentioned in paragraph 2 relates to an application to be made by a body corporate that notice shall specify—

- (a) the names of the directors of the body corporate;
- (b) the names of any persons who have executive control of the body corporate;
- (c) the names of any persons who have a financial interest in the body corporate; and
- (d) a statement of the nature and extent of the financial interest of persons mentioned in head (c) (including a description of any right of direction or instruction to the directors given by that financial interest);

and shall specify details of any change in the information specified under heads (a) to (d) from the information so specified on the application for the last previous renewal of the bingo club licence (or, where the renewal is the first renewal of the licence, on the application for the grant of the licence).

4. The applicant shall attach to the notice mentioned in paragraph 2 the receipt issued by the Department under Article 172(3) in respect of payment of the charge specified in Article 172(1)(i).

5. Any person shall be entitled to appear at the hearing of the application and object to the renewal of the bingo club licence on any of the grounds mentioned in Article 68(2) and (4).

6. A person intending to object under paragraph 5 shall, not less than 1 week before the renewal date,—

- (a) serve upon the applicant notice of his intention to object briefly stating his grounds for so doing;
- (b) serve a copy of the notice upon the clerk of petty sessions.

7. Before the renewal date, the applicant shall deposit the bingo club licence with the clerk of petty sessions.

PART II

PROCEDURE FOR RENEWAL OUT OF TIME

8. Part I shall apply for the purposes of an application under Article 69(1) for the renewal of a bingo club licence subject to the following modifications—

- (a) paragraph 1 shall be omitted;
- (b) in paragraphs 2, 6 and 7 for any reference to the renewal date there shall be substituted a reference to the time of the court sitting at which the application is to be made.

Changes to legislation: The Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 is up to date with all changes known to be in force on or before 04 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

SCHEDULE 11

Articles 85(2), (4), (7), (8)(a) and (9) and
187(1).

APPLICATIONS FOR THE GRANT OF GAMING MACHINE
CERTIFICATES AND GAMING MACHINE PERMITS

PART I

GAMING MACHINE CERTIFICATES

1. A person who intends to make an application for the grant of a gaming machine certificate shall—
 - (a) not more than 6 weeks or less than 2 weeks before the time of the court sitting at which the application is to be made, cause notice of the application to be published at least once in 2 newspapers circulating in the vicinity of the premises in which the applicant carries on his business and in the area in which he resides;
 - (b) not less than 3 weeks before that time, serve notice of the application upon the clerk of petty sessions and at the same time serve a copy of the notice upon—
 - (i) the sub-divisional commander of the police sub-division in which the premises in which the applicant carries on his business are situated; and
 - (ii) where the applicant resides in some other police sub-division, the sub-divisional commander of that sub-division.
- 2.—(1) The notice mentioned in paragraph 1 shall specify—
 - (a) the name of the applicant;
 - (b) the name of the owner of the business;
 - (c) whether the application is in respect of a gaming machine certificate for—
 - (i) the supply of gaming machines; or
 - (ii) the maintenance of the mechanism of gaming machines; or
 - (iii) the supply and maintenance of the mechanism of gaming machines;and shall be in such form and shall contain such other information as may be prescribed by magistrates' courts rules.

(2) Without prejudice to sub-paragraph (1) where the notice mentioned in paragraph 1 relates to an application to be made by a body corporate, the notice served under paragraph 1(b) shall specify—

 - (a) the names of the directors of the body corporate;
 - (b) the names of any persons who have executive control of the body corporate;
 - (c) the names of any persons who have a financial interest in the body corporate; and
 - (d) a statement of the nature and extent of the financial interest of persons mentioned in head (c) (including a description of any right of direction or instruction to the directors given by that financial interest).
3. The applicant shall attach to the notice mentioned in paragraph 1(b) the receipt issued by the Department under Article 172(3) in respect of payment of the charge specified in Article 172(1)(j).
4. Any person shall be entitled to appear at the hearing of the application and object to the grant of the gaming machine certificate on any of the grounds mentioned in Article 85(8) and (10).

Changes to legislation: *The Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 is up to date with all changes known to be in force on or before 04 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*

5. A person intending to object under paragraph 4 shall, not less than 1 week before the time mentioned in paragraph 1(a),—

- (a) serve upon the applicant notice of his intention to object briefly stating his grounds for so doing;
- (b) serve a copy of the notice upon the clerk of petty sessions.

PART II

GAMING MACHINE PERMITS

6. Part I shall apply for the purposes of an application for the grant of a gaming machine permit subject to the following modifications—

- (a) paragraph 1(a) shall be omitted;
- (b) in paragraphs 1(b) and 5 for any reference to the time mentioned in paragraph 1(a) there shall be substituted a reference to the time of the court sitting at which the application is to be made;
- (c) paragraph 1(b)(i) shall be omitted;
- (d) for paragraph 2(1)(c) there shall be substituted—
 - “(c) the gaming machine in respect of which the permit is required;
 - (d) the circumstances in which the permit is required;
 - (e) whether the application is in respect of a gaming machine permit for—
 - (i) the supply of the gaming machine; or
 - (ii) the maintenance of the mechanism of the gaming machine; or
 - (iii) the supply and maintenance of the mechanism of the gaming machine” ;
- (e) paragraph 3 shall be omitted.

SCHEDULE 12

Articles 87(2), 88(1), (2)(a) and (3), 89(2)
and 187(1).

APPLICATIONS FOR THE RENEWAL OF GAMING MACHINE CERTIFICATES

PART I

GENERAL PROCEDURE

1. [^{F21}The Department of Justice] shall, not less than 6 weeks before the renewal date, cause notice of that date and of the provisions of paragraph 5 to be published in 2 newspapers circulating [^{F21}throughout Northern Ireland] .

F21 Words in Sch. 12 para. 1 substituted (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 91(16) (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k) (with art. 3)

2. A person who intends to make an application for the renewal of a gaming machine certificate shall, not less than 3 weeks before the renewal date, serve notice of the application upon the clerk of petty sessions and at the same time serve a copy of the notice upon—

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- (a) the sub-divisional commander of the police sub-division in which the premises in which the applicant carries on his business are situated; and
- (b) where the applicant resides in some other police sub-division, the sub-divisional commander of that sub-division.

3.—(1) The notice mentioned in paragraph 2 shall be in such form and shall contain such information as may be prescribed by magistrates' courts rules.

(2) Without prejudice to sub-paragraph (1), where the notice mentioned in paragraph 2 relates to an application to be made by a body corporate, that notice shall specify—

- (a) the names of the directors of the body corporate;
- (b) the names of any persons who have executive control of the body corporate;
- (c) the names of any persons who have a financial interest in the body corporate; and
- (d) a statement of the nature and extent of the financial interest of persons mentioned in head (c) (including a description of any right of direction or instruction to the directors given by that financial interest);

and shall specify details of any change in the information specified under heads (a) to (d) from the information so specified on the application for the last previous renewal of the gaming machine certificate (or where the renewal to be applied for is the first renewal of the certificate, on the application for the grant of the certificate).

4. The applicant shall attach to the notice mentioned in paragraph 2 the receipt issued by the Department under Article 172(3) in respect of payment of the charge specified in Article 172(1)(k).

5. Any person shall be entitled to appear at the hearing of the application and object to the renewal of the gaming machine certificate on any of the grounds mentioned in Article 88(2) and (4).

6. A person intending to object under paragraph 5 shall, not less than 1 week before the renewal date,—

- (a) serve upon the applicant notice of his intention to object briefly stating his grounds for so doing;
- (b) serve a copy of the notice upon the clerk of petty sessions.

7. Before the renewal date, the applicant shall deposit the gaming machine certificate with the clerk of petty sessions.

PART II

PROCEDURE FOR RENEWALS OUT OF TIME

8. Part I shall apply for the purposes of an application under Article 89(1) for the renewal of a gaming machine certificate subject to the following modifications—

- (a) paragraph 1 shall be omitted;
- (b) in paragraphs 2, 6 and 7 for any reference to the renewal date there shall be substituted a reference to the time of the court sitting at which the application is to be made.

SCHEDULE 13

Articles 96(2), (3), (4)(a) and (5) and
187(1).

APPLICATIONS FOR REGISTRATION OF CLUBS

1. A person who intends to make an application for the registration of a club shall—
 - (a) not less^[F22] than 1 year] before the time of the court sitting at which the application is to be made, serve notice of the application upon the clerk of petty sessions and at the same time serve a copy of the notice upon the sub-divisional commander of the police sub-division in which the premises of the club are situated;
 - (b) not more than 6 weeks nor less than 2 weeks before that time, cause notice of the application to be published at least once in 2 newspapers circulating in the vicinity of the premises of the club for which registration is to be sought;
 - (c) not less than 3 weeks before that time, serve notice of the application upon the clerk of petty sessions and at the same time serve a copy of the notice upon—
 - (i) the sub-divisional commander mentioned in sub-paragraph (a); and
 - (ii) the district council for the district in which the premises of the club are situated.

F22 2004 NI 1

2. The notice mentioned in paragraph 1 shall specify—
 - (a) the name of the club;
 - (b) the objects of the club;
 - (c) the address of the premises of the club;
 - (d) the name of the owner of the premises of the club;
 - (e) the estimated number of persons who will be members of the club during the period for which a certificate of registration will be in force;

and shall be in such form and shall contain such other information as may be prescribed by magistrates' courts rules.

3. Any person shall be entitled to appear at the hearing of the application and object to registration of the club on any of the grounds mentioned in Article 96(4) and (6).

4. A person intending to object under paragraph 3 shall, not less than 1 week before the time mentioned in paragraph 1(a),—

- (a) serve upon the applicant notice of his intention to object briefly stating his grounds for so doing;
- (b) serve a copy of the notice upon the clerk of petty sessions.

Changes to legislation: *The Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 is up to date with all changes known to be in force on or before 04 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*

SCHEDULE 14

Articles 98(2), 99(1), (2)(a) and (3), 100(2)
and 187(1).

APPLICATIONS FOR THE RENEWAL OF REGISTRATION OF CLUBS

PART I

GENERAL PROCEDURE

1. A person who intends to make an application for the renewal of the registration of a club shall—
 - (a) not more than 6 weeks nor less than 2 weeks before the renewal date, cause notice of the application to be published at least once in 2 newspapers circulating in the vicinity of the premises of the club for which renewal of registration is sought;
 - (b) not less than 3 weeks before the renewal date, serve notice of the application upon the clerk of petty sessions and at the same time serve a copy of the notice upon—
 - (i) the sub-divisional commander of the police sub-division in which the premises of the club are situated; and
 - (ii) the district council for the district in which the premises of the club are situated.
2. The notice mentioned in paragraph 1 shall be in such form and shall contain such information as may be prescribed by magistrates' courts rules.
3. Any person shall be entitled to appear at the hearing of the application and object to the renewal of registration on any of the grounds mentioned in Article 99(2) and (4).
4. A person intending to object under paragraph 3 shall, not less than 1 week before the renewal date,—
 - (a) serve upon the applicant notice of his intention to object briefly stating his grounds for so doing;
 - (b) serve a copy of the notice upon the clerk of petty sessions.
5. Before the renewal date, the applicant shall deposit the certificate of registration with the clerk of petty sessions.

PART II

PROCEDURE FOR RENEWALS OUT OF TIME

6. Part I shall apply for the purposes of an application under Article 100(1) for the renewal of the registration of a club subject to the modification that in paragraphs 1, 4 and 5 for any reference to the renewal date there shall be substituted a reference to the time of the court sitting at which the application is to be made.

SCHEDULE 15

Article 129.

RIGHTS OF LANDLORD WHERE TENANT CONVICTED OF PERMITTING USE OF PREMISES FOR GAMING

1. Upon the conviction of the tenant or occupier (in this Schedule referred to as “the tenant”), the lessor or landlord may require the tenant to assign the lease or other contract under which the premises are held by him to some person approved by the lessor or landlord.

2. If the tenant fails to do so within 3 months, the lessor or landlord may determine the lease or contract (but without prejudice to the rights or remedies of any party thereto accrued before the date of the determination).

3. Where the lease or contract is determined under this Schedule, the court by which the tenant was convicted may make a summary order for delivery of possession of the premises to the lessor or landlord.

4. The approval of the lessor or landlord for the purposes of paragraph 1 shall not be unreasonably withheld.

Para. 5 rep. by 1996 NI 5

6. This Schedule shall have effect subject to the Rent (Northern Ireland) Order 1978.

[^{F23}SCHEDULE 15A

Lotteries and competitions: requirement to pay in order to participate

F23 Sch. 15A inserted (27.4.2022) by [Betting, Gaming, Lotteries and Amusements \(Amendment\) Act \(Northern Ireland\) 2022 \(c. 14\)](#), [ss. 9\(2\), 17\(2\)](#), [Sch.](#)

Introduction

1. This Schedule makes provision about the circumstances in which an arrangement is to be or not to be treated for the purposes of Articles 131(2) and 168(2A) as requiring persons to pay in order to participate in the arrangement.

Meaning of payment

2. For the purposes of Articles 131(2) and 168(2A) and this Schedule a reference to paying includes a reference to—

- (a) paying money,
- (b) transferring money’s worth, and
- (c) paying for goods or services at a price or rate which reflects the opportunity to participate in an arrangement.

3. It is immaterial for the purposes of Articles 131(2) and 168(2A) and this Schedule—

- (a) to whom a payment is made, and
- (b) who receives benefit from a payment.

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4. It is also immaterial for the purposes of Articles 131(2) and 168(2A) and this Schedule whether a person knows when making a payment that the person thereby participates in an arrangement.

Stamps, telephone calls, etc.

5.—(1) For the purposes of Articles 131(2) and 168(2A) and this Schedule a reference to paying does not include a reference to incurring the expense, at a normal rate, of—

- (a) sending a letter by ordinary post,
- (b) making a telephone call, or
- (c) using any other method of communication.

(2) For the purpose of sub-paragraph (1)—

- (a) a “normal rate” is a rate which does not reflect the opportunity to enter a lottery, and
- (b) ordinary post means ordinary first-class or second-class post (without special arrangements for delivery).

Payment to discover whether prize won

6. For the purposes of Articles 131(2) and 168(2A) and this Schedule a requirement to pay in order to discover whether a prize has been won under an arrangement is to be treated as a requirement to pay in order to participate in the arrangement.

Payment to claim prize

7. For the purposes of Articles 131(2) and 168(2A) and this Schedule a requirement to pay in order to take possession of a prize which has or may have been allocated to a person under an arrangement is to be treated as a requirement to pay in order to participate in the arrangement.

Choice of free entry

8.—(1) For the purposes of Article 131(2) and 168(2A) and this Schedule an arrangement is not to be treated as requiring persons to pay in order to participate if under the arrangement—

- (a) each individual who is eligible to participate has a choice whether to participate by paying or by sending a communication,
- (b) the communication mentioned in paragraph (a) may be either a letter sent by ordinary post, or another method of communication which is neither more expensive nor less convenient than paying to participate in the arrangement,
- (c) the choice is publicised in such a way as to be likely to come to the attention of each individual who proposes to participate, and
- (d) the system for allocating prizes does not differentiate between those who participate by paying and those who participate by sending a communication.

(2) In this paragraph “ordinary post” has the meaning given by paragraph 5(2)(b).

Power to make regulations

9. Regulations may provide that an activity of a specified kind or performed in specified circumstances is to be or not to be treated for the purposes of Articles 131(2) and 168(2A) as paying to participate in an arrangement.]

SCHEDULE 16

Articles 142(2), (3), (4)(a), and (5) and
187(1).

APPLICATIONS FOR THE GRANT OF LOTTERY CERTIFICATES

1. A person who intends to make an application for the grant of a lottery certificate shall—
 - (a) not more than 6 weeks nor less than 2 weeks before the time of the court sitting at which the application is to be made, cause notice of the application to be published at least once in 2 newspapers circulating in the vicinity of the premises in which the applicant carries on his business and in the area in which he resides;
 - (b) not less than 3 weeks before that time, serve notice of the application upon the clerk of petty sessions and at the same time serve a copy of the notice upon—
 - (i) the sub-divisional commander of the police sub-division in which the premises in which the applicant carries on his business are situated; and
 - (ii) where the applicant resides in some other police sub-division, the sub-divisional commander of that sub-division.
- 2.—(1) The notice mentioned in paragraph 1 shall be in such form and shall contain such information as may be prescribed by magistrates' courts rules.
(2) Without prejudice to sub-paragraph (1), where the notice mentioned in paragraph 1 relates to an application to be made by a body corporate the notice served under paragraph 1(b) shall specify—
 - (a) the names of the directors of the body corporate;
 - (b) the names of any persons who have executive control of the body corporate;
 - (c) the names of any persons who have a financial interest in the body corporate; and
 - (d) a statement of the nature and extent of the financial interest of persons mentioned in head (c) (including a description of any right of direction or instruction to the directors given by that financial interest).
3. Any person shall be entitled to appear at the hearing of the application and object to the grant of the lottery certificate on any of the grounds mentioned in Article 142(4) and (6).
4. A person intending to object under paragraph 3 shall, not less than 1 week before the time mentioned in paragraph 1(a),—
 - (a) serve upon the applicant notice of his intention to object briefly stating his grounds for so doing;
 - (b) serve a copy of the notice upon the clerk of petty sessions.

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SCHEDULE 17

Articles 144(2), 145(2)(a) and (3), 146(2)
and 187(1).

APPLICATIONS FOR THE RENEWAL OF LOTTERY CERTIFICATES

PART I

GENERAL PROCEDURE

1. [^{F24}The Department of Justice] shall, not less than 6 weeks before the renewal date, cause notice of that date and of the provisions of paragraph 4 to be published in 2 newspapers circulating [^{F24}throughout Northern Ireland] .

F24 Words in Sch. 17 para. 1 substituted (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 91(17) (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k) (with art. 3)

2. A person who intends to make an application for the renewal of a lottery certificate shall, not less than 3 weeks before the renewal date, serve notice of the application upon the clerk of petty sessions and at the same time serve a copy of the notice upon—

- (a) the sub-divisional commander of the police sub-division in which the premises in which the applicant carries on his business are situated; and
- (b) where the applicant resides in some other police sub-division, the sub-divisional commander of that sub-division.

3.—(1) The notice mentioned in paragraph 2 shall be in such form and contain such information as may be prescribed by magistrates' courts rules.

(2) Without prejudice to sub-paragraph (1), where the notice mentioned in paragraph 2 relates to an application to be made by a body corporate that notice shall specify—

- (a) the names of the directors of the body corporate;
- (b) the names of any persons who have executive control of the body corporate;
- (c) the names of any persons who have a financial interest in the body corporate; and
- (d) a statement of the nature and extent of the financial interest of persons mentioned in head (c) (including a description of any right of direction or instruction to the directors given by that financial interest);

and shall specify details of any change in the information under heads (a) to (d) from the information so specified on the application for the last previous renewal of the lottery certificate (or where the renewal to be applied for is the first renewal of the certificate, on the application for the grant of the certificate).

4. Any person shall be entitled to appear at the hearing of the application and object to the renewal of the lottery certificate on any of the grounds mentioned in Article 145(2) and (4).

5. A person intending to object under paragraph 4 shall, not less than 1 week before the renewal date,—

- (a) serve upon the applicant notice of his intention to object briefly stating his grounds for so doing;
- (b) serve a copy of the notice upon the clerk of petty sessions.

6. Before the renewal date, the applicant shall deposit the lottery certificate with the clerk of petty sessions.

Changes to legislation: *The Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 is up to date with all changes known to be in force on or before 04 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*

PART II

PROCEDURE FOR RENEWALS OUT OF TIME

7. Part I shall apply for the purposes of an application under Article 146(1) for the renewal of a lottery certificate, subject to the following modifications—

- (a) paragraph 1 shall be omitted;
- (b) in paragraphs 2, 5 and 6 for any reference to the renewal date there shall be substituted a reference to the time of the court sitting at which the application is to be made.

SCHEDULE 18

Article 181.

TABLE OF OFFENCES WITH MODE OF PROSECUTION AND PUNISHMENTS

Article of Order	General nature of offence	Mode of prosecution	Punishment
3(4)	Using premises for betting.	(a) (a) Indictment (b) Summary	(a) (a) A fine or imprisonment for 2 years or both. (b) The statutory maximum or imprisonment for 6 months or both.
4(1)	Resorting to premises used for betting.	Summary	Level 3.
4(2)	Failure to give name and address to constable, etc.	Summary	Level 1.
5(1)	Betting in streets and public places.	Summary	Level 4 or imprisonment for 3 months or both.
6	Carrying on business, etc., as a bookmaker without a bookmaker's licence.	(a) (a) Indictment (b) Summary	(a) (a) A fine or imprisonment for 2 years or both. (b) The statutory maximum or imprisonment for 6 months or both.
9	Licensed bookmaker carrying on business, etc., in premises	(a) (a) Indictment (b) Summary	(a) (a) A fine or imprisonment

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	without a bookmaking office licence.			for 2 years or both.
				(b) The statutory maximum or imprisonment for 6 months or both.
31(2)	Opening licensed office for business on prohibited days.	(a) (a) Indictment (b) Summary	(a) (a) A fine or imprisonment for 2 years or both. (b) The statutory maximum or imprisonment for 6 months or both.	
32(9)	Contravention of provisions for conduct of licensed office.	(a) (a) Indictment (b) Summary	(a) (a) A fine or imprisonment for 2 years or both. (b) The statutory maximum or imprisonment for 6 months or both.	
32(11)	Advertising licensed office.	Summary	Level 5 or imprisonment for 6 months or both.	
33	Employment of agents.	Summary	Level 5 or imprisonment for 6 months or both.	
34(1)	Employment of disqualified persons.	Summary	Level 5 or imprisonment for 6 months or both.	
35(2)	Failure to leave licensed office when so requested.	Summary	Level 3.	
36(4)	Bookmaking on tracks without a track betting licence or in contravention of regulations, betting on different sport from that taking place on the track.	(a) (a) Indictment (b) Summary	(a) (a) A fine or imprisonment for 2 years or both. (b) The statutory maximum or imprisonment	

Changes to legislation: The Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 is up to date with all changes known to be in force on or before 04 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

				for 6 months or both.
41(3)	Failure to surrender track betting licence after cancellation.	Summary		Level 4 or imprisonment for 3 months or both.
42(5)	Failure to surrender track betting licence after revocation.	Summary		Level 4 or imprisonment for 3 months or both.
43(2)	Contravention of regulations relating to licensed tracks.	(a) (a) Indictment (b) Summary	(a) (a) A fine or imprisonment for 2 years or both. (b) The statutory maximum or imprisonment for 6 months or both.	
44(4)	Carrying on pool betting business otherwise than by totalisator or on licensed track.	(a) (a) Indictment (b) Summary	(a) (a) A fine or imprisonment for 2 years or both. (b) The statutory maximum or imprisonment for 6 months or both.	
46(2)	Excessive charge for admission to licensed track.	Summary		Level 5 or imprisonment for 6 months or both.
48(2)	Betting on tracks on prohibited days.	(a) (a) Indictment (b) Summary	(a) (a) A fine or imprisonment for 2 years or both. (b) The statutory maximum or imprisonment for 6 months or both.	
49(2)	Occupiers of tracks having interest in bookmaking on the track.	Summary		Level 5 or imprisonment for 6 months or both.
50(3)	Admitting a person under 18 into, or allowing such a person	Summary		Level 3.

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	to be in, a licensed office.		
50(6)	Failure to produce a contract of apprenticeship to a constable.	Summary	Level 2.
51(1)	Betting with persons under 18 ^[F25] or, as the case may be, 16].	Summary	Level 5 or imprisonment for 6 months or both.
51(2)	Person under 18 ^[F25] or, as the case may be, 16] not allowed to bet.	Summary	Level 3.
51(5)	Application of offence under Article 50(6).	As for offence under Article 50(6)	As for offence under Article 50(6).
52(1)	Sending betting circulars to persons under 18 ^[F25] or, as the case may be, 16].	Summary	Level 5 or imprisonment for 6 months or both.
58(1)	Gaming in streets and public places.	Summary	Level 4 or imprisonment for 3 months or both.
59(1)	Organising or managing prohibited gaming, charging for gaming or levying stakes on winnings.	(a) (a) Indictment (b) Summary	(a) (a) A fine or imprisonment for 2 years or both. (b) The statutory maximum or imprisonment for 6 months or both.
59(3)	Allowing or letting premises, etc., for prohibited gaming, etc.	(a) (a) Indictment (b) Summary	(a) (a) A fine or imprisonment for 2 years or both. (b) The statutory maximum or imprisonment for 6 months or both.
78(1)	Failure to comply with Article 75 or 76 in relation to bingo club premises.	(a) (a) Indictment (b) Summary	(a) (a) A fine or imprisonment for 2 years or both.

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			(b) The statutory maximum or imprisonment for 6 months or both.
78(2)	Failure to comply with Article 75 or 76 in relation to gaming on bingo club premises.	(a) (a) Indictment (b) Summary	(a) (a) A fine or imprisonment for 2 years or both. (b) The statutory maximum or imprisonment for 6 months or both.
81(1)	Supplying gaming machine without a gaming machine certificate or permit.	(a) (a) Indictment (b) Summary	(a) (a) A fine or imprisonment for 2 years or both. (b) The statutory maximum or imprisonment for 6 months or both.
81(4)	Maintaining the mechanism of a gaming machine without a gaming machine certificate or permit.	(a) (a) Indictment (b) Summary	(a) (a) A fine or imprisonment for 2 years or both. (b) The statutory maximum or imprisonment for 6 months or both.
82(5)	Supplying, etc., gaming machine in contravention of regulations.	(a) (a) Indictment (b) Summary	(a) (a) A fine or imprisonment for 2 years or both. (b) The statutory maximum or imprisonment for 6 months or both.
95(2)	Allowing gaming machine on prohibited premises.	(a) (a) Indictment (b) Summary	(a) (a) A fine or imprisonment

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				for 2 years or both.
				(b) The statutory maximum or imprisonment for 6 months or both.
95(3)	Allowing gaming machine supplied by unauthorised supplier to be used for gaming.	(a) (a) Indictment (b) Summary	(a) (a) A fine or imprisonment for 2 years or both. (b) The statutory maximum or imprisonment for 6 months or both.	
95(5)	Supplying gaming machine for use on prohibited premises.	(a) (a) Indictment (b) Summary	(a) (a) A fine or imprisonment for 2 years or both. (b) The statutory maximum or imprisonment for 6 months or both.	
106(8)	Contravention of provisions regulating gaming machines in registered clubs.	(a) (a) Indictment (b) Summary	(a) (a) A fine or imprisonment for 2 years or both. (b) The statutory maximum or imprisonment for 6 months or both.	
106(10)	Supplying gaming machine for use in contravention of Article 106.	(a) (a) Indictment (b) Summary	(a) (a) A fine or imprisonment for 6 months or both. (b) The statutory maximum or imprisonment for 6 months or both.	
108(11)	Contravention of provisions regulating	(a) (a) Indictment	(a) (a) A fine or	

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	gaming machines in certain premises.	(b) Summary	imprisonment for 2 years or both. (b) The statutory maximum or imprisonment for 6 months or both.
108(12)	Contravention of provisions regulating gaming machines in bingo clubs.	(a) (a) Indictment (b) Summary	(a) (a) A fine or imprisonment for 2 years or both. (b) The statutory maximum or imprisonment for 6 months or both.
108(14)	Supplying gaming machine for use in contravention of Article 108.	(a) (a) Indictment (b) Summary	(a) (a) A fine or imprisonment for 2 years or both. (b) The statutory maximum or imprisonment for 6 months or both.
120(1)	Breach of conditions of amusement permit.	(a) (a) Indictment (b) Summary	(a) (a) A fine or imprisonment for 2 years or both. (b) The statutory maximum or imprisonment for 6 months or both.
122(6)	Contravention of provisions regulating gaming machines at exempt entertainments.	(a) (a) Indictment (b) Summary	(a) (a) A fine or imprisonment for 2 years or both. (b) The statutory maximum or imprisonment for 6 months or both.

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122(8)	Supplying gaming machine for use in contravention of Article 122.	(a) (a) Indictment (b) Summary	(a) (a) A fine or imprisonment for 2 years or both. (b) The statutory maximum or imprisonment for 6 months or both.
123(3)	Unauthorised person removing money from a gaming machine.	(a) (a) Indictment (b) Summary	(a) (a) A fine or imprisonment for 2 years or both. (b) The statutory maximum or imprisonment for 6 months or both.
124(2)	Supplying or maintaining gaming machine in contravention of regulations.	(a) (a) Indictment (b) Summary	(a) (a) A fine or imprisonment for 2 years or both. (b) The statutory maximum or imprisonment for 6 months or both.
124(3)	Using gaming machine in contravention of regulations.	(a) (a) Indictment (b) Summary	(a) (a) A fine or imprisonment for 2 years or both. (b) The statutory maximum or imprisonment for 6 months or both.
124(4)	Contravening regulations relating to use of gaming machines.	(a) (a) Indictment (b) Summary	(a) (a) A fine or imprisonment for 2 years or both. (b) The statutory maximum or imprisonment

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				for 6 months or both.
[^{F26} 124A(1).	Inviting, etc. person under 18 to play gaming machine	Summary.		Level 5 or imprisonment for 6 months or both.]
126(12)	Organising or managing gaming at entertainment in contravention of Article 126.	(a) (a) Indictment (b) Summary	(a) (a) A fine or imprisonment for 2 years or both. (b) The statutory maximum or imprisonment for 6 months or both.	
126(14)	Allowing or letting premises, etc., for gaming in contravention of Article 126.	(a) (a) Indictment (b) Summary	(a) (a) A fine or imprisonment for 2 years or both. (b) The statutory maximum or imprisonment for 6 months or both.	
130(1)	Advertising gaming.	(a) (a) Indictment (b) Summary	(a) (a) A fine or imprisonment for 2 years or both. (b) The statutory maximum or imprisonment for 6 months or both.	
132(1)	General lottery offences.	(a) (a) Indictment (b) Summary	(a) (a) A fine or imprisonment for 2 years or both. (b) The statutory maximum or imprisonment for 6 months or both.	
133(6)	Contravention of conditions relating to small lotteries.	(a) (a) Indictment (b) Summary	(a) (a) A fine or imprisonment	

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				for 2 years or both.
				(b) The statutory maximum or imprisonment for 6 months or both.
134(2)	Contravention of conditions relating to private lotteries.	(a) (a) Indictment (b) Summary	(a) (a) A fine or imprisonment for 2 years or both. (b) The statutory maximum or imprisonment for 6 months or both.	
137(20)	Obstructing officers of a district council.	Summary		Level 3.
139(1)	Contravention of requirements relating to societies' lotteries.	(a) (a) Indictment (b) Summary	(a) (a) A fine or imprisonment for 2 years or both. (b) The statutory maximum or imprisonment for 6 months or both.	
139(2)	Making a false return.	(a) (a) Indictment (b) Summary	(a) (a) A fine or imprisonment for 2 years or both. (b) The statutory maximum or imprisonment for 6 months or both.	
140	Acting as lottery consultant without a lottery certificate.	(a) (a) Indictment (b) Summary	(a) (a) A fine or imprisonment for 2 years or both. (b) The statutory maximum or imprisonment	

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				for 6 months or both.
153(7)	Contravention of conditions relating to amusements with prizes at exempt entertainments.	(a) (a) Indictment (b) Summary	(a) (a) A fine or imprisonment for 2 years or both. (b) The statutory maximum or imprisonment for 6 months or both.	
154(5)	Contravention of conditions relating to amusements with prizes at certain other places.	(a) (a) Indictment (b) Summary	(a) (a) A fine or imprisonment for 2 years or both. (b) The statutory maximum or imprisonment for 6 months or both.	
166(1)	Breach of conditions of pleasure permit.	(a) (a) Indictment (b) Summary	(a) (a) A fine or imprisonment for 2 years or both. (b) The statutory maximum or imprisonment for 6 months or both.	
168(3)	Conducting prize competitions.	(a) (a) Indictment (b) Summary	(a) (a) A fine or imprisonment for 2 years or both. (b) The statutory maximum or imprisonment for 6 months or both.	
169	Cheating.	(a) (a) Indictment (b) Summary	(a) (a) A fine or imprisonment for 2 years or both. (b) The statutory maximum or	

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				imprisonment for 6 months or both.
180(2)	Failure to admit constable to premises for inspection, etc., failing to answer questions or giving false answers.	Summary	Level 4.	
185(1)	Failure to comply with court order to deliver licence, certificate or permit to court.	Summary	Level 4 or imprisonment for 3 months or both.	
Schedule 5 para. 6(2)	Failure to comply with court order to deposit bookmaking office licence with court.	Summary	Level 4 or imprisonment for 3 months or both.	
Schedule 8 para. 11(2)	Obstructing officers of Department, failing to give information or giving false information.	Summary	Level 3.	
Schedule 8 para. 16	Contravening provisions relating to totalisators.	(a) (a) Indictment (b) Summary	(a) (a) A fine or imprisonment for 2 years or both. (b) The statutory maximum or imprisonment for 6 months or both.	

F25 1994 NI 8
F26 Words in Sch. 18 inserted (1.10.2023) by [Betting, Gaming, Lotteries and Amusements \(Amendment\) Act \(Northern Ireland\) 2022 \(c. 14\)](#), **ss. 7(2)**, 17(3); S.R. 2023/74, art. 2, Sch.

SCHEDULE 20

Article 187(3).

TRANSITIONAL PROVISIONS

Existing licences

1.—(1) Notwithstanding the repeal of the Act of 1957 by Article 187(4) and Schedule 21, any bookmaker's licence or bookmaking office licence issued under that Act and in force immediately before the commencement date shall on and after that date be deemed to be such a licence granted by a court of summary jurisdiction and shall, unless revoked or a disqualification order takes effect under Article 30 or 53, continue in force until the 30th September next following that date.

(2) Notwithstanding the repeal of the Dog Races (Restriction) Act (Northern Ireland) 1946 by Article 187(4) and Schedule 21, any licence granted under section 2 of that Act and in force immediately before the commencement date shall on and after that date be deemed to be a track betting licence granted by the Department and shall, unless cancelled or revoked, continue in force for a period of 7 years from that date.

Applications for certificates

2.—(1) Where, before the commencement date, notice of an application to a court of summary jurisdiction for the grant of a certificate of character under section 2 of the Act of 1957, has been published and served, the application may be treated by the court as an application under Part II for the grant of a bookmaker's licence and the court may treat the application as complying with Schedule 1 notwithstanding that some provision of that Schedule has not been complied with.

(2) Where, before the commencement date, notice of an application to a court of summary jurisdiction for the grant of a certificate of suitability under section 6 of the Act of 1957 has been published and served, the application may be treated by the court as an application under Part II for the grant of a bookmaking office licence and the court may treat the application as complying with Schedule 2 notwithstanding that some provision of that Schedule has not been complied with.

Renewals of bookmaking office licences

3.—(1) Notwithstanding the provisions of Article 18, on the first occasion on which, after the commencement date, an application is made for the renewal of a bookmaking office licence, the clerk of petty sessions shall require the application to be made to a court of summary jurisdiction.

(2) Article 13 shall apply on the renewal of a bookmaking office licence to which sub-paragraph (1) applies as it applies on the grant of a bookmaking office licence with the substitution—

- (a) for any reference to the court granting a bookmaking office licence of a reference to a court renewing a bookmaking office licence; and
- (b) for the reference in paragraph (2) to the person whose name has been notified to the court as the owner of the premises of a reference to the person whose name is recorded in the register of licences, certificates and permits as the owner of the premises.

(3) Where a bookmaking office licence to which sub-paragraph (1) applies is renewed conditionally by virtue of sub-paragraph (2), Article 22(1) shall apply as if the licence were renewed at any time when it is declared unconditional.

Licensed bookmakers on certain tracks

4. For the purposes of Article 45(2)(b), where the occupier of any track holds, on the date of the making of this Order, a totalisator licence granted under section 21 of the Act of 1957 in respect of that track as an approved horse racecourse within the meaning of section 23 of the Act of 1957, or a licence granted under section 2 of the Dog Races (Restriction) Act (Northern Ireland) 1946 in respect of that track, paragraph (3) of that Article shall have effect as if for the reference to the 2

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years immediately preceding the introduction of a totalisator there were substituted a reference to the 2 years immediately preceding that date.

Registration of existing clubs

5.—(1) The chairman or secretary of a club in existence immediately before the commencement date may, within a period of 6 months after the commencement date,—

- (a) if the club will have been in existence for 2 years or, in the case of a sporting club, 1 year at the time of the court sitting at which the application is to be made, make an application under Article 96 for registration of the club; or
- (b) if the club will have been in existence for 2 years or, in the case of a sporting club, 1 year on a date after the end of that period, serve notice of the intention to make an application under Article 96 for registration of the club on or after that date upon the clerk of petty sessions and at the same time serve a copy of the notice upon the sub-divisional commander of the police sub-division in which the premises of the club are situated.

(2) Where by virtue of sub-paragraph (1) an application is made under Article 96 for registration of a club—

- (a) paragraph (4)(c) of that Article shall have effect as if there were inserted at the beginning the words “ that the club has been in existence, and ”; and
- (b) Schedule 13 shall have effect as if—
 - (i) paragraph 1(a) were omitted; and
 - (ii) in paragraph 1(b) for the words “that time” there were substituted the words “ the time of the court sitting at which the application is to be made ”; and
 - (iii) in paragraph 1(c) for the words “mentioned in sub-paragraph (a)” there were substituted the words “ of the police sub-division in which the premises of the club are situated ”; and
 - (iv) in paragraph (4) for “(a)” there were substituted “ (b) ”.

Lotteries of Art Unions

6.—(1) Notwithstanding the repeal of the Art Unions Act 1846 by Article 187(4) and Schedule 21, nothing in Part IV shall apply to any lottery promoted and conducted in accordance with that Act by any Art Union and any such lottery shall not be unlawful.

(2) In sub-paragraph (1) Art Union means a voluntary association constituted under that Act on or before the commencement date.

Saving

7. The provisions of this Schedule shall have effect without prejudice to section 29 of the Interpretation Act (Northern Ireland) 1954.

Interpretation

8. In this Schedule—

“The Act of 1957” means the Betting and Lotteries Act (Northern Ireland) 1957;

“commencement date” for the purposes of any provision of this Schedule, means the day appointed under Article 1(2) for the coming into operation of that provision.

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Schedule 21—Repeals

Changes to legislation:

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Changes and effects yet to be applied to :

- Instrument applied by [1997 c. 16 s.15\(3\)](#)
- art. 186(4) words substituted by [2022 c. 14 \(N.I.\) s. 15\(2\)\(b\)](#)

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