



Finance Act 2004

2004 CHAPTER 12

PART 1

EXCISE DUTIES

Betting and gaming duties

15 General betting duty: pool betting

- (1) The Betting and Gaming Duties Act 1981 (c. 63) shall be amended as follows.
- (2) For section 4 (pool betting, the Tote, &c.) substitute—

“4 Pool betting on horse and dog races

- (1) General betting duty shall be charged on pool betting which—
 - (a) relates only to horse racing or dog racing, and
 - (b) is not on-course betting.
 - (2) But subsection (1) does not apply to pool betting if—
 - (a) the promoter is outside the United Kingdom, and
 - (b) it is conducted otherwise than by means of a totalisator situated in the United Kingdom.
 - (3) The amount of duty charged under subsection (1) in respect of bets made by means of facilities provided by a person in an accounting period shall be 15 per cent. of the amount of his net stake receipts for the period.”
- (3) In section 5(7) (net stake receipts) and section 5B(4) (liability to pay) for “section 4(1) to (3)” substitute “ section 4(1) ”.
 - (4) In section 7B (conditions for charging pool betting duty)—
 - (a) in subsection (2)(b) omit “the bet is made otherwise than by means of a totalisator and”, and

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Finance Act 2004. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (b) for subsection (3)(a) and (b) substitute—
 - “(a) made wholly in relation to horse racing or dog racing.”
- (5) In section 9(2)(a) (prohibitions for protection of revenue)—
 - (a) at the end of sub-paragraph (i) add “ or ”, and
 - (b) in sub-paragraph (ii) for “in the case of bets made otherwise than by means of a totalisator,” substitute “ in any case, ”.
- (6) In section 10(2) (definition of pool betting) for the definition of “totalisator odds” substitute—
 - ““totalisator odds” means the odds paid on bets made—
 - (a) by means of a totalisator, and
 - (b) at the scene of the event to which the bets relate.”
- (7) In section 12(4) (interpretation)—
 - (a) for the definition of “bookmaker” substitute—
 - ““bookmaker” means a person who—
 - (a) carries on the business of receiving or negotiating bets or conducting pool betting operations (whether as principal or agent and whether regularly or not), or
 - (b) holds himself out or permits himself to be held out, in the course of a business, as a person within paragraph (a);”;
 - (b) for the definition of “on-course bet” substitute—
 - ““on-course bet” has the meaning given by subsection (4A);”, and
 - (c) omit the definition of “sponsored pool betting”.
- (8) After section 12(4) insert—
 - “(4A) A bet is an on-course bet for the purposes of this Part of this Act if it—
 - (a) is made by a person present at a horse or dog race meeting or by a bookmaker,
 - (b) is not made through an agent of an individual making the bet or through an intermediary, and
 - (c) is made—
 - (i) with a bookmaker present at the meeting, or
 - (ii) by means of a totalisator situated in the United Kingdom, using facilities provided at the meeting by or by arrangement with the person operating the totalisator.”
- (9) In paragraph 10(1) of Schedule 1 (betting duties: power of entry) omit the words “, or that facilities for sponsored pool betting on those events are being or are to be provided,”.
- (10) The amendments made by this section have effect in relation to accounting periods ending on or after the date of the passing of this Act.

16 Rates of gaming duty

- (1) For the Table in section 11(2) of the Finance Act 1997 (c. 16) (rates of gaming duty) substitute—

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Finance Act 2004. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

“TABLE

<i>Part of gross gaming yield</i>	<i>Rate</i>
The first £516,500	2.5 per cent.
The next £1,146,500	12.5 per cent.
The next £1,146,500	20 per cent.
The next £2,007,500	30 per cent.
The remainder	40 per cent.”

(2) This section has effect in relation to accounting periods beginning on or after 1st April 2004.

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to Finance Act 2004. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

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

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

- s. 236ZA inserted by [S.I. 2024/357 art. 2\(2\)](#)