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*Status: Point in time view as at 01/04/2016.*

*Changes to legislation: The Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985,*

*Cross Heading: Conduct of licensed tracks is up to date with all changes known to be in force on or before 31 July 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)*

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## STATUTORY INSTRUMENTS

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# 1985 No. 1204

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

### PART II

### BETTING

#### *Conduct of licensed tracks*

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

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

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

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

[<sup>F1</sup>(4) In paragraph (2) the reference to facilities shall be construed as a reference to facilities other than in relation to a permanent structure.]

**F1** 2004 NI 1

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

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

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

**48.**—(1) Betting by way of bookmaking or by means of a totalisator shall not take place on any track on<sup>F2</sup>. . . Christmas Day or Good Friday or at such other times, if any, as may be prescribed by regulations.

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

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

**F2** 2004 NI 1

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

**49.**—(1) It shall not be lawful for—

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

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

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

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

[<sup>F3</sup>(4) Paragraph (1) shall only apply in relation to bookmaking in connection with races run on that track.]

**F3** 2004 NI 1

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