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STATUTORY RULES OF NORTHERN IRELAND

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**2004 No. 353**

**BETTING, GAMING AND LOTTERIES**

**Gaming Machine (Form of Amusement  
Permit) Regulations (Northern Ireland) 2004**

*Made - - - - 19th August 2004*

*Coming into operation 30th September 2004*

The Department for Social Development, in exercise of the powers conferred on it by Article 114(1) of the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985<sup>(1)</sup> and now vested in it<sup>(2)</sup> and of all other powers enabling it in that behalf, hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Gaming Machine (Form of Amusement Permit) Regulations (Northern Ireland) 2004 and shall come into operation on 30th September 2004.

**Form of amusement permit**

2.—(1) An amusement permit shall be granted in Form 1 and renewed in Form 2 in the Schedule.

(2) There shall be entered on each permit such of the entries as are therein set out as relate to the grant or renewal of the permit by the district council.

**Revocation**

3. The Gaming Machine (Form of Amusement Permit) Regulations (Northern Ireland) 1986<sup>(3)</sup> are hereby revoked.

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(1) S.I.1985/1204 (N.I. 11) as amended by S.I. 2004/310 (N.I. 1); see Article 2(2) for the definitions of “the Department” and “regulations”  
(2) See Article 8(b) of and Part II of Schedule 6 to the Departments (Transfer and Assignment of Functions) Order (Northern Ireland) 1999 (S.R. 1999 No. 481)  
(3) S.R. 1986 No. 127

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Sealed with the Official Seal of the Department for Social Development on 19th August 2004.

L.S.

*Henry Johnston*  
A senior officer of the  
Department for Social Development

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SCHEDULE

Regulation 2(1)

FORM 1 PERMIT AUTHORISING GAMING BY MEANS OF GAMING MACHINES – AMUSEMENT PERMIT (Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985: Article 114)

PART I

PREMISES FOR WHICH PERMIT GRANTED

This permit is granted to .....  
*(full forenames and surname of holder of permit or, where holder of permit is a body corporate, title of body)*  
of .....  
*(full residential address or, where holder of permit is a body corporate, that of its registered or principal office)*

for the purposes of [Article 108(1)(e)] [Article 108(1)(ea)] of the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 and authorises gaming by means of gaming machines in accordance with the conditions specified in Article 108 of that Order at

.....  
*(address of premises for which permit is granted)*  
of which premises, being premises of the following kind, namely .....

.....  
the above-mentioned [is] [proposes to become] the occupier.

This permit is granted on condition that these premises are not to be used for an unlawful purpose or as a resort of persons of known bad character [and that not more than \*..... gaming machines may be made available for gaming on the premises].

The owner of the premises is .....  
*(full names)*  
of .....  
.....  
*(full address)*.

Dated the ..... day of ..... 20.....

Clerk  
..... Council

\* Where the district council has passed a resolution under Article 119(2)(c) of the said Order, insert here the number determined by the council under Article 111(5)(b).

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PART II

DETAILS AS TO GRANT OF PERMIT

A. (For completion in all cases EXCEPT where grant is provisional, in which case complete section G.)

This permit was granted to the holder of the permit specified in Part I hereof by the ..... Council on the ..... day of ..... 20..... and shall, subject to Article 114 of the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985, remain in force until the ..... day of ..... 20.....

B. (For completion where, under Article 111(6) of the said Order, the district council grants a permit subject to conditions.)

..... Council grants this permit subject to the following conditions:

.....  
.....  
.....

C. (For completion only where permit is granted for the purposes of Article 108(1)(ca) of the said Order and is therefore subject to the conditions in Article 111(6A) of that Order.)

..... Council grants this permit for the purposes of Article 108(1)(ca) of the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 subject to the conditions

- (a) in the case of premises where admission is restricted to persons aged 18 or over –
  - (i) that no person under 18 is admitted to the premises; and
  - (ii) that at any entrance to, and inside the premises there are prominently displayed notices indicating that access to the premises is prohibited to persons aged under 18; and
- (b) in the case of premises where admission is not restricted to persons aged 18 or over –
  - (i) that any machine in respect of which the condition mentioned in Article 108(8) of the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 is observed is located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access otherwise than by means of an entrance designed for the purpose;
  - (ii) that only persons aged 18 or over are admitted to an area of the premises in which any such machine is located;
  - (iii) that access to an area of the premises in which any such machine is located is supervised;
  - (iv) that any area of the premises in which any such machine is located is so arranged as to permit all parts of it to be observed; and
  - (v) that at any entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons aged under 18.

D. (For completion where the district council grants a permit subject to the condition in Article 112(1) of the said Order.)

..... Council grants this permit subject to the condition that the holder of the permit makes the following alterations to the premises before the ..... day of ..... 20.....:

.....  
.....  
.....

as detailed on plans to be deposited with the district council.

Notice of the last-mentioned condition was served on ..... of ..... (address) as owner of the premises in the following manner –

..... on the ..... day of ..... 20.....

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- F. *(For completion where, under Article 112(3) of the said Order, the district council extends the period fixed under Article 112(1) of the Order.)*

On the ..... day of ..... 20..... Council extended the period fixed for completion of the specified alterations to the premises so that these alterations must now be completed before the ..... day of ..... 20..... Accordingly this permit remains in force until the ..... day of ..... 20.....

- F. *(For completion where, under Article 112(5) of the said Order, the grant of a permit is declared unconditional.)*

The grant of this permit to ..... was declared unconditional on ..... Council being satisfied that alterations to the premises had been completed in accordance with the plans deposited with the district council. Accordingly this permit shall remain in force from the ..... day of ..... 20..... until the ..... day of ..... 20.....

- G. *(For completion where grant is provisional.)*

This permit was granted provisionally to the holder of the permit specified in Part 7 hereof by the ..... Council on the ..... day of ..... 20.....

It shall not authorise gaming by means of a gaming machine in accordance with the conditions specified in Article 108 of the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 until the grant of the amusement permit is declared final.

- H. *(For completion where, under Article 113 of the said Order, the provisional grant of a permit is declared final.)*

The grant of this permit to ..... was declared final on the ..... day of ..... 20..... Council being satisfied that the premises had been completed. Subject to Article 114 of the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985, this permit remains in force until the ..... day of ..... 20.....

FORM 2RENEWAL OF PERMIT AUTHORISING GAMING BY MEANS OF GAMING MACHINES – AMUSEMENT PERMIT(Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985: Article 115)

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Regulation 2(1)

PART I  
RENEWAL OF PERMIT

The permit granted to .....  
(full forenames and surname of holder of permit or, where holder of permit is a body corporate, title of body)  
of .....  
(full current residential address or, where holder of permit is a body corporate, that of its registered or principal office)  
for the purposes of [Article 108(1)(e)] [Article 108(1)(ea)] of the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 authorising gaming by means of gaming machines in accordance with the conditions specified in Article 108 of that Order at .....  
(address of premises for which permit granted)  
is renewed.

The permit is renewed on condition that these premises are not to be used for an unlawful purpose or as a resort of persons of known bad character [and that not more than \* ..... gaming machines may be made available for gaming on the premises].

Dated the ..... day of ..... 20.....

Clerk  
..... Council

\* Where the district council has passed a resolution under Article 110(2)(c) of the said Order, insert here the number determined by the council under Article 115(6)(b).

PART II  
DETAILS AS TO RENEWAL OF PERMIT

A (For completion in every case.)

The permit specified in Part I hereof was renewed by the ..... Council on the ..... day of ..... 20..... and shall, subject to Article 117 of the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 remain in force until the ..... day of ..... 20.....

B (For completion where, under Article 115(7) of the said Order, the district council renews a permit subject to conditions.)

..... Council renews this permit subject to the following conditions:  
.....  
.....  
.....

C (For completion only where permit is granted for the purposes of Article 108(1)(ea) of the said Order and is therefore subject to the conditions in Article 112(7A) of that Order.)

..... Council renews this permit, granted for the purposes of Article 108(1)(ea) of the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985, subject to the conditions –

- (a) in the case of premises where admission is restricted to persons aged 18 or over

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- (i) that no person under 18 is admitted to the premises; and
  - (ii) that at any entrance to, and inside the premises there are prominently displayed notices indicating that access to the premises is prohibited to persons aged under 18; and
- (b) in the case of premises where admission is not restricted to persons aged 18 or over –
- (i) that any machine in respect of which the condition mentioned in Article 108(8) of the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 is observed is located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access otherwise than by means of an entrance designed for the purpose;
  - (ii) that only persons aged 18 or over are admitted to an area of the premises in which any such machine is located;
  - (iii) that access to an area of the premises in which any such machine is located is supervised;
  - (iv) that any area of the premises in which any such machine is located is so arranged as to permit all parts of it to be observed; and
  - (v) that at any entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons aged under 18.
- 10 (For completion where the owner of the premises has changed since the permit was granted/renewed.)
- The owner of the premises is .....
- (full names)
- of .....
- (full address).

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### EXPLANATORY NOTE

*(This note is not part of the Regulations.)*

These Regulations prescribe the form of amusement permits.

They make provision for the form of an amusement permit granted for the purposes of Article 108(1) (c) or 108(1)(ca) of the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985. The latter permit is subject to conditions restricting access to the premises for which it is granted, or to an area within those premises, to people aged 18 or over.

They revoke and re-enact with changes the Gaming Machine (Form of Amusement Permit) Regulations (Northern Ireland) 1986.