

These notes refer to the Betting, Gaming, Lotteries and Amusements (Amendment) Act (Northern Ireland) 2022 (c.14) which received Royal Assent on 26 April 2022

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EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 1

Section 15: Industry Levy

Section 15(1) inserts a new Article 172A (Industry levy) after Article 172 of the 1985 Order.

Article 172A(1) and (2) allow the Department to make regulations with regard to the payment of a levy to the Department by every person who intends to apply for the grant or renewal of a bookmakers' licence, bookmaking office licence, bingo club licence, gaming machine certificate or permit and an amusement permit.

New Article 172A(2) further allows the Department to make regulations with regard to the payment of a levy by every person who intends to have the provisional grant of a bookmaking office licence, bingo club licence or amusement permit declared final.

New Article 172A(3) requires that any regulations made for the payment of a levy make provision for the amount of the levy and its general administration. Article 172A (3) also allows any regulations made to: - make provision for determining the amount of the levy according to a specified formula or other means; require the Department to issue a receipt in relation to levy payments; enable repayment of levies to those whose applications are refused; and modify the Order as necessary or expedient to give full effect to the levy.

New Articles 172A(4) and (5) specify that the proceeds of a levy are to be expended on projects related to gambling addiction or other associated forms of harm and exploitation, which includes treatment, education and research. Financial assistance may be provided by grants, loans or any other form of financial assistance. Before any such financial assistance can be paid, the Department must seek the consent of the Department of Finance to the expenditure.

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New Article 172A(6) requires that, before making regulations in relation to the levy, the Department must consult such organisations as appear to it to represent the interests of those who have suffered from, or been affected by, addiction to gambling, or other forms of harm or exploitation associated with gambling, or have knowledge or experience of the issues relating to such addiction, harm or exploitation and the gambling industry in Northern Ireland.

New Article 172A(7) clarifies what is meant by “gambling” for the purposes of this Article.

Section 15(2) of the Act introduces a new paragraph (3A) to Article 186 of the 1985 Order (Orders and regulations) which requires that regulations made under new Article 172A of the Order be laid before and approved by resolution of the Northern Ireland Assembly.