

STATUTORY INSTRUMENTS

1985 No. 1204

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

PART II N.I.

BETTING

Temporary continuance of business in other premises

***Temporary continuance of business in certain circumstances* N.I.**

26.—(1) Where any licensed office—

- (a) has, by reason of fire, tempest, or other unforeseen and unavoidable calamity, become incapable of being used for the business carried on in it under the bookmaking office licence; or
- (b) has been or, is likely to be, acquired or demolished, either wholly or to a substantial extent, under any statutory provision; or
- (c) has been or, is likely to be, extended to include premises which are, or are to be constructed so as to be, contiguous to it; or
- (d) is or is to be used for the purpose of the same business in conjunction with additional premises which are or are to be constructed adjacent to it; or
- (e) has been or is to be wholly or substantially demolished and new premises have been or are to be constructed wholly or partly within its curtilage;

and the licensed bookmaker is unable to carry on the business of a bookmaker in the licensed office, a court of summary jurisdiction may, on an application made by him in compliance with the procedure set out in Schedule 6, make an order authorising the continuance of that business in—

- (i) temporary premises erected or to be erected wholly or partly within the curtilage or on the site, of the licensed office; or
- (ii) premises in the vicinity of the licensed office or its site, for such period, not exceeding 6 months, as the court thinks fit.

(2) A court shall not make an order under paragraph (1) unless it is satisfied—

- (a) that the premises in which the business is proposed to be carried on are adequate for the conduct of the business and will continue to be adequate during the period of the order; and
- (b) that the premises are not premises in respect of which a disqualification order under Article 30 is in force; and
- (c) ^{F1}
- (d) that the licensed bookmaker either—

- (i) proposes to resume business in the licensed office within a reasonable period; or

Changes to legislation: *The Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985, Cross Heading: Temporary continuance of business in other premises is up to date with all changes known to be in force on or before 29 June 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*

(ii) has made an application for a new bookmaking office licence for those or other premises, or proposes to do so within a reasonable period.

^{F2}(3)

(4) Where an order has been made under paragraph (1), a court of summary jurisdiction may, on application by the licensed bookmaker, make such further order or orders under that paragraph as it thinks fit.

(5) The temporary continuance of a business under this Article shall cease—

- (a) at the end of the period specified in an order or a further order made under paragraph (1), or
- (b) when the licensed bookmaker resumes business in the licensed office or in premises for which a new bookmaking office licence is granted,

whichever first occurs.

(6) Where under this Article a court authorises the temporary continuance of a business in any premises, those premises shall be deemed to be the licensed office.

<p>F1 Art. 26(2)(c) repealed (15.11.2010) by Fire and Rescue Services (Northern Ireland) Order 2006 (S.I. 2006/1254 (N.I. 9)), arts. 1(3), 63(2), Sch. 4 (with art. 62); S.R. 2010/328, art. 2</p> <p>F2 Art. 26(3) repealed (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 91(2), Sch. 9 Pt. 1 (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k)(m) (with art. 3)</p>

Changes to legislation:

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Changes and effects yet to be applied to :

- Instrument applied by [1997 c. 16 s.15\(3\)](#)

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