

Status: Point in time view as at 15/11/2010.

Changes to legislation: The Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985, SCHEDULE 8 is up to date with all changes known to be in force on or before 02 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)

SCHEDULES

SCHEDULE 8

Articles 42(1)(c) and 45(1)(c).

TOTALISATORS ON LICENSED TRACKS

1. The totalisator shall be a mechanically or electrically operated apparatus complying with such conditions as may be prescribed by regulations, or such other apparatus as may be approved by the Department.

2. The person, whether the occupier of the licensed track or a person authorised in that behalf in writing by that occupier, by whom the totalisator is operated (in this Schedule referred to as “the operator”) shall take all such steps as are necessary to secure that, so long as the totalisator is in use, it is in proper working order and is properly operated.

3. The operator shall, before receiving any bets in connection with any race, post in a conspicuous position on the licensed track^{F1} or, where bets may be made by means of the totalisator in more than one distinct area of the track, in each such area a notice^{F1} in easily legible print showing the minimum stake (the betting unit) which will be accepted at the totalisator from persons betting on that race; and that notice shall also—

- (a) specify^{F1} prominently the percentage,^{F1} . . . which will be deducted by the operator from amounts staked by means of the totalisator; and
- (b) if the terms on which the operator invites persons to bet include such a condition as is mentioned in paragraph 6, specify the time referred to in that paragraph.

F1 1996 NI 11

4. The operator shall, in the case of any bets made by means of the totalisator on any race or combination of races,—

- (a) deduct from the aggregate amount staked—
 - (i) any sums payable by the operator by way of the general betting duty in respect of those bets; and
 - (ii) subject to paragraph 5, the percentage specified in the notice posted in pursuance of paragraph 3; and
- (b) subject to paragraphs 5 and 6, distribute the whole of the remainder of that amount among the persons making such of those bets as are winning bets.

5. Where the number of pence in the amount payable in respect of each betting unit staked by a person winning a bet is not exactly divisible by 5, then—

- (a) if the remainder does not exceed one half of £0.05, it may be retained by the operator; but
- (b) if the remainder exceeds one half of £0.05, the amount payable in respect of each betting unit staked by the said person shall be deemed to be increased to the next greater number of pence which is so divisible.

6. The terms on which the operator invites persons to bet by means of the totalisator may include a condition entitling the operator to retain any sum payable to a person winning a bet unless the money won on the bet is claimed before such time, not being earlier than 48 hours after the conclusion of

Status: Point in time view as at 15/11/2010.

Changes to legislation: The Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985, SCHEDULE 8 is up to date with all changes known to be in force on or before 02 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)

the race, or as the case may be, of the last of the races, in connection with which the bet was made as may have been specified in the notice posted in pursuance of paragraph 3.

7. The Department may appoint a qualified accountant (the accountant) who shall be charged with the duty of examining and certifying the accounts relating to the operation of the totalisator and, after consultation with the accountant, may appoint an experienced mechanic (the technical adviser) who shall act as technical adviser to the accountant and be charged with the duty of advising him as to the condition of the totalisator and all matters connected with the operation of the totalisator.

8. Subject to paragraph 9, the accountant and the technical adviser shall hold office on such terms (including terms as to remuneration) as may be determined by the Department after consultation with the occupier of the licensed track, and the remuneration of the accountant and the technical adviser shall be payable by the Department; but so much of that remuneration as is paid to the accountant or the technical adviser in respect of the performance of his functions under this Schedule in relation to the totalisator and is attributable to any period during which a track betting licence was in force in respect of the licensed track shall be recoverable by the Department as a debt due to it from the occupier of that track.

9. The terms on which the accountant is appointed shall include a term that on every day when the totalisator is operating either he or a servant of his authorised by him in that behalf in writing must be in attendance at the totalisator during such period or periods as may before that day have been notified to him in writing by the operator.

10. Where an accountant has been appointed under paragraph 7, the totalisator shall not be operated at any time when neither the accountant nor a servant of his authorised by him in that behalf in writing is present.

11.—(1) The accountant, the technical adviser and their respective servants and an officer of the Department authorised in writing in that behalf may, on production, if required, of their credentials, at any reasonable time, enter the premises in which the totalisator is set up and examine any part of the mechanism and test and watch the working thereof, and may require the operator or any servant of his to give to them all such information, and to produce to them all such accounts, books and other documents, as they deem necessary for the purpose of ascertaining whether the provisions of this Schedule and of regulations made under Part II are being complied with.

(2) Every person who—

- (a) obstructs any of the persons upon whom powers are conferred by sub-paragraph (1) in the exercise of any of those powers; or
- (b) neglects or refuses to give to any of the said persons any such information, or to produce to him any such document, as may have been called for by him in pursuance of sub-paragraph (1); or
- (c) knowingly gives to any of the said persons any information which is false or misleading,

shall be guilty of an offence.

12. The operator shall, within 7 days after the close of each month, submit to the accountant for examination by him a complete statement of account for that month, giving all such information as the accountant may require for the purpose of ascertaining whether the provisions of this Schedule and of regulations made under Part II have been complied with.

13. The accountant shall examine the statements of account submitted to him under paragraph 12 and shall, so often as he thinks proper, consult with the technical adviser and carry out, or cause to be carried out, such inspections as either of them deems necessary for the purpose of ascertaining whether the provisions of this Schedule and of regulations made under Part II are being complied with, and shall forthwith make a report to the Department if he has reason to believe that the totalisator is not an apparatus such as is mentioned in paragraph 1, or is not being kept in proper

Status: Point in time view as at 15/11/2010.

Changes to legislation: The Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985, SCHEDULE 8 is up to date with all changes known to be in force on or before 02 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)

working order, or is not being properly operated, or if in his opinion any of the provisions of this Schedule or of regulations made under Part II are not being complied with.

14. The accountant shall retain for a period of 2 years all statements of account submitted to him under paragraph 12 and shall at any time during that period give facilities for their examination by any person authorised in that behalf by the Department.

15.—(1) Without prejudice to his duties under the preceding paragraphs, the accountant shall, as soon as may be after the close of each year, audit the accounts of the operator for the year and, if such be the fact, certify thereon that satisfactory statements of account have been submitted to him monthly in accordance with the provisions of paragraph 12 and have been examined by him, and that to the best of his information and belief, formed after consultation with the technical adviser, the accounts for the year are complete and accurate and the totalisator is an apparatus such as is mentioned in paragraph 1 and has throughout the year been maintained in proper working order and properly operated in accordance with the provisions of this Schedule and of regulations made under Part II.

(2) The operator shall forthwith cause the accounts and certificate mentioned in sub-paragraph (1) to be printed and shall transmit 2 copies thereof to the Department, who shall cause 1 of those copies to be deposited at its offices for inspection at any time during office hours by any member of the public free of charge.

16. Without prejudice to paragraph 11(2) and Article 43(2), if the operator contravenes any of the provisions of this Schedule (other than paragraph 11(2)) or of regulations made under Part II he shall be guilty of an offence.

Status:

Point in time view as at 15/11/2010.

Changes to legislation:

The Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985, SCHEDULE 8 is up to date with all changes known to be in force on or before 02 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.