



Betting, Gaming and Lotteries Act 1963

1963 CHAPTER 2

PART I

BETTING

General restrictions on betting

1 Restriction on use of premises for betting transactions with persons resorting thereto

- (1) Subject to subsection (5) of this section and section 9(1) of this Act, no person shall—
- (a) save as permitted by section 4 (1) of this Act use any premises, or cause or knowingly permit any premises to be used, as a place where persons resorting thereto may effect pool betting transactions; or
 - (b) use, or cause or knowingly permit any other person to use, any premises for the purpose of the effecting of any other betting transactions by that person or, as the case may be, that other person with persons resorting to those premises ;

and every person who contravenes any of the provisions of this subsection shall be guilty of an offence:

Provided that paragraph (b) of this subsection shall not apply where both the person using the premises as mentioned in that paragraph and all the persons with whom the betting transactions so mentioned are effected—

- (i) either reside or work on those premises or on premises of which those premises form part; or
 - (ii) are, or are acting on behalf of, holders of bookmaker's permits which are for the time being in force.
- (2) Any person who, for any purpose connected with the effecting of a betting transaction, resorts to any premises which are being used in contravention of the foregoing subsection shall be liable on summary conviction to a fine not exceeding fifty pounds.
- (3) For the purposes of the last foregoing subsection, proof that any person was on any premises while they were being used as mentioned in that subsection shall be evidence

Status: This is the original version (as it was originally enacted).

that he resorted to the premises for such a purpose as is so mentioned unless he proves that he was on the premises for bona fide purposes which were not connected with the effecting of a betting transaction.

- (4) The last foregoing subsection shall not apply to Scotland, but, in any proceedings in Scotland under subsection (2) of this section, if any person is proved to have been on any premises while they were being used as mentioned in 'the said subsection (2), that person shall be held to have resorted to the premises for such a purpose as is so mentioned unless he proves that he was on the premises for bona fide purposes which were not connected with the effecting of a betting transaction.
- (5) Subsection (1)(b) of this section shall not apply—
- (a) to anything done on an approved horse racecourse on a day on which horse races but no other races take place thereon ;
 - (b) subject to the next following subsection, to anything done on any track on any day on which under sections 5, 6 and 20 of this Act bookmaking may lawfully be carried on on the track.
- (6) Nothing in subsection 5(b) of this section shall affect the operation of subsection (1) (b) of this section in relation to the use on a track which is not an approved horse racecourse by a bookmaker for the purposes of his business—
- (a) of any permanent structure other than a structure used by him in common with members of the public resorting to the track ; or
 - (b) of any position specially appropriated for the use of that particular bookmaker by, or by any person purporting to act on behalf of, the occupier of the track.