



# Betting, Gaming, Lotteries and Amusements (Amendment) Act (Northern Ireland) 2022

## 2022 CHAPTER 14

An Act to amend the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985; and for connected purposes. [26th April 2022]

BE IT ENACTED by being passed by the Northern Ireland Assembly and assented to by Her Majesty as follows:

### *Interpretation*

#### **Interpretation**

1. In this Act “the 1985 Order” means the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985.

### *Betting*

#### **Opening of licensed offices on Sunday and Good Friday**

2. In Article 31(1) of the 1985 Order (days when licensed office not to open) for “Sunday, Christmas Day or Good Friday” substitute “Christmas Day”.

#### **Sunday working in licensed office**

3.—(1) Schedule 8A to the 1985 Order (rights of betting workers as regards Sunday working) is amended as follows.

(2) In paragraph 1 for sub-paragraph (2) substitute—

“(2) In this Schedule “betting work” means—

- (a) work at a track for a bookmaker on a day on which the bookmaker acts as such at the track, being work which consists of or includes dealing with betting transactions, and
- (b) work in a licensed office on a day on which the office is open for use for the effecting of betting transactions.”.

(3) In paragraph 1 in sub-paragraph (4) for the definition of “commencement date” substitute—

““commencement date” means—

- (a) in relation to a person who is a betting worker by virtue of sub-paragraph (2)(a), the day on which Schedule 1 to the Betting and Gaming (Northern Ireland) Order 2004 comes into operation;
- (b) in relation to a person who is a betting worker by virtue of sub-paragraph (2)(b), the day on which section 3 of the Betting, Gaming, Lotteries and Amusements (Amendment) Act (Northern Ireland) 2022 comes into operation.”

(4) In paragraph 8(4), in the prescribed form, after the words “at the track” insert “or in a licensed office on a Sunday on which it is open for business”.

(5) In Article 53B of the 1985 Order (Sunday observance) at the end insert “or having effected a betting transaction on a non-sporting event at a licensed office which is open on a Sunday.”.

### **Pool betting**

4. In Article 44 of the 1985 Order (restriction of pool betting), in paragraph (2) for “paragraph (3)” substitute “paragraphs (3) and (3A)” and after paragraph (3) insert—

“(3A) If the conditions mentioned in paragraph (3B) are satisfied, paragraph (2) does not apply to a licensed bookmaker who, on licensed premises, carries on a pool betting business which is linked to such a business carried on by means of a totalisator at a licensed track.

(3B) The conditions are that—

- (a) a person placing a bet at the licensed premises by way of the pool betting business does so on the same terms and conditions as if the bet were placed by means of the totalisator at the licensed track concerned, and
- (b) before receiving a bet by way of the pool betting system, the licensed bookmaker displays at the licensed premises a notice—
  - (i) indicating the name of the licensed track concerned; and

- (ii) containing information corresponding to that which the operator of that track is required to post at the track in accordance with paragraph 3 of Schedule 8.”.

### *Bingo clubs*

#### **Persons who may participate in bingo at bingo club**

5. In Article 75 of the 1985 Order (persons who may participate in bingo) the following provisions are repealed—

- (a) in paragraph (3)(a) the words “who, at the time when he begins to take part in the bingo, is eligible to take part in it”;
- (b) in paragraph (3)(b) the words “and who, at the time when the guest begins to take part in the bingo, is eligible to take part in it”;
- (c) paragraph (4).

#### **Days when bingo and use of gaming machines permitted on bingo club premises**

6.—(1) In Article 76(7) of the 1985 Order (days when bingo may not take place on bingo club premises) for “Sunday, Christmas Day or Good Friday” substitute “Christmas Day”.

(2) In Article 108(3) of the 1985 Order (days when gaming machines may not be made available for gaming on bingo club premises) for “Sunday, Christmas Day or Good Friday” substitute “Christmas Day”.

### *Gaming machines*

#### **Offence of inviting, etc. person under 18 to play gaming machine**

7.—(1) After Article 124 of the 1985 Order insert—

##### **“Prohibition on inviting, etc. person under 18 to play gaming machine**

**124A.**—(1) Any person who invites, causes or permits an individual under the age of 18 to play a gaming machine, other than a lower limit gaming machine, is guilty of an offence.

(2) In any proceedings against a person for an offence under paragraph (1), it is a defence to prove that there was good reason to believe that the person under the age of 18 had attained that age.

(3) In paragraph (1) a “lower limit gaming machine” means a gaming machine—

(a) which is installed on premises in respect of which there is in force an amusement permit; and

(b) in respect of which the condition in Article 108(7) is observed.”.

(2) In Schedule 18 to the 1985 Order (Table of offences with mode of prosecution and punishments) after the entry relating to Article 124(4) insert the following entry—

“124A(1).	Inviting, etc. person under 18 to play gaming machine	Summary.	Level 5 or imprisonment for 6 months or both.”.
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### **Gaming machines: charges and prize limits**

**8.—**(1) Article 108 of the 1985 Order (use of gaming machines) is amended in accordance with subsections (2) to (7).

(2) In paragraph (6) for sub-paragraph (b) substitute—

“(b) in respect of a gaming machine where the condition in paragraph (8)

(a) applies, £0.30;

(c) in respect of a gaming machine where the condition in paragraph (8)(b) applies, £0.30;

(d) in respect of a gaming machine where the condition in paragraph (8)(c) applies, £0.30;

(e) in respect of a gaming machine where the condition in paragraph (8)(d) applies, £0.30.”.

(3) In paragraph (7) for the words from the beginning to “gaming machine” substitute “In respect of any one game played by means of a gaming machine installed on premises such as are mentioned in paragraph (1)(c) or (d)”.

(4) Omit paragraph (7A).

(5) For paragraph (8) substitute—

“(8) In respect of any one game played by means of a gaming machine installed on any other premises mentioned in paragraph (1), no player or person claiming under a player shall receive, or shall be entitled to receive, any article, benefit or advantage other than a money prize delivered by the machine of an amount not exceeding—

(a) in the case of a machine installed on bingo club premises, £25;

(b) in the case of a machine installed on licensed premises, £25;

(c) in the case of a machine installed on a licensed office, £25;

(d) in the case of a machine installed on premises in respect of which there is in force an amusement permit expressed to be granted for the purposes of paragraph (1)(ca), £25.”.

(6) Omit paragraph (8A).

(7) In paragraph (9)(a) for the words from “not exceeding” (where they first occur) to the end substitute “not exceeding—

“(i) in relation to a machine to which paragraph (7) applies, £8; or

(ii) in relation to a machine to which a sub-paragraph of paragraph (8) applies, the amount specified in that sub-paragraph, delivered by the machine; and”.

(8) In Articles 111(6A)(b)(i) and 115(7A)(b)(i) of the 1985 Order for “Article 108(8)” substitute “Article 108(8)(d)”.

### *Lotteries*

#### **Arrangements not requiring persons to pay to participate**

9.—(1) Renumber Article 131 of the 1985 Order (illegality of lotteries) as paragraph (1) of that Article and after that paragraph insert—

“(2) For the purposes of this Part an arrangement is not a lottery unless persons are required to pay to participate in the arrangement; and Schedule 15A makes provision about when an arrangement is or is not to be treated for those purposes as requiring persons to pay to participate.”.

(2) After Schedule 15 to the 1985 Order insert the Schedule set out in the Schedule to this Act.

#### **Rules for societies’ lotteries**

10. In Article 137 of the 1985 Order (rules for societies’ lotteries)—

(a) in paragraph (5) (price limit on tickets) for “£1” substitute “£100”;

(b) in paragraph (14) (limit on amount which may be appropriated for expenses) for sub-paragraph (b) substitute—

“(b) 20 per cent. of the whole proceeds of the lottery.”;

(c) paragraph (15) is repealed.

### *Miscellaneous amendments of 1985 Order*

#### **Qualifications by age, residence or corporate status for licences, certificates and permits**

11.—(1) In the following provisions of the 1985 Order—

(a) Article 7(5)(a) (bookmaker’s licences),