1987 No. 24

MAGISTRATES' COURTS

Magistrates' Courts (Betting, Gaming, Lotteries and Amusements) Rules (Northern Ireland) 1987

Made . . . . . 20th January 1987

Coming into operation . . . 16th February 1987

The Lord Chancellor, in exercise of the powers conferred on him by Article 13 of the Magistrates' Courts (Northern Ireland) Order 1981(**a**), paragraph 3 of Schedule 7 and paragraph 2 of Schedule 9 and paragraph 3 of Schedule 10 to the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985(**b**), and of all other powers enabling him in that behalf on the advice of the Magistrates' Courts Rules Committee and after consultation with the Lord Chief Justice, hereby makes the following rules:—

Citation and commencement

1. These rules may be cited as the Magistrates' Courts (Betting, Gaming, Lotteries and Amusements) Rules (Northern Ireland) 1987 and shall come into operation on 16th February 1987.

Interpretation

2.—(1) In these rules "the Order" means the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985; and a reference to an Article or a Schedule by number is a reference to that Article or Schedule as numbered in the Order.

(2) Any reference in these rules to a Form by number is a reference to that Form so numbered in the Schedule to these rules.

(3) Any reference in these rules to the clerk of petty sessions is a reference to the clerk of petty sessions for the petty sessions district in which the application is made.

Bingo Club Licences

Application for a bingo club licence

3.—(1) An application for the grant of a bingo club licence shall be made to a court of summary jurisdiction for the petty sessions district in which the premises are situated.

(2) Notice of application in accordance with Article 63(1) and paragraph 1 of Schedule 9 for the grant of a bingo club licence shall be in Form 1.

(**a**) S.I. 1981/1675 (N.I. 26)
(**b**) S.I. 1985/1204 (N.I. 11)

Application for the provisional grant of a bingo club licence

4. Notice of application in accordance with Article 65(1) and paragraph 6 of Schedule 9 for the provisional grant of a bingo club licence shall be in Form 2.

Newspaper Notice

5.—(1) A notice published as required by paragraph 1(*a*) of Schedule 9 or paragraph 1 of Schedule 10 in relation to the intended application for the grant or, as the case may be, renewal of a bingo club licence shall—

(*a*) include a reference to the requirement that any person who intends to object to the grant or renewal of the licence must, in accordance with paragraph 5 of Schedule 9 or paragraph 6 of Schedule 10, serve notice of his intention to object upon the applicant and the clerk of petty sessions not less than 1 week before the date of the court sitting at which the application is to be made; and

(*b*) state that the permissible grounds of objection are such as are specified in Article 63(4) and (6) or, Article 68(2) and (4) as the case may be.

(2) Where the notice in paragraph (1) gives the address of the solicitor for the applicant, the notice may omit the address of the applicant and of the owner of the premises and, if the applicant is a body corporate, the residential addresses of the directors.

Application to have provisional grant of a bingo club licence declared final.

6.—(1) Notice of application in accordance with Article 65(7) and paragraphs 7, 8 and 9 of Schedule 9 for a declaration that the provisional grant of a bingo club licence is final shall be in Form 3.

(2) A person intending to make such an application shall, before or at the hearing of the application, deposit the provisional licence with the clerk of petty sessions.

Application for the renewal of a bingo club licence

7.—(1) Notice of application in accordance with Article 67(1) or 69(1) and Schedule 10 for the renewal or, as the case may be, the renewal out of time of a bingo club licence shall be in Form 4.

(2) A person intending to make such an application shall, before the renewal date or, in the case of a renewal out of time, before the date of the court sitting at which the application is to be made, deposit the bingo club licence with the clerk of petty sessions.

Objection to the grant or renewal of a bingo club licence

8. A person intending to appear and object to the grant or, as the case may be, the renewal of a bingo club licence, in accordance with Article 63(3) and paragraph 4 of Schedule 9 or Article 68(1) and paragraph 5 of Schedule 10, shall not less than one week before the date of the court sitting at which the application is to be heard, or, as the case may be, the renewal date serve on the applicant a notice in Form 5 with a copy to the clerk of petty sessions.

Application for revocation of a bingo club licence

9. Notice of application in accordance with Article 72(1) and paragraph 3 of Schedule 7 for the revocation of bingo club licence shall be in Form 6.

Objection to the revocation of a bingo club licence

10. A person intending to appear and object to the revocation of a bingo club licence in accordance with Article 72(3) and paragraph 4 of Schedule 7 shall not less than one week before the date of the court sitting at which the application is to be heard serve on the applicant a notice in Form 7 with a copy to the clerk of petty sessions.

Amendment of the Magistrates' Courts (Betting, Gaming, Lotteries and Amusements) (No. 1) Rules (Northern Ireland) 1986

11. For Rule 5 of the Magistrates' Courts (Betting, Gaming, Lotteries and Amusements) (No. 1) Rules (Northern Ireland) 1986(**a**) there shall be substituted the following new Rule—

"**5.**—(1) A notice published as required by paragraph 1(*a*) of Schedule 11, paragraph 1 of Schedule 12, paragraph 1(*b*) of Schedule 13 or paragraph 1(*a*) of Schedule 14, in relation to the intended application for the grant or renewal of a gaming machine certificate or, as the case may be, the registration or renewal of the registration of a club shall—

(*a*) include a reference to the requirement that any person who intends to object to such grant, renewal, registration or renewal of registration must in accordance with paragraph 5 of Schedule 11, paragraph 6 of Schedule 12, paragraph 4 of Schedule 13 or paragraph 4 of Schedule 14 serve notice of his intention to object upon the applicant and the clerk of petty sessions not less than one week before the date of the court sitting at which the application is to be made or the renewal date, as the case may be; and

(*b*) state that the permissible grounds of objection are such as are mentioned in Article 85(8) and (10), Article 88(2) and (4), Article 96(4) and (6) or Article 99(2) and (4), as the case may be.

(2) Where the notice in paragraph (1) gives the address of the solicitor for the applicant, the notice may omit the address of the applicant and of the owners of the business or the premises and, if the applicant is a body corporate, the residential addresses of the directors.".

Dated 20th January 1987. *Hailsham of St. Marylebone, C.*

(**a**) S.R. 1986 No. 133

SCHEDULE

Form 1

Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 (Article 63(1) and (9), Schedule 9, para 2: Rule 3)

Notice of application for the grant of a bingo club licence

Petty Sessions District of

County Court Division of

TAKE NOTICE that I/we (full [name(s) of applicant(s)] [title of body corporate]) of (full address(es) of [applicant(s)] [registered office of body]) intend to apply to the magistrates' court sitting at (place) on (date) at (time) for the grant of a bingo club licence for (name of bingo club) at (address of premises)

The owner of the premises is (full name of owner) of (full address of owner)

*The applicant is a body corporate and

(*a*) the names and full residential addresses of the directors are — (names and addresses of directors);

(*b*) the names of persons having executive control are — (names of any such persons);

(*c*) the names of persons having a financial interest are — (names of any such persons); and

(*d*) the following is a statement of the nature and extent of the financial interest of the persons named at (*c*) and includes a description of any right of direction or instruction to the directors given by that financial interest—

(Statement)

Attached to the notice served on the clerk of petty sessions is the receipt of the Department of Health and Social Services issued under Article 172(3) of the above Order in respect of payment of the charge specified in Article 172(1)(*g*).

**AND FURTHER TAKE NOTICE that I/we intend to apply under Article 63(9) of the said Order for a direction specifying the number of gaming machines which may be made available for gaming on the bingo club premises.

Dated this day of 19

Signature of Applicant(s)
or his/their Solicitor

To the clerk of petty sessions for the above-named petty sessions district.

Copy to the sub-divisional commander at (police sub-division in which the premises are situated).

Copy to the sub-divisional commander at (police sub-division where applicant resides, if different).

Copy to the district council for the district in which the premises are situated.

Copy to the Collector of Customs and Excise for the area in which the premises are situated at (address).

* Insert only where the NOTICE relates to an application to be made by a body corporate.
** Insert only where applicable

Form 2

Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 (Articles 65(1) and 63(9), Schedule 9, para 6: Rule 4)

Notice of application for the provisional grant of a bingo club licence

Petty Sessions District of

County Court Division of

TAKE NOTICE that I/we (full [name(s) of applicant(s)] [title of body corporate]) of (full address(es) of [applicant(s)] [registered office of body]) intend to apply to the magistrates' court sitting at (place) on (date) at (time) for the provisional grant of a bingo club licence for (name of bingo club) at (address of premises [site of proposed premises])

The owner of the premises [proposed premises] is (full name of owner) of (full address of owner)

*The applicant is a body corporate and

(*a*) the names and full residential addresses of the directors are — (names and addresses of directors);

(*b*) the names of persons having executive control are — (names of any such persons);

(*c*) the names of persons having a financial interest are — (names of any such persons); and

(*d*) the following is a statement of the nature and extent of the financial interest of the persons named at (*c*) and includes a description of any right of direction or instruction to the directors given by that financial interest—

(Statement)

Attached is a plan of the premises for which provisional licence is sought showing the premises as they will be when their construction alteration or extension has been completed.

**AND FURTHER TAKE NOTICE that I/we intend to apply under Article 63(9) of the said Order for a direction specifying the number of gaming machines which may be made available for gaming on the bingo club premises.

Dated this day of 19

Signature of Applicant(s)
or his/their Solicitor

To the clerk of petty sessions for the above-named petty sessions district.

Copy to the sub-divisional commander at (police sub-division in which the premises [proposed premises] are [situated] (to be situated).

Copy to the sub-divisional commander at (police sub-division where applicant resides, if different).

Copy to the district council for the district in which the premises [proposed premises] are situated [to be situated].

Copy to the Collector of Customs and Excise for the area in which the premises [proposed premises] are situated [to be situated] at (address).

* Insert only where the NOTICE relates to an application to be made by a body corporate.
** Insert only where applicable.