1986 No. 133

MAGISTRATES' COURTS

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

Made	*30th April 1986*
Coming into operation	*1st June 1986*

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, paragraph 2 of Schedule 11, paragraph 3 of Schedule 12, paragraph 2 of Schedule 13 and paragraph 2 of Schedule 14 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) (No. 1) Rules (Northern Ireland) 1986 and shall come into operation on 1st June 1986.

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 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.

Gaming Machine Certificates and Gaming Machine Permits

Application for a gaming machine certificate or permit

3.—(1) An application for the grant of a gaming machine certificate shall be made to the court of summary jurisdiction for the petty sessions district in which the applicant carries on business.

(2) An application for the grant of a gaming machine permit shall be made to the court of summary jurisdiction for the petty sessions district in which the applicant resides or carries on business.

(3) Notice of application in accordance with Article 85(1) or (3) and Schedule 11 for the grant of a gaming machine certificate or, as the case may be, a gaming machine permit shall be in Form 1 or 2.

Application for the renewal of a gaming machine certificate

4.—(1) Notice of application in accordance with Article 87(1) or 89(1) and Schedule 12 for the renewal or, as the case may be, for the renewal out of time of a gaming machine certificate shall be in Form 3.

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

(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 sittings at which the application is to be made, deposit the gaming machine certificate with the clerk of petty sessions.

Newspaper notice

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

(*a*) include a reference to the requirement that any person who intends to object to such grant, renewal or registration must in accordance with paragraph 5 of Schedule 11, paragraph 6 of Schedule 12 or paragraph 4 of Schedule 13 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 date of renewal, 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) or Article 96(4) and (6), as the case may be.

Objection to the grant or renewal of a gaming machine certificate or permit

6. A person intending to appear and object to the grant or renewal of a gaming machine certificate or to the grant of a gaming machine permit in accordance with Article 85(7) and paragraph 4 of Schedule 11 or Article 88(1) and paragraph 5 of Schedule 12, as the case may be, 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 4 with a copy to the clerk of petty sessions.

Application for the revocation of a gaming machine certificate

7. Notice of application in accordance with Article 92(1) and paragraph 3 of Schedule 7 for the revocation of a gaming machine certificate shall be in Form 5.

Objection to the revocation of a gaming machine certificate

8. A person intending to appear and object to the revocation of a gaming machine certificate in accordance with Article 92(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 6 with a copy to the clerk of petty sessions.

Registration of Clubs

Application for the registration of a club

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

(2) Notice of application in accordance with Article 96(1) and paragraph 2 of Schedule 13 for registration of a club shall be in Form 7.

Application for the renewal of registration of a club

10.—(1) Notice of application in accordance with Article 98(1) or 100(1) and Schedule 14 for the renewal or, as the case may be, the renewal out of time of registration of a club shall be in Form 8.

(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 heard, deposit the certificate of registration with the clerk of petty sessions.

Objection to the registration or renewal of registration of a club

11. A person intending to appear and object to the registration or, as the case may be, to the renewal of registration of a club in accordance with Article 96(3) and paragraph 3 of Schedule 13 or Article 99(1) and paragraph 3 of Schedule 14 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 9 with a copy to the clerk of petty sessions.

Dated 30th April 1986 *Hailsham of St. Marylebone, C.*

SCHEDULE Rule 2(2)

Gaming Machine Certificates and Gaming Machine Permits

FORM 1

Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 (Article 85(1), Schedule 11, para 2: Rule 3(3))

Notice of application for the grant of a gaming machine certificate

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 gaming machine certificate for—

* (i) the supply of gaming machines; or

(ii) the maintenance of the mechanism of gaming machines; or

(iii) the supply and maintenance of the mechanism of gaming machines.

The owner(s) of the business is/are (full name(s)) and (full address(es))

** 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 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 & Social Services, issued under Article 172(3) of the above Order in respect of payment of the charge specified in Article 172(*j*).

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 applicant carries on business) and

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

* Delete as appropriate.

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

FORM 2

Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 (Article 85(3), Schedule 11, para 6: Rule 3(3))

Notice of application for the grant of a gaming machine permit.

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 gaming machine permit for gaming machine
(maker's name, name of model and serial number)

The circumstances in which the gaming machine permit is required are—

(state particulars)

The period for which the gaming machine permit is required is—

(state period)

The gaming machine permit is for—

* (i) the supply of the gaming machine; or

(ii) the maintenance of the mechanism of the gaming machine; or

(iii) the supply and maintenance of the mechanism of the gaming machine.

The owner(s) of the business is/are (full name(s)) and (full address(es)).

** 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)

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 where applicant resides).

* Delete as appropriate.

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