## Bookmakers' Certificates Rules

RULES MADE BY THE SUMMARY JURISDICTION RULES COMMITTEE UNDER SECTION 2 OF THE SUMMARY JURISDICTION ACT (NORTHERN IRELAND), 1953, WITH THE APPROVAL OF THE LORD CHIEF JUSTICE.

1958. No. 13 [C]

We, the undersigned members of the Summary Jurisdiction Rules Committee appointed by the Minister of Home Affairs under sub-section (2) of section 1 of the Summary Jurisdiction Act (Northern Ireland), 1953, by virtue of the powers vested in us by section 2 of the said Act and of all other powers enabling us, do hereby make the Rules hereinafter set forth as summary jurisdiction rules in regard to applications under sections 2 and 6 of the Betting and Lotteries Act (Northern Ireland), 1957, to be in force in connection with proceedings in courts of summary jurisdiction in Northern Ireland, and, in pursuance of the provisions of sub-section (1) of section 3 of the said Summary Jurisdiction Act (Northern Ireland), 1953, do hereby certify the same under our hands and do submit them to the Lord Chief Justice of Northern Ireland.

*T. A. Blair*
*G. Courtney*
*E. Malachy Doris*
*J. C. Hogg*
*J. V. S. Mills*
*James J. Napier*
*J. Ritchie Wilson*

I approve of these Rules which shall come into force on the 1st day of February, 1958.

Dated the 27th day of January, 1958.

*MacDermott,*
Lord Chief Justice of Northern Ireland.

The scale of fees provided for in the Second Schedule has been fixed with the consent of the Ministry of Finance.

In witness whereof the Official Seal of the Ministry has been affixed hereto this 22nd day of January, 1958, in the presence of

(L.S.) *K. R. Shimeld,*
Assistant Secretary.

*Citation.*

**1.** These rules may be cited as the Summary Jurisdiction (Bookmakers' Certificates) Rules (Northern Ireland), 1958.

*Application for a certificate of character.*

**2.**—(1) A person who intends to apply under section 2 of the Betting and Lotteries Act (Northern Ireland), 1957, for a certificate of character may apply to a court of summary

jurisdiction for the petty sessions district wherein he ordinarily resides, or to a court of summary jurisdiction for the petty sessions district wherein are situate any premises in which he intends to carry on business as a bookmaker. He shall serve a notice of his intention, which may be in the Form No. 1 in the First Schedule, upon the district inspector of the Royal Ulster Constabulary for the police district wherein he ordinarily resides or wherein the premises to which the notice refers are situate, as the case may be. He shall also lodge a copy of such notice with the clerk of petty sessions for the petty sessions district wherein he ordinarily resides or wherein such premises are situate, as the case may be.

(2) A person to whom a bookmaker's licence has been issued under the Betting Act, 1931, passed by the legislature of the Republic of Ireland, and who does not ordinarily reside in Northern Ireland may apply under section 2 of the Betting and Lotteries Act (Northern Ireland), 1957, for a certificate of character to a court of summary jurisdiction for any petty sessions district in Northern Ireland. He shall serve a notice of his intention to apply, which may be in the Form No. 2 in the First Schedule, upon the district inspector of the Royal Ulster Constabulary for the police district wherein is situate the petty sessions courthouse at which the application will be heard. He shall also lodge a copy of such notice with the clerk of petty sessions for the petty sessions district wherein the application will be heard.

*Application for a certificate of suitability.*

**3.** A person who intends to apply under section 6 of the Betting and Lotteries Act (Northern Ireland), 1957, for a certificate of suitability in respect of the premises in which he intends to carry on business as a bookmaker, shall apply to a court of summary jurisdiction for the petty sessions district in which the premises are situate. He shall serve a notice of his intention, which may be in the Form No. 3 in the First Schedule,

(*a*) upon the district inspector of the Royal Ulster Constabulary for the police district wherein the premises are situate; and

(*b*) upon the council of the county borough, borough or urban district wherein the premises are situate, as the case may be, or if they are not situate within a county borough, borough or urban district, then upon the council for the county wherein the premises are situate.

He shall also lodge a copy of the notice with the clerk of petty sessions for the petty sessions district wherein the premises are situate.

*Time of Hearing.*

**4.** An application shall be heard at a sitting of the court which shall be held on a day not less than fourteen days after the service and lodgment of the notice. In a petty sessions district where sittings of the court are held on more than one day in

a week, the application shall be heard on such day, not less than fourteen days after the service and lodgment of the notice, as may be fixed by the clerk of petty sessions.

*Notice of intention to oppose.*

5.—(1) If a district inspector upon whom a notice of intention to apply for a certificate has been served, or a head constable acting for him, intends to oppose the grant of the certificate, he shall, at least seven days before the hearing, serve upon the applicant a notice of his intention to oppose, which may be in the Form No. 4 in the First Schedule, and lodge with the clerk of petty sessions a copy of such notice.

(2) If the council of a county borough, borough, urban district or county, upon which a notice of intention to apply for a certificate of suitability has been served, intends to oppose the grant of the certificate, the council shall, at least seven days before the hearing, serve upon the applicant a notice of its intention to oppose, which may be in the Form No. 4 in the First Schedule, and lodge with the clerk of petty sessions a copy of such notice.

(3) If a local government elector intends to appear and oppose under section 6(3) of the Betting and Lotteries Act (Northern Ireland), 1957, the grant of a certificate of suitability, he shall, within fourteen days from the date of the insertion of the notice of intention to apply for a certificate in either of the newspapers referred to in the said section 6(3), serve upon the applicant a notice of his intention to oppose, which may be in the Form No. 5 in the First Schedule, and lodge a copy of such notice with the clerk of petty sessions for the petty sessions district wherein the premises are situate.

*Appearance of objector.*

6.—(1) A district inspector opposing an application, or another district inspector or a head constable acting for him, may appear upon the hearing and make representations and produce evidence in support of his opposition to the application.

(2) The council of a county borough, borough, urban district or county opposing an application may appear by its clerk or secretary, as the case may be, or by solicitor or counsel upon the hearing, and make representations and produce evidence in support of its opposition to the application.

*Form of certificates.*

7. The certificates to be granted by the court shall be in Forms No. 6 or No. 7, as the case may be, in the First Schedule.

*Fees.*

8. The fees specified in the Second Schedule shall be payable by an applicant in respect of each application for a certificate, and shall be payable by adhesive stamps.

*Enlargement or abridgement of times.*

9. The court may, upon such terms as it thinks fit, enlarge or abridge any of the times fixed by these rules for taking any step

or doing any act in the proceeding, or declare any step taken or act done to be sufficient even though not taken or done within the time or in the manner prescribed by these rules.

*Application of Summary Jurisdiction Acts (Northern Ireland).*

**10.** Subject to the foregoing rules, the provisions of the Summary Jurisdiction Acts (Northern Ireland) and of any rules made or to be made thereunder shall apply to an application for a certificate as if the application were a complaint and the certificate were an order, and as if the applicant were a complainant and any objector to the application were a defendant.

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## FIRST SCHEDULE

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FORM No. 1.

THE BETTING AND LOTTERIES ACT (NORTHERN IRELAND), 1957.

**Notice of Intention to Apply for a Certificate of Character.**

Petty Sessions District of

County of

Take notice that I intend to apply to the Court of Summary Jurisdiction sitting at on the day of 19 , at the hour of a.m. for a certificate that I am a fit and proper person to hold a bookmaker's licence.

*(a) I ordinarily reside at
within the above-named petty sessions district.

*(b) I intend to carry on business as a bookmaker at premises situate at
within the above-named petty sessions district.

Dated the day of 19 .

Applicant .....

Address .....

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To the District Inspector of the Royal Ulster Constabulary at

and to the Clerk of Petty Sessions for the above-named District.

* Delete (a) or (b) whichever is inappropriate.

FORM No. 2.

THE BETTING AND LOTTERIES ACT (NORTHERN IRELAND), 1957.

**Notice of Intention to Apply for a Certificate of Character.**

(By a person, not ordinarily resident in Northern Ireland, to whom a bookmaker's licence has been issued in the Republic of Ireland.)

Petty Sessions District of
County of

Take notice that I intend to apply to the Court of Summary Jurisdiction sitting at on the day of 19 , at the hour of a.m. for a certificate that I am a fit and proper person to hold a bookmaker's licence.

I do not ordinarily reside in Northern Ireland.

A bookmaker's licence has been issued to me under the Betting Act, 1931 passed by the legislature of the Republic of Ireland.

Dated the day of 19 .

Applicant .....

Address .....

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To the District Inspector of
Royal Ulster Constabulary at
and to the Clerk of Petty Sessions
for the above-named District.

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FORM No. 3.

THE BETTING AND LOTTERIES ACT (NORTHERN IRELAND), 1957.

**Notice of Intention to Apply for a Certificate of Suitability.**

Petty Sessions District of
County of

Take notice that I intend to apply to the Court of Summary Jurisdiction sitting at on the day of 19 , at the hour of a.m. for a certificate that the premises situate at in the above-named petty sessions district, in which I intend to carry on business as a bookmaker, are suitable for the purpose.

Dated the day of 19 .

Applicant .....

Address .....

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To the District Inspector of the
Royal Ulster Constabulary at
to the Council of the
and to the Clerk of Petty Sessions
for the above-named District.