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STATUTORY RULES OF NORTHERN IRELAND

2004 No. 450

MAGISTRATES' COURTS

Magistrates' Courts (Betting, Gaming, Lotteries and Amusements) (No. 2) (Amendment) Rules (Northern Ireland) 2004

Made - - - - 20th October 2004

Coming into operation in accordance with Rule 1

The Lord Chancellor in exercise of the powers conferred upon him by Article 13 of the Magistrates' Courts (Northern Ireland) Order 1981(**1**) and 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, commencement and interpretation

1.—(1) These Rules may be cited as the Magistrates' Courts (Betting, Gaming, Lotteries and Amusements) (No. 2) (Amendment) Rules (Northern Ireland) 2004 and shall come into operation on the same day as Article 5(1) of, and Schedule 2 to, the Betting and Gaming (Northern Ireland) Order 2004(**2**) come into force.

(2) In these Rules, "the principal Rules" means the Magistrates' Courts (Betting, Gaming, Lotteries and Amusements) (No. 2) Rules (Northern Ireland) 1987(**3**), a reference to a Rule by number means the Rule so numbered in the principal Rules and any reference to a Form by number is a reference to that Form so numbered in the Schedule to the principal Rules.

Saving

2. Nothing in these Rules shall affect any application commenced before these Rules come into operation.

Amendment to the principal Rules

3. Rules 4, 5 and 6 are hereby revoked.

4. For Rule 10 there shall be substituted the following new Rule:

(**1**) S.I. 1981 No. 1675 (N.I. 26)
(**2**) S.I.2004/310 (N.I. 1)
(**3**) S.R. 1987 No. 234

"**Objection to the renewal of a bookmaking office licence**

10. Notice of objection in accordance with paragraph 6 of Schedule 4 to the renewal of a bookmaking office licence shall be in Form 8."

5. Rule 22 shall be amended as follows:

(a) in paragraph (1)(a) delete the words "grant, provisional grant," and the words "or paragraph 5 of Schedule 2"; and

(b) in paragraph (1)(b) delete the words "or Article 12(4) and (6)".

6. The Schedule to the principal Rules shall be amended as follows:

(a) Forms 2, 3 and 4 are hereby revoked; and

(b) in Form 8 –

(i) in the heading delete the words "Schedule 2, paras. 5 and 6 or";

(ii) delete, wherever they appear, the words "[grant][provisional grant]"; and

(iii) delete the words "Article 12(4) and (6) or".

Signed by authority of the Lord Chancellor

Baroness Ashton of Upholland
Parliamentary Under-Secretary of State,
Department for Constitutional Affairs

Dated 20th October 2004

EXPLANATORY NOTE

(This note is not part of the Rules.)

These Rules are made in consequence of the Betting and Gaming (Northern Ireland) Order 2004 which amends the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 to provide that applications for the grant of a bookmaking office licence shall be made to a county court instead of a court of summary jurisdiction.

The Rules amend the Magistrates' Courts (Betting, Gaming, Lotteries and Amusements) (No. 2) Rules (Northern Ireland) 1987 to revoke or amend those rules and forms which prescribe the procedure for an application to a court of summary jurisdiction for the grant of a bookmaking office licence.