

*Status:* This version of this cross heading contains provisions that are prospective.

*Changes to legislation:* There are currently no known outstanding effects for the Horserace Betting and Olympic Lottery Act 2004, Cross Heading: Betting, Gaming and Lotteries Act 1963 (c. 2). (See end of Document for details)

## SCHEDULES

### SCHEDULE 2

#### SALE OF THE TOTE: CONSEQUENTIAL AMENDMENTS

##### *Betting, Gaming and Lotteries Act 1963 (c. 2)*

PROSPECTIVE

1 The Betting, Gaming and Lotteries Act 1963 shall be amended as follows.

PROSPECTIVE

2 In section 1 (restriction on using premises for betting)—  
(a) in subsection (1)(a) for “section 4(1)” substitute “ section 4(2), (3) or (5)”, and  
(b) in subsection (5)(a) omit “but no other races”.

PROSPECTIVE

3 In section 3 (authorisation of agents)—  
(a) in subsection (1) omit—  
(i) “or to the Totalisator Board”,  
(ii) “or, as the case may be, by the said Board”, and  
(iii) “or by the said Board”,  
(b) in subsection (2) omit—  
(i) “or to the said Board”, and  
(ii) “or, as the case may be, the Board”, and  
(c) in subsection (3) omit—  
(i) “The said Board and”, and  
(ii) “by that Board or, as the case may be,”.

PROSPECTIVE

4 In section 5(3) (restriction of betting on tracks) omit—  
(a) “by the Totalisator Board or, with the authority of that Board, by the persons having the management of that racecourse”, and  
(b) “by that Board or, as the case may be, by those persons”.

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PROSPECTIVE

5 In section 6(1) (restriction of bookmaking on tracks) omit “only”.

PROSPECTIVE

6 In section 9 (betting office licences and betting agency permits)—

- (a) in subsection (1) omit the words from “Provided that” to the end,
- (b) subsection (2)(b) shall cease to have effect, and
- (c) in subsection (2)(c)(i) omit—
  - (i) “or by the Totalisator Board”, and
  - (ii) “or, as the case may be, with or through that Board”.

PROSPECTIVE

7 In section 11(1) (bookmaker’s permit and betting agency permit: cancellation and disqualification) after “, 4(1)” insert “, 4A(1) ”.

PROSPECTIVE

8 Section 12 (which establishes the Horserace Totalisator Board) shall cease to have effect.

PROSPECTIVE

9 Section 14 (Tote’s monopoly in relation to pool betting) shall cease to have effect.

PROSPECTIVE

10 Section 15 (Tote’s additional powers and duties) shall cease to have effect.

PROSPECTIVE

11 In section 16(1) (totalisators on licensed tracks) for “4(1)(b)” substitute “ 4(5) ”.

12 (1) Section 24 (Horserace Betting Levy Board) shall be amended as follows.

(2) In subsection (1) for “the Totalisator Board” substitute “, while the exclusive licence under section 8 of the Horserace Betting and Olympic Lottery Act 2004 (sale of the Tote) has effect, the successor company nominated for the purposes of section 2 of that Act ”.

(3) In subsection (2)—

- (a) for “seven other members” substitute “ six other members ”, and
- (b) omit subsection (2)(e).

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(4) In subsection (4)—

- (a) for “, the Bookmakers' Committee and the Totalisator Board respectively” substitute “ or the Bookmakers' Committee ”, and
- (b) for “subsection (2)(b), (d) or (e)” substitute “ subsection (2)(b) or (d) ”.

**Commencement Information**

**I1** Sch. 2 para. 12 in force at 13.7.2011 by S.I. 2011/1704, art. 2

13 In section 30 (contributions by Totalisator Board)—

- (a) in each place (including in the heading) before “Totalisator Board” insert “ successor company to the ”, and
- (b) after subsection (1) insert—

“(1A) Subsection (1) does not apply to any contribution which the successor company to the Totalisator Board is liable to make—

- (a) in respect of a time when the exclusive licence does not have effect, and
- (b) as a bookmaker.”

**Commencement Information**

**I2** Sch. 2 para. 13 in force at 13.7.2011 by S.I. 2011/1704, art. 2

PROSPECTIVE

14 In section 31 (accounts and reports)—

- (a) in subsection (1)—
  - (i) for “and the Totalisator Board shall each” substitute “ shall ”,
  - (ii) for “proper statements” substitute “ a proper statement ”,
  - (iii) omit “of each of the Boards”, and
  - (iv) omit “in question”, and
- (b) for subsection (2) substitute—

“(2) As soon as reasonably practicable after its accounts for a levy period have been audited, the Levy Board shall submit to the Secretary of State a report of its proceedings during that period which shall include the statement of account and the auditor’s report for that period; and the Secretary of State shall lay before Parliament a copy of each report received by him under this subsection.”

PROSPECTIVE

15 In section 52(1) (penalties) after “4,” insert “ 4A, ”.

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PROSPECTIVE

- 16 In section 55(1) (interpretation)—
- (a) in the definition of “bookmaker” omit—
    - (i) “other than the Totalisator Board”, and
    - (ii) for “sponsored pool betting business” substitute “ pool betting business on an approved racecourse in accordance with a point-to-point exemption notice ”,
  - (b) after the definition of “game of chance” and “gaming” insert—
 

““the Gaming Board” means the Gaming Board for Great Britain;”,
  - (c) after the definition of “player” insert—
 

““point-to-point exemption notice” has the meaning given by section 4(3)(b) of this Act;”,
  - (d) omit the definition of “recognised horse race”,
  - (e) in the definition of “registered pool promoter” for “section 4(2)” substitute “ section 4A(3) ”, and
  - (f) omit the definitions of—
    - (i) “sponsored pool betting”, and
    - (ii) “the Totalisator Board”.

PROSPECTIVE

- 17 In paragraph 19(a)(i) of Schedule 1 (permits) omit “in the case of an applicant other than the Totalisator Board,”.

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