
STATUTORY INSTRUMENTS

1985 No. 1204

**The Betting, Gaming, Lotteries and
Amusements (Northern Ireland) Order 1985**

PART III

GAMING

CHAPTER III

GAMING BY WAY OF A GAMING MACHINE

Gaming machines in registered clubs

Gaming machines restricted from certain registered clubs

105.—(1) A court of summary jurisdiction may, on an application by the sub-divisional commander of the police sub-division in which the premises of a club registered under the^[F1] Registration of Clubs (Northern Ireland) Order 1996] are situated, declare that the premises of that club are not the premises of a registered club to which the exception in Article 95(1)(a) applies.

(2) A declaration under paragraph (1) shall not take effect—

- (a) until the expiry of the time for bringing an appeal against the making of the declaration; and
- (b) if such an appeal is brought, until the appeal is determined or abandoned.

(3) On an application for a declaration under paragraph (1) a court shall hear representations, if any, from the chairman or secretary of the club.

(4) A court which makes a declaration under paragraph (1) may, on the application of the chairman or secretary of the club, cancel the declaration.

(5) An application under paragraph (4) shall not be made during the period of 2 years from the date on which—

- (a) the declaration under paragraph (1) takes effect; or
- (b) a previous application under paragraph (4) was made to the court.

(6) An applicant under paragraph (4) shall serve on the sub-divisional commander mentioned in paragraph (1) notice of the application under paragraph (4).

(7) Where the court makes a declaration under paragraph (1) or cancels the declaration under paragraph (4) the^[F1] clerk of petty sessions] shall note the declaration or, as the case may be, the cancellation on the certificate of registration issued under^[F1] Article 6(1) of that Order of 1996] and in the register of clubs kept under^[F1] Article 16 of that Order] in respect of the club.

Use of gaming machines in registered clubs

106.—(1) This Article shall have effect where, in pursuance of the exception in Article 95(1)(a), a gaming machine is used for gaming on the premises of any registered club.

[^{F2}(2) Not more than 3 gaming machines (or such other number as the Department may specify, by order subject to affirmative resolution) shall be made available for gaming on those premises.]

(3) The charge for playing a game once by means of any gaming machine shall be a coin or coins inserted in the machine of an amount not exceeding (or, if more than 1, not in the aggregate exceeding)[^{F3} £0.50] or such other sum as the Department may specify, by order subject to affirmative resolution.

(4) In respect of any 1 game played by means of a gaming machine no player or person claiming under a player shall receive, or shall be entitled to receive, any article, benefit or advantage other than a coin or coins delivered by the machine.

(5) ^{F4} If an amount is prescribed by regulations for the purposes of this paragraph, the coins delivered by any gaming machine as a prize in respect of any 1 game played by means of the machine shall not in the aggregate exceed the amount so prescribed.

(6) In relation to any gaming machine used on any premises mentioned in paragraph (1), regulations may—

- (a) make provision as to the amount which that machine shall pay out;
- (b) require the display of such information in such form and manner and at such intervals as may be prescribed by regulations;
- (c) require copies of such information to be furnished to such persons as may be so prescribed;
- (d) require the officers of the club to make and keep such records and accounts as may be prescribed by the regulations, to retain those records and accounts during such period as may be so prescribed and to send copies of those records and accounts to such persons as may be so prescribed.

(7) No gaming machine shall be used on the premises mentioned in paragraph (1) except by—

- (a) a member of the registered club who, at the time when he uses the gaming machine, is eligible to do so; or
- (b) a bona fide guest of a person who is a member of that club and who, at the time when the guest uses the gaming machine, is eligible himself to do so,

and for the purposes of this paragraph a member of a club registered under this Part is eligible to use the gaming machine at any particular time if at that time at least 24 hours have elapsed since he applied for membership of the club.

[^{F5}(7A) No gaming machine shall be made available in any premises mentioned in paragraph (1) for which an authorisation under Article 32A of the Registration of Clubs (Northern Ireland) Order 1996 (underage functions) is in force during the period for which it is in force.]

(8) Where any of the provisions of this Article or of any regulations made under this Article is contravened—

- (a) every officer of the club, and
- (b) insofar as the provision is contravened in relation to a gaming machine on a registered club, any person who allowed the gaming machine to be on the registered club,

shall be guilty of an offence.

(9) In any proceedings for an offence under paragraph (8), it shall be a defence for any person charged to prove—

- (a) that the contravention occurred without his knowledge, and

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(b) that he exercised all such care as was reasonable in the circumstances to secure that the provisions in question would not be contravened.

(10) Where any of the provisions of this Article or of any regulations made under this Article is contravened in relation to a gaming machine, then (without prejudice to any liability of any other person under paragraph (8)) any person who, knowing or having reasonable cause to suspect that the provision in question would be contravened in relation to the gaming machine, supplied the gaming machine shall be guilty of an offence.

F2 [1997 NI 22](#)

F3 [SR 1999/4](#)

F4 mod. by [SR 1999/5](#)

F5 [Art. 106\(7A\)](#) inserted (6.4.2022) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2021 \(c. 7\)](#), **ss. 36(4)**, 47(2); [S.R. 2022/63](#), art. 2, Sch.

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Changes and effects yet to be applied to :

- Instrument applied by [1997 c. 16 s.15\(3\)](#)

Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

- Act applied by [1997 c. 16 s.15\(3\)](#)

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- art. 172A and cross-heading inserted by [2022 c. 14 \(N.I.\) s. 15\(1\)](#)
- art. 186(3A) inserted by [2022 c. 14 \(N.I.\) s. 15\(2\)\(a\)](#)