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STATUTORY INSTRUMENTS

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**1985 No. 1204**

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

**PART III**

**GAMING**

**CHAPTER IV**

**GAMING AT ENTERTAINMENTS NOT HELD FOR PRIVATE GAIN**

***Gaming at entertainments not held for private gain***

**126.**—(1) This Article applies to gaming, other than—

- (a) gaming on bingo club premises,
- (b) gaming by means of a gaming machine, or
- (c) gaming which constitutes the provision of amusements with prizes as mentioned in Article 153 or 154,

which consists of games played at an entertainment promoted otherwise than for purposes of private gain.

(2) Article 55 shall have effect in relation to gaming to which this Article applies as it has effect in relation to gaming to which Chapter I applies.

(3) In respect of all games played at the entertainment which constitute gaming to which this Article applies, not more than 1 payment (whether by way of entrance fee or stake or otherwise) shall be made by each player, and no such payment shall exceed<sup>[F1]</sup> £4].

(4) Subject to paragraphs (10) and (11), the total value of all prizes and awards distributed in respect of those games shall not exceed<sup>[F1]</sup> £400].

(5) The whole of the proceeds of such payments as are mentioned in paragraph (3), after deducting sums lawfully appropriated on account of expenses or for the provision of prizes or awards in respect of the games, shall be applied for purposes other than private gain.

(6) The sum appropriated out of those proceeds in respect of expenses shall not—

- (a) exceed the reasonable cost incurred in the provision of the facilities for the purposes of the games;
- (b) include any charge mentioned in Article 2(9) and falling to be determined as there mentioned.

(7) Regulations may impose such restrictions (in addition to those specified in paragraphs (2) to (6)) as the Department may consider necessary or expedient with respect to gaming to which this Article applies.

(8) The person who organises the entertainment shall—

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**Changes to legislation:** *The Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985, CHAPTER IV is up to date with all changes known to be in force on or before 29 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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- (a) make, and keep for a period of at least 18 months, records and accounts relating to that entertainment;
- (b) record in those accounts the purposes for which the proceeds of the entertainment are to be applied; and
- (c) inform all potential participants of those purposes.

(9) Any person who organises an entertainment at which gaming to which this Article applies is to be played shall, not less than 7 days before the date on which the entertainment is to take place, serve notice of the entertainment upon the sub-divisional commander of the police sub-division in which the place or premises where the entertainment is to take place is or are situated.

(10) Where 2 or more entertainments are promoted on the same premises by the same persons on the same day, paragraphs (3) to (6) shall have effect in relation to those entertainments collectively as if they were a single entertainment.

(11) Where a series of entertainments is held otherwise than as mentioned in paragraph (10)—

- (a) paragraphs (3) to (6) shall have effect separately in relation to each entertainment in the series, whether some or all of the persons taking part in any 1 of those entertainments are thereby qualified to take part in any other of them or not, and
- (b) if each of the persons taking part in the games played at the final entertainment of the series is qualified to do so by reason of having taken part in the games played at another entertainment of the series held on a previous day, paragraph (4) shall have effect in relation to that final entertainment as if for<sup>F1</sup> £400] there were substituted<sup>F1</sup> £700].

(12) If any gaming takes place in contravention of any of the provisions of this Article or of any regulations made under this Article, every person concerned in the organisation or management of the gaming shall be guilty of an offence.

(13) For the purposes of paragraph (12) any person who takes part in procuring the assembly of the players shall be taken to be concerned in the organisation of the gaming.

(14) Without prejudice to paragraphs (12) and (13), where any gaming takes place on any premises, or in any vessel or vehicle, in contravention of any of the provisions of this Article or of any regulations made under this Article, any person who, knowing or having reasonable cause to suspect that the premises, vessel or vehicle would be used for gaming in contravention of any of those provisions,—

- (a) allowed the premises, vessel or vehicle to be used for the purpose of gaming, or
- (b) let, or let on hire, the premises, vessel or vehicle, or otherwise made the premises, vessel or vehicle available, to any person by whom an offence under paragraph (12) is committed in connection with the gaming,

shall be guilty of an offence.

(15) The Department may, by order subject to affirmative resolution, substitute, in relation to entertainments held on or after the date on which the order comes into operation, for any amount in this Article such other amount as may be specified in the order.

<b>F1</b> SR 2001/414
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### ***Prohibition on clubs on conviction of offence***

**127.**—(1) Where a person is convicted of an offence under Article 126(12) or (14) committed in respect of the premises of a club, the court by which he is convicted may make an order prohibiting—

- (a) that club from being used for the purposes of an entertainment at which gaming to which Article 126 applies takes place; and

(b) that club from making any daily charge under Article 128;  
during such period, not exceeding 5 years from the date on which the order takes effect, as may be specified in the order.

(2) An order made under paragraph (1) shall not take effect—

(a) until the expiry of the time within which the person on whose conviction the order was made can bring an appeal against his conviction or against the making of the order, and

(b) if an appeal is brought, until the appeal has been determined or abandoned.

(3) Where the person on whose conviction an order may be made under paragraph (1) is not an officer of the club, a court shall not make the order under paragraph (1) unless an opportunity has been given to such an officer and applying to be heard by the court to show cause why the order should not be made.

(4) A court which makes an order under paragraph (1), may, on the application of an officer of the club,—

(a) revoke the order; or

(b) vary the order by reducing any period of prohibition specified in it.

(5) An application under paragraph (4) shall not be made during the period of 6 months from the date on which—

(a) the order 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 of the police sub-division in which the club to which the application relates is situated notice of the application under that paragraph.

**Changes to legislation:**

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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\(2\)\(a\)](#)