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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 V**

**MISCELLANEOUS AND SUPPLEMENTARY**

***Special charges for play at certain clubs***

**128.**—(1) This Article applies to gaming which—

- (a) is carried on as one of the activities of a club whether or not there is in force in respect of the club a bingo club licence or the club is a registered club; and
- (b) is gaming in respect of which none of the conditions specified in Article 55 is fulfilled.

(2) <sup>F1</sup> Subject to the following provisions of this Article, nothing in Article 56 or 76 shall have effect so as to prevent a charge from being made in respect of any person for the right to take part in gaming to which this Article applies, if the charge or (if more than 1) the aggregate amount of the charges made in respect of that person for the right to take part in such gaming on any 1 day does not exceed<sup>F2</sup> £0.60].

(3) The Department may, by order subject to affirmative resolution,—

- (a) substitute for the sum in paragraph (2) such other sum as may be specified in the order;
- (b) in the case of gaming which consists exclusively of such game or games as the order may specify, and which takes place on a day on which the premises used therefor are not used for any other gaming, or for any other gaming except gaming by means of a gaming machine, specify a sum greater than that applicable in all other cases.

(4) Any such charge as is mentioned in paragraph (2) may be made in addition to any stakes hazarded in the gaming.

(5) In this Article “club” means a club which—

- (a) has not less than 25 members; and
- (b) is so constituted and conducted, in respect of membership and otherwise, as not to be of a temporary character.

**F1** mod. by SR 1987/186

**F2** SR 2001/414

### ***Eviction of tenant permitting premises to be used for gaming***

**129.**—(1) Where the tenant or occupier of any premises is convicted of an offence under Article 59(3), 95(2) or 126(14) of allowing the premises to be used for the purpose of gaming, Schedule 15 shall apply to enlarge the rights of the lessor or landlord with respect to the assignment or determination of the lease or other contract under which the premises are held by the person convicted.

- (2) Where the tenant or occupier of any premises is so convicted and either—
- (a) the lessor or landlord, after having the conviction brought to his notice, fails to exercise his statutory rights in relation to the lease or contract under which the premises are held by the person convicted; or
  - (b) the lessor or landlord, after exercising his statutory rights so as to determine that lease or contract, grants a new lease or enters into a new contract of tenancy of the premises to, with or for the benefit of the same person, without having all reasonable provisions to prevent the recurrence of the offence inserted in the new lease or contract;

then, if subsequently an offence under any of the provisions mentioned in paragraph (1) is committed in respect of the premises during the subsistence of the lease or contract referred to in sub-paragraph (a) or (where sub-paragraph (b) applies) during the subsistence of the new lease or contract, the lessor or landlord shall be deemed to be a party to that offence unless he shows that he took all reasonable steps to prevent the recurrence of the offence.

(3) References in paragraph (2) to the statutory rights of a lessor or landlord refer to his rights under Schedule 15.

### ***Restrictions on advertisements relating to gaming***

**130.**—(1) Except as provided by this Article, no person shall issue, or cause to be issued, any advertisement—

- (a) informing the public that any premises in Northern Ireland are premises on which gaming takes place or is to take place, or
- (b) inviting the public to take part as players in any gaming which takes place, or is to take place, on any such premises, or to apply for information about facilities for taking part as players in any gaming which takes place, or is to take place, in Northern Ireland, or
- (c) inviting the public to subscribe any money or money's worth to be used in gaming whether in Northern Ireland or elsewhere, or to apply for information about facilities for subscribing any money or money's worth to be so used,

and, subject to paragraph (6), any person who contravenes this paragraph shall be guilty of an offence.

(2) Paragraph (1) does not apply to any advertisement in so far as it relates to gaming which is, or is to be,—

- (a) gaming by way of gaming machine at exempt entertainments to which Article 122 applies; or
- (b) gaming at entertainments to which Article 126 applies; or
- (c) gaming by way of gaming machine on premises used wholly or mainly for the provision of amusements by means of gaming machines in respect of which an amusement permit is in force; or
- (d) gaming at any travelling showmen's pleasure fair<sup>F3</sup> or]
- <sup>F3</sup>(e) gaming in the form of playing bingo.]

[<sup>F3</sup>(3) Paragraph (1) does not apply to the publication or display of a notice, where the notice is required to be published or displayed by any provision of Schedules 9 to 14 and the publication or display is so made as to comply with the requirements of that provision.]

*Para. (4) rep. by 2004 NI 1*

(5) Where a person is charged with an offence under this Article it shall be a defence to prove that he is a person whose business it is to publish or arrange for the publication of advertisements and that he received the advertisement in question for publication in the ordinary course of business and did not know and had no reason to suspect that its publication would amount to an offence under this Article.

(6) For the purposes of this Article an advertisement issued by displaying or exhibiting it shall be treated as issued on every day on which it is displayed or exhibited.

*Para. (7) rep. by 2004 NI 1*

(8) In this Article—

“advertisement” includes every form of advertising, whether in a publication or by the display of notices or by means of circulars or other documents or by an exhibition of photographs or a cinematograph film, or by way of sound broadcasting or television,<sup>[F4]</sup> or by inclusion in any programme service (within the meaning of the Broadcasting Act 1990) other than a sound or television broadcasting service,] and references to the issue of an advertisement shall be construed accordingly;

“the public” means the public in Northern Ireland, and includes any section of the public, however selected.

**F3** 2004 NI 1

**F4** 1990 c. 42

**Changes to legislation:**

The Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985, CHAPTER V is up to date with all changes known to be in force on or before 28 March 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.

[View outstanding changes](#)

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