

SCHEDULES

[^{F1}SCHEDULE 8A

RIGHTS OF BETTING WORKERS AS RESPECTS SUNDAY WORKING

F1 2004 NI 1

Protected betting workers

2.—(1) Subject to sub-paragraph (5), a betting worker is to be regarded as “protected” for the purposes of any provision of this Schedule if (and only if) sub-paragraph (2) or (3) applies to him.

(2) This sub-paragraph applies to any betting worker if—

- (a) on the day before the commencement date, he was employed as a betting worker, but not to work only on Sunday;
- (b) he has been continuously employed during the period beginning with that day and ending with the day which, in relation to the provision concerned, is the appropriate date; and
- (c) throughout that period, or throughout every part of it during which his relations with his employer were governed by a contract of employment, he was a betting worker.

(3) This sub-paragraph applies to any betting worker whose contract of employment is such that under it he—

- (a) is not, and may not be, required to work on Sunday; and
- (b) could not be so required even if the provisions of this Schedule were disregarded.

(4) Where on the day before the commencement date an employee's relations with his employer have ceased to be governed by a contract of employment, he shall be regarded as satisfying sub-paragraph (2)(a) if—

- (a) that day fell in a week which counts as a period of employment with that employer under Article 8(3) of the Employment Rights Order or under regulations under Article 15 of that Order; and
- (b) on the last day before the commencement date on which his relations with his employer were governed by a contract of employment, the employee was employed as a betting worker, but not to work only on Sunday.

(5) A betting worker is not a protected betting worker if—

- (a) he has given his employer an opting-in notice on or after the commencement date; and
- (b) after giving the notice, he has expressly agreed with his employer to do betting work on Sunday or on a particular Sunday.

(6) In this Schedule “opting-in notice”, in relation to a betting worker, means written notice, signed and dated by the betting worker, in which the betting worker expressly states that he wishes to work on Sunday or that he does not object to Sunday working.]

Changes to legislation:

The Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985, Paragraph 2 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\(2\)\(a\)](#)