

## SCHEDULE 6

Regulations 12 and 13

### Conditions attaching to track premises licences

#### PART 1

##### Mandatory conditions attaching to all track premises licences

1. No customer shall be able to access the premises directly from any other premises in respect of which one of the following premises licences has effect—

- (a) a casino premises licence;
- (b) an adult gaming centre premises licence.

2. A notice stating that no person under the age of 18 is permitted to bet on the premises shall be displayed in a prominent place at every entrance to the premises.

3. The terms on which a bet may be placed must be displayed in a prominent place within the premises to which customers wishing to use facilities for betting have unrestricted access.

4. The premises licence holder shall make arrangements to ensure that betting operators who are admitted to the premises for the purpose of accepting bets are—

- (a) operating under a valid operating licence; and
- (b) authorised under sections 92 (general betting operating licence), 93 (pool betting operating licence) and 94 (horse-race pool betting operating licence) of the Act (as appropriate) to accept such bets.

5. The premises licence holder shall make arrangements to ensure that reasonable steps are taken to remove from the premises any person who is found to be accepting bets on the premises otherwise than in accordance with the 2005 Act.

6. Any ATM made available for use on the premises shall be located in a place that requires any customer who wishes to use it to cease gambling in order to do so.

#### PART 2

##### Mandatory conditions attaching to track premises licences in respect of premises that are horse-racing tracks

1.—(1) This paragraph shall apply to converted track premises licences in respect of premises that are horse-racing tracks.

(2) The licence holder shall ensure that in respect of any part of the track, which immediately before 1st September 2007 was made available for the purposes of complying with a condition imposed under section 13(2) of the 1963 Act (which provides for conditions to be imposed on a certificate under section 13 relating to the places which are to be provided for enabling betting to take place on the track), that part shall continue to be made available for the purposes of enabling betting operators and betting operator's assistants to use it for carrying on business in connection with providing facilities for betting.

(3) Sub-paragraph (2) is without prejudice to any application under section 187 of the Act (application to vary a premises licence) to change the location of the part of the track to which sub-paragraph (2) applies.

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

(4) Where such an application is granted, sub-paragraph (2) is to have effect as if it required the licence holder to ensure that the part of the track identified in the application as the new location for the area referred to in that sub-paragraph is made available for the purposes of enabling betting operators and betting operator's assistants to carry on business in connection with providing facilities for betting.

(5) References in this paragraph to an "existing betting area" are to any part of the track which is required to be made available in accordance with the preceding provisions of this paragraph for the purposes of enabling betting operators and betting operator's assistants to carry on business in connection with providing facilities for betting.

(6) The charge for admission to an existing betting area for the purposes of carrying on business in connection with providing facilities for betting shall not exceed—

- (a) where payable by a betting operator, five times the cost of the highest charge paid by members of the public who are authorised to enter that part of the track; and
- (b) where payable by a betting operator's assistant, the cost of the highest charge paid by members of the public who are authorised to enter that part of the track.

(7) A betting operator or betting operator's assistants shall not be charged, for admission to an existing betting area, an amount which differs from that charged to any other betting operator or betting operator's assistant for admission to that part of the track.

(8) No charges may be made to betting operators and betting operator's assistants who are admitted to the existing betting areas of the track, other than—

- (a) the charge for admission in accordance with sub-paragraphs (6) and (7); and
- (b) charges levied to cover costs reasonably incurred by the licence holder in discharging the duties under paragraphs 4 and 5 of Part 1 of this Schedule.

(9) Sub-paragraph (8) is without prejudice to any agreement under which a betting operator or a betting operator's assistant is required to make payments to the licence holder in connection with any costs incurred by the licence holder in providing facilities for use by the betting operator or betting operator's assistant in carrying on business in connection with providing facilities for betting.

(10) This paragraph shall not apply after 31st August 2012.

**2.—**(1) Subject to sub-paragraph (2), this paragraph shall apply to all track premises licences in respect of premises that are horse-racing tracks.

(2) The licence holder shall provide a place on the premises where betting operators, who do not hold a betting premises licence, and betting operators' assistants may carry on business in connection with providing facilities for betting and to which the public may resort for the purpose of betting.

(3) This paragraph shall only apply after 31st August 2012.

**3.** In this Part, "converted track premises licence" means a premises licence issued in respect of a track where—

- (a) the holder of the licence held a track betting licence under section 6 of the 1963 Act, or a certificate under section 13 of that Act, in respect of the same or substantially the same premises (referred to below as "the 1963 Act permission");
- (b) the 1963 Act permission had effect immediately before 1st September 2007; and
- (c) the holder of the licence was granted the premises licence, under transitional provisions made under paragraph 9 of Schedule 18 to the Act, by reason of holding the 1963 Act permission.

## PART 3

### Mandatory conditions attaching to track premises licences in respect of premises that are dog-racing tracks

1. A totalisator on the premises shall only be operated—
  - (a) while the public are admitted to the premises for the purpose of attending dog races and no other sporting events are taking place on the premises; and
  - (b) for effecting with persons on the premises betting transactions on dog races taking place on the premises.
2. At any time during which the totalisator is being lawfully used on the premises—
  - (a) no betting operator or betting operator’s assistant shall be excluded from the premises by reason only of the fact that that person proposes to accept or negotiate bets on the premises; and
  - (b) there shall be made available on the premises space for betting operators and betting operator’s assistants where they can conveniently accept and negotiate bets in connection with dog races run on the premises on that day.
3. For the purposes of this Part, “totalisator” means the apparatus for betting known as the totalisator or pari mutuel, or any other machine or instrument of betting of a like nature whether mechanically operated or not.

## PART 4

### Default conditions attaching to all track premises licences

- 1.—(1) Subject to sub-paragraph (2), no facilities for gambling shall be provided on the premises between the hours of 10pm on one day and 7am on the next day.
  - (2) The prohibition in sub-paragraph (1) does not apply on days when a sporting event is taking place on the premises, in which case gambling transactions may take place at any time during that day.