

HORSERACE BETTING AND OLYMPIC LOTTERY ACT 2004

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Schedule 1: New Schedule 1a to the Betting, Gaming and Lotteries Act 1963

Part 2

105. Paragraph 4 provides that any totalisator (which is defined in section 55 (Interpretation, etc – general) of the 1963 Act) being used must be in proper working order and be properly operated.
106. Paragraph 5 requires a person who receives or negotiates bets to display in a conspicuous position a notice stating, prominently and in easily legible print his key terms of business. There are special provisions for those engaged in remote betting, for example over the Internet or over the telephone.
107. Under paragraph 6 where a person makes statements in accordance with paragraph 5 in respect of a race or set of races he is not permitted to alter those statements in respect of that race or races, and must act in accordance with the statements. For example, if a bookmaker makes a statement that he will round down winnings to the nearest 5p in respect of a race or set of races, but in fact rounds down to the nearest 10p he will have acted in contravention of paragraph 6.
108. The purpose of paragraph 7 is to ensure that a bookmaker publishes the winning dividend as soon as possible after the relevant race or set of races has finished.
109. Paragraph 8 makes it a condition of Part 2 that a person who receives or negotiates bets (e.g. a bookmaker) must-
 - comply with any requirement imposed by or under Part 3 of the Schedule,
 - co-operate with the supervising accountant appointed under Part 3,
 - co-operate with the technical adviser appointed under Part 3,
 - co-operate with any person authorised by the supervising accountant or technical adviser under paragraph 11(2)(e) or 13(2)(f).
110. Paragraph 9 requires any person who carries on pool betting business to pay a yearly fee to be prescribed by an order made by the Secretary of State. The purpose of paragraph 9(4) is directed at ensuring that the amount paid by way of fees equals the costs of the accountant, the technical adviser and their staff.