



Horserace Betting and Olympic Lottery Act 2004

2004 CHAPTER 25

PART 1

SALE OF THE TOTE

Post-transfer control of horserace pool betting

8 Exclusive licence

- (1) The Gaming Board shall, if the Secretary of State so requires, issue to the successor company a licence (referred to in this Part as “the exclusive licence”) granting the successor company the right—
 - (a) to carry on pool betting business (in any form) in connection with horse races on approved horse racecourses,
 - (b) by way of business to receive or negotiate bets in connection with horse races on approved horse racecourses on terms that all or part of the winnings shall be calculated or regulated directly or indirectly by reference to the amounts or rates of payments or distributions in respect of winning bets made by way of pool betting, and
 - (c) to provide facilities in relation to a matter mentioned in paragraph (a) or (b).
- (2) The exclusive licence shall, unless revoked under subsection (7), have effect for the period of seven years beginning with the date of issue.
- (3) In requiring the issue of the exclusive licence the Secretary of State may specify terms or conditions of the licence.
- (4) The Secretary of State—
 - (a) may require the issue of the exclusive licence before, on or after the appointed day,

Changes to legislation: There are currently no known outstanding effects for the Horserace Betting and Olympic Lottery Act 2004, Section 8. (See end of Document for details)

- (b) may require the issue of the exclusive licence after the successor company has ceased to be wholly owned by the Crown, and
 - (c) may not require the issue of the exclusive licence more than once.
- (5) While the exclusive licence has effect—
- (a) the successor company may authorise one or more other persons to do anything that the successor company is authorised to do by the exclusive licence, and
 - (b) a person other than the successor company may not do anything that the successor company is authorised to do by the exclusive licence, except in accordance with an authorisation under paragraph (a).
- (6) An authorisation under subsection (5)(a) may be given on terms and conditions; which may, in particular, include provision—
- (a) for payment to or by the successor company;
 - (b) for agency or commission;
 - (c) about facilities to be provided by the successor company under subsection (1)(c).
- (7) The Gaming Board—
- (a) may make an order revoking the exclusive licence if they think that a term or condition of the licence has been breached, and
 - (b) shall make an order revoking the exclusive licence if the Secretary of State so directs.
- (8) A direction of the Secretary of State under subsection (7)(b) shall specify the reasons for the direction.
- (9) An order revoking the exclusive licence—
- (a) must specify the reasons for the revocation (or, in the case of revocation pursuant to a direction under subsection (7)(b), the reasons for the direction specified under subsection (8)), and
 - (b) shall take effect at such time as the order may specify.
- (10) The Secretary of State may require revocation under subsection (7)(b) only while the successor company is wholly owned by the Crown.
- (11) The exclusive licence may not be—
- (a) renewed, or
 - (b) issued or revoked otherwise than in accordance with subsection (1) or (7).

Modifications etc. (not altering text)

- C1** S. 8 modified by SI 2006/3272 art. 7(1) (as inserted (16.8.2007) by [The Gambling Act 2005 \(Commencement No. 6 and Transitional Provisions\) \(Amendment\) \(No. 2\) Order 2007 \(S.I. 2007/2169\)](#), arts. 1(1), 5)

Commencement Information

- I1** S. 8 in force at 25.2.2011 by [S.I. 2011/462](#), art. 2

Changes to legislation:

There are currently no known outstanding effects for the Horserace Betting and Olympic Lottery Act 2004, Section 8.