

2003 No. 2631

CUSTOMS AND EXCISE

The General Betting Duty (Amendment) Regulations 2003

<i>Made</i> - - - -	<i>09 October 2003</i>
<i>Laid before the House of Commons</i>	<i>10 October 2003</i>
<i>Coming into force</i> - -	<i>1st November 2003</i>

The Commissioners of Customs and Excise, in exercise of the powers conferred upon them by section 5D of, and paragraph 2 of Schedule 1 to, the Betting and Gaming Duties Act 1981(a) hereby make the following regulations:

Citation and commencement

1. These Regulations may be cited as the General Betting Duty (Amendment) Regulations 2003 and come into force on 1st November 2003.

Interpretation

2. In these Regulations “the Principal Regulations” means the General Betting Duty Regulations 2001(b).

Amendments to the Principal Regulations

3. Amend the Principal Regulations as follows—

- (a) in regulation 3—
 - (i) in the definition of an “accounting period”, for “regulations 7 to 11” substitute “regulations 8, 10 and 11”,
 - (ii) in the definition of an “on-course bookmaker”, before “meeting” insert “horse or dog race”, and
 - (iii) omit the words after the definition of an “on-course bookmaker”;
- (b) omit regulations 7 and 9;
- (c) in regulation 10—
 - (i) in paragraph (1), before “bookmaker” insert “qualifying” and omit “in respect of qualifying bets”,
 - (ii) in paragraph (3)(b) and (c) omit “or regulation 6 of the General Betting Duty Regulations 1987”,

(a) 1981 c.63; section 33(1) defines “the Commissioners” as meaning the Commissioners of Customs and Excise; section 5D was inserted by the Finance Act 2001 (c. 9), Schedule 1; paragraph 2 of Schedule 1 was amended by the Finance Act 1987 (c.16), section 3(3) and by the Finance Act 2001, Schedule 1.
(b) S.I. 2001/3088.

- (iii) omit paragraph (5),
- (iv) in paragraph (6) omit “of any class”;
- (d) in regulation 11—
 - (i) in paragraph (1), omit “9 or”,
 - (ii) in paragraph (2), omit “of any class” and “in respect of bets other than financial spread bets”, and
 - (iii) in paragraph (3)(a), for “regulations 9(3)(c) and” substitute “regulation”.

Transitional provisions for non-standard accounting periods

4.—(1) This regulation applies to a bookmaker who, before these Regulations came into force—

- (a) gave notice in accordance with regulation 9 of the Principal Regulations, or
- (b) gave notice in accordance with regulation 10 of the Principal Regulations and was not, at the time that he gave that notice, a qualifying bookmaker (as defined in paragraph (6) of that regulation),

that his accounting periods would be periods of three consecutive months.

(2) The amendments made by these Regulations do not affect accounting periods that end on or before 31 December 2003.

(3) An accounting period that is due to end on 31 January 2004 or 29 February 2004 ends on 31 December 2003.

(4) A notice given in accordance with regulation 9 or 10 of the Principal Regulations has no effect after 31 December 2003.

New King’s Beam House
22 Upper Ground
LONDON
SE1 9PJ
09 October 2003

Ray McAfe
Commissioner of Customs and Excise

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations come into force on 1st November 2003.

Purpose of the Regulations

These Regulations amend the General Betting Duty Regulations 2001 (S.I. 2001/3088).

In addition to minor and drafting amendments they make the following changes of substance:

1. Regulation 3 redefines an on-course bookmaker so that this term now only applies to those who are carrying on or intend to carry on bookmaking at a horse or dog race meeting; and
2. Regulation 3 also withdraws the entitlement to three-month accounting periods that was previously provided for—
 - (a) bookmakers who have produced negative net stake receipts in any two of the previous twelve months under regulation 9 of the 2001 Regulations, and
 - (b) financial spread bets under regulation 10 of the 2001 Regulations.

Regulation 4 of these Regulations makes provision for the entitlement to three-month accounting periods, under the circumstances described at (a) and (b) above, to be withdrawn on 31 December 2003.

STATUTORY INSTRUMENTS

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