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STATUTORY INSTRUMENTS

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**2007 No. 2102**

**The Gambling Act 2005 (Horserace  
Totalisator Board) Order 2007**

**Modification of section 33 of the Gambling Act 2005**

**3.—**(1) Section 33 of the 2005 Act shall have effect until immediately before the dissolution date with the following modifications.

(2) Subsection (1) does not apply to any activity by—

- (a) the Tote in pursuance of the right conferred by section 14 of the 1963 Act, or
- (b) any other person acting in the course of a business carried on by the Tote in pursuance of that right.

(3) Subsection (1) does not apply to any activity which—

- (a) takes place on an approved horse-race course on a day on which horse races but no other races take place, and
- (b) is carried out by a person acting in the course of an authorised pool betting business.

(4) Subsection (1) does not apply to any activity by a person acting in the course of a sponsored pool betting business.

(5) Subsections (2) and (3) do not apply to any activity by a person which infringes the right conferred on the Tote by section 14 of the 1963 Act whether or not those subsections would otherwise apply to the activity.

(6) In paragraph (3) “authorised pool betting business” means a pool betting business carried on, with the authority of the Tote, by the persons having the management of the horse-race course referred to in sub-paragraph (a) of that paragraph.