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## STATUTORY INSTRUMENTS

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# 1985 No. 1204

## The Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985

### PART III **N.I.**

#### GAMING

#### CHAPTER II **N.I.**

#### GAMING ON BINGO CLUB PREMISES

##### *Miscellaneous*

#### ***Offences relating to bingo and bingo club premises*** **N.I.**

**78.**—(1) Subject to the following provisions of this Article, if any of the provisions of Article 75 or 76 or of any regulations made under Article 76 is contravened in relation to any bingo club premises, the holder of the bingo club licence shall be guilty of an offence.

(2) Without prejudice to paragraph (1), but subject to paragraph (3), if any of the provisions mentioned in paragraph (1) is contravened in relation to any gaming to which this Chapter applies, every person concerned in the organisation or management of that gaming shall be guilty of an offence.

(3) Where a person is charged with an offence under either paragraph (1) or (2) in respect of a contravention of any of the provisions mentioned in paragraph (1), it shall be a defence for him to prove—

- (a) that the contravention occurred without his knowledge; and
- (b) that he exercised all such care as was reasonable in the circumstances to secure that the provisions in question would not be contravened.

(4) Where on the grant or renewal of a bingo club licence, a court of summary jurisdiction imposes any restrictions under Article 63(8) or 68(5), paragraphs (1) to (3) shall have effect in relation to any contravention of those restrictions as they have effect in relation to any contravention of the provisions of Article 75 or 76.

#### ***Disqualification of holder of bingo club licence or bingo club premises on conviction of offence*** **N.I.**

**79.**—(1) Subject to paragraph (4), where a person is convicted of—

- (a) an offence committed in respect of any bingo club premises under paragraph (1) or (2) of Article 78 (including either of those paragraphs as applied by paragraph (4) of that Article); or
- (b) an offence under Article 108(11) or (12); or
- (c) any offence involving fraud or dishonesty;

the court by which he is convicted may make a disqualification order prohibiting—

- (i) the person to whom the bingo club licence was granted from holding such a licence; or
- (ii) a bingo club licence from being held in respect of those premises;

during such period, not exceeding 5 years from the date on which the order takes effect, as may be specified in the order.

(2) Where a disqualification order under paragraph (1) is made, any bingo club licence within the prohibition obtained before the order is made or before it takes effect shall by virtue of the order be void as from the time when the order takes effect.

(3) A disqualification order under paragraph (1) shall not take effect—

- (a) until the expiry of the time for bringing an appeal against the conviction or against the making of the order, and
- (b) if such appeal is brought, until the appeal has been determined or abandoned.

(4) Where the person on whose conviction a disqualification order may be made under paragraph (1) is not the holder of the bingo club licence, a court shall not make the disqualification order under paragraph (1)(ii) unless an opportunity has been given to any person interested in the bingo club premises and applying to be heard by the court to show cause why the order should not be made.

(5) A court which makes a disqualification order under paragraph (1)(ii) may, on the application of any person affected by the order,—

- (a) revoke the order; or
- (b) vary the order by reducing any period of prohibition specified in it.

(6) An application under paragraph (5) shall not be made during the period of 6 months from the date on which—

- (a) the disqualification order under paragraph (1) takes effect; or
- (b) a previous application under paragraph (5) was made to the court.

(7) An applicant under paragraph (5) shall serve on the sub-divisional commander of the police sub-division in which the premises to which the application relates are situated notice of the application under that paragraph.

**Changes to legislation:**

The Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985, Cross Heading: Miscellaneous is up to date with all changes known to be in force on or before 03 June 2024.

There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- Instrument applied by [1997 c. 16 s.15\(3\)](#)

**Changes and effects yet to be applied to the whole Order associated Parts and Chapters:**

- Act applied by [1997 c. 16 s.15\(3\)](#)

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- art. 172A and cross-heading inserted by [2022 c. 14 \(N.I.\) s. 15\(1\)](#)
- art. 186(3A) inserted by [2022 c. 14 \(N.I.\) s. 15\(2\)\(a\)](#)