
STATUTORY INSTRUMENTS

1985 No. 1204

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

PART III

GAMING

CHAPTER III

GAMING BY WAY OF A GAMING MACHINE

Gaming machines on other premises

Use of gaming machines on other premises

108.—(1) The conditions specified in the following provisions of this Article shall be observed where, in pursuance of the exception in Article 95(1)(b), a gaming machine is used for gaming—

- (a) on any bingo club premises in respect of which a court of summary jurisdiction has given a direction under Article 63(9) or, as the case may be, Article 68(6)(a);
- (b) on such licensed premises within the meaning of the^[F1] Licensing (Northern Ireland) Order 1996] as may be prescribed by regulations;

[^{F2}(ba) on any licensed office;]

[^{F2}(c) on any premises in respect of which there is in force an amusement permit expressed to be granted for the purposes of this sub-paragraph;

(ca) on any premises in respect of which there is in force an amusement permit expressed to be granted for the purposes of this sub-paragraph;]

(d) at a travelling showmen's pleasure fair.

(2) Not more than the number of gaming machines specified by a court of summary jurisdiction in a direction under Article 63(9) or, as the case may be, Article 68(6)(a) in respect of any bingo club premises shall be made available for gaming on those bingo club premises.

(3) Gaming machines shall not be made available for gaming on bingo club premises on any [^{F3}Christmas Day].

(4) Where a county court, or as the case may be, a court of summary jurisdiction gives a direction under^[F1] Article 7(13) or, as the case may be, Article 15(6) of the Licensing (Northern Ireland) Order 1996] in respect of any licensed premises within the meaning of^[F1] that Order] not more than the number of gaming machines specified in that direction shall be made available for gaming on those licensed premises.

[^{F4}(4ZA) Gaming machines shall not be made available in any part of licensed premises within the meaning of the Licensing (Northern Ireland) Order 1996 in which an authorisation under Article 58B of that Order (underage functions) is in force during the period for which it is in force.]

Changes to legislation: The Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985, Section 108 is up to date with all changes known to be in force on or before 31 May 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. (See end of Document for details) View outstanding changes

[^{F2}(4A) Not more than 2 gaming machines (or such other number as the Department may specify, by order subject to affirmative resolution) shall be made available for gaming on any licensed office.]

(5) In the case of a travelling showmen's pleasure fair the opportunity to win prizes by means of amusements which constitute gaming (whether by use of gaming machines or otherwise) shall not constitute the only, or the only substantial, inducement to persons to attend the fair.

(6) The charge for playing a game once by means of the gaming machine shall be 1 or more coins inserted in the gaming machine of an amount or value not exceeding (or, if more than 1, not in the aggregate exceeding)

[^{F2}(a) £0.30 in respect of a gaming machine where the condition specified in paragraph (7) applies; or

[^{F5}(b) in respect of a gaming machine where the condition in paragraph (8)(a) applies, £0.30;

(c) in respect of a gaming machine where the condition in paragraph (8)(b) applies, £0.30;

(d) in respect of a gaming machine where the condition in paragraph (8)(c) applies, £0.30;

(e) in respect of a gaming machine where the condition in paragraph (8)(d) applies, £0.30.]]

(7) [^{F6}In respect of any one game played by means of a gaming machine installed on premises such as are mentioned in paragraph (1)(c) or (d)] no player or person claiming under a player shall receive, or shall be entitled to receive, any article, benefit or advantage other than 1 (and only 1) of the following, that is to say—

(a) a money prize not exceeding[^{F2} £8];

(b) a non-monetary prize or prizes of a value or aggregate value not exceeding[^{F7} £8] or a token or tokens exchangeable only for such a non-monetary prize or such non-monetary prizes;

[^{F2}(c) a money prize together with a non-monetary prize of an aggregate value not exceeding £8 or a token or tokens exchangeable only for such a combination of a money prize and a non-monetary prize]

^{F8}(7A)

[^{F9}(8) In respect of any one game played by means of a gaming machine installed on any other premises mentioned in paragraph (1), no player or person claiming under a player shall receive, or shall be entitled to receive, any article, benefit or advantage other than a money prize delivered by the machine of an amount not exceeding—

(a) in the case of a machine installed on bingo club premises, £25;

(b) in the case of a machine installed on licensed premises, £25;

(c) in the case of a machine installed on a licensed office, £25;

(d) in the case of a machine installed on premises in respect of which there is in force an amusement permit expressed to be granted for the purposes of paragraph (1)(ca), £25.]

^{F10}(8A)

(9) The condition specified in paragraph (7) or (8) shall not be taken to be contravened by reason only that a player, after inserting in the gaming machine an amount permitted in accordance with paragraph (6) and playing a game successfully, is afforded by the automatic action of the machine an opportunity to play 1 or more further games without inserting any further coins in the gaming machine, if in respect of all those games—

(a) he does not receive, and is not entitled to receive, any article other than a money prize or money prizes of an amount or aggregate amount [^{F11}not exceeding—

(i) in relation to a machine to which paragraph (7) applies, £8; or

- (ii) in relation to a machine to which a sub-paragraph of paragraph (8) applies, the amount specified in that sub-paragraph, delivered by the machine; and]
- (b) he does not receive and is not entitled to receive, any other benefit or advantage apart from the opportunity to play the further game or games.
- (10) In relation to any gaming machine used on any premises mentioned in paragraph (1), regulations may—
- (a) make provision as to the amount which that machine shall pay out;
- (b) require the display of such information in such form and manner and at such intervals as may be prescribed by regulations.
- (11) Where any of the provisions of this Article or of any regulations made under this Article is contravened,—
- (a) in a case falling within paragraph (1)(a), (b)^[F2], (ba)^[F2], (c) or (ca)], the holder of the bingo club licence or the holder of the licence for the sale of intoxicating liquor or^[F2] the licensed bookmaker or] the holder of the amusement permit, as the case may require,
- (b) in a case falling within paragraph (1)(d) the person in charge of the gaming machine, shall be guilty of an offence.
- (12) Where any of the provisions of this Article or of any regulation made under this Article is contravened in relation to a gaming machine on bingo club premises, any person who allowed the gaming machine to be on the bingo club premises shall be guilty of an offence.
- (13) In any proceedings for an offence under paragraph (11) or (12) it shall be a defence for any person charged 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.
- (14) Where any of the provisions of this Article or of any regulations made under this Article is contravened in relation to a gaming machine, then (without prejudice to any liability of any other person under paragraph (11) or (12)) any person who, knowing or having reasonable cause to suspect that the provision in question would be contravened in relation to the gaming machine, supplied the gaming machine shall be guilty of an offence.
- (15) In this Article “non-monetary prize” means a prize which does not consist of or include any money and does not consist of or include any token which can be exchanged for money or money's worth.
- (16) The Department may, by order subject to affirmative resolution, substitute for any amount in this Article such other amount as may be specified in the order.

F1 1996 NI 22

F2 2004 NI 1

F3 Words in art. 108(3) substituted (27.4.2022) by [Betting, Gaming, Lotteries and Amusements \(Amendment\) Act \(Northern Ireland\) 2022 \(c. 14\)](#), ss. **6(2)**, 17(2)

F4 [Art. 108\(4ZA\)](#) inserted (6.4.2022) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2021 \(c. 7\)](#), ss. **14(7)**, 47(2); S.R. 2022/63, art. 2, Sch.

F5 [Art. 108\(6\)\(b\)-\(e\)](#) substituted for [art. 108\(6\)\(b\)](#) (27.4.2022) by [Betting, Gaming, Lotteries and Amusements \(Amendment\) Act \(Northern Ireland\) 2022 \(c. 14\)](#), ss. **8(2)**, 17(2)

F6 Words in art. 108(7) substituted (27.4.2022) by [Betting, Gaming, Lotteries and Amusements \(Amendment\) Act \(Northern Ireland\) 2022 \(c. 14\)](#), ss. **8(3)**, 17(2)

F7 SR 1995/442

Changes to legislation: *The Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985, Section 108 is up to date with all changes known to be in force on or before 31 May 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. (See end of Document for details) [View outstanding changes](#)*

- F8** Art. 108(7A) omitted (27.4.2022) by virtue of [Betting, Gaming, Lotteries and Amusements \(Amendment\) Act \(Northern Ireland\) 2022 \(c. 14\), ss. 8\(4\), 17\(2\)](#)
- F9** Art. 108(8) substituted (27.4.2022) by [Betting, Gaming, Lotteries and Amusements \(Amendment\) Act \(Northern Ireland\) 2022 \(c. 14\), ss. 8\(5\), 17\(2\)](#)
- F10** Art. 108(8A) omitted (27.4.2022) by virtue of [Betting, Gaming, Lotteries and Amusements \(Amendment\) Act \(Northern Ireland\) 2022 \(c. 14\), ss. 8\(6\), 17\(2\)](#)
- F11** Words in art. 108(9)(a) substituted (27.4.2022) by [Betting, Gaming, Lotteries and Amusements \(Amendment\) Act \(Northern Ireland\) 2022 \(c. 14\), ss. 8\(7\), 17\(2\)](#)

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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\(2\)\(a\)](#)