

STATUTORY INSTRUMENTS

1985 No. 1204

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

PART VI

MISCELLANEOUS

[^{F1}Cheating

- 169.**—(1) A person who—
- (a) cheats at gambling, or
 - (b) does anything for the purpose of enabling or assisting another person to cheat at gambling,
- is guilty of an offence.
- (2) For the purposes of paragraph (1) it is immaterial whether a person who cheats—
- (a) improves his chances of winning anything, or
 - (b) wins anything.
- (3) Without prejudice to the generality of paragraph (1), cheating at gambling may, in particular, consist of actual or attempted deception or interference in connection with—
- (a) the process by which gambling is conducted, or
 - (b) a game, sport, pastime or other event or process to which gambling relates.
- (4) In this Article “gambling” means gaming, betting or participating in a lottery.]

F1 Art. 169 substituted (1.10.2023) by [Betting, Gaming, Lotteries and Amusements \(Amendment\) Act \(Northern Ireland\) 2022 \(c. 14\), ss. 13, 17\(3\)](#); S.R. 2023/74, art. 2, Sch.

Gaming and wagering contracts void

^{F2}170.

F2 Art. 170 repealed (27.4.2022) by [Betting, Gaming, Lotteries and Amusements \(Amendment\) Act \(Northern Ireland\) 2022 \(c. 14\), ss. 14\(1\)\(a\), 17\(2\)](#)

Securities in connection with gaming and wagering illegal

^{F3}171.

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F3 Art. 171 repealed (27.4.2022) by [Betting, Gaming, Lotteries and Amusements \(Amendment\) Act \(Northern Ireland\) 2022 \(c. 14\)](#), ss. **14(1)(b)**, 17(2)

Charges by Department

Charges for licences and certificates

172.—(1) There shall be paid to the Department—

- (a) by every person who intends to apply under Article 8 for the grant of a bookmaker's licence, a charge of £100;
- (b) by every person who intends to apply under Article 12 for the grant of a bookmaking office licence, a charge of £1;
- (c) by every person who intends to apply under Article 14 to have the provisional grant of a bookmaking office licence declared final, a charge of £1;
- (d) by every person who intends to apply under Article 16 for the renewal of a bookmaker's licence, a charge of £1;
- (e) by every person who intends to apply under Article 18 for the renewal of a bookmaking office licence, a charge of £1;
- (f) by every person who intends to apply under Article 23 for the transfer of a bookmaking office licence, a charge of £1;
- (g) by every person who intends to apply under Article 63 for the grant of a bingo club licence, a charge of^{F4} £2,300];
- (h) by every person who intends to apply under Article 65 to have the provisional grant of a bingo club licence declared final, a charge of^{F4} £2,300];
- (i) by every person who intends to apply under Article 67 for the renewal of a bingo club licence, a charge of^{F4} £820];
- (j) by every person who intends to apply under Article 85 for the grant of a gaming machine certificate, a charge of^{F5} £1,840];
- (k) by every person who intends to apply under Article 87 for the renewal of a gaming machine certificate, a charge of^{F5} £690].

(2) The Department, with the consent of the Department of Finance and Personnel, may, by order subject to affirmative resolution, substitute for any of the charges specified in paragraph (1) such other charges as may be specified in the order.

(3) The Department shall issue a receipt to every person who pays a charge specified in paragraph (1).

(4) Where any application for the grant, renewal or transfer of a licence or certificate, as the case may require, in respect of which a person has paid to the Department the charge specified in paragraph (1) has been refused by a court, the Department shall, after the expiry of the time for making an appeal against the refusal, and, if an appeal is brought, after the appeal is dismissed or abandoned, refund to that person the amount paid under paragraph (1).

F4 SR 1990/403
F5 SR 1992/43

Change of directors of body corporate

Notification of change of directors, etc., of a body corporate

173. Where the holder of a—

- (a) bookmaker's licence;
- (b) bookmaking office licence;
- (c) bookmaking office licence granted provisionally;
- (d) bingo club licence;
- (e) bingo club licence granted provisionally;
- (f) gaming machine certificate;
- (g) gaming machine permit; or
- (h) lottery certificate;

is a body corporate, then if at any time a change occurs—

- (i) in the persons who are directors of that body corporate; or
- (ii) in the persons in accordance with whose directions or instructions the directors of that body corporate are accustomed to act,

the licence, certificate or permit, as the case may require, shall cease to be in force on the expiration of 14 days after that time unless the body corporate serves, within that 14 days, a notice giving particulars of that change [^{F6}upon—

- (a) the clerk of petty sessions; and
- (b) the district commander of the police district in which the licence, certificate or permit was granted or, in the case of a bookmaking office licence, in which the licensed office is situated.]

F6 Words in art. 173 substituted (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 91(6) (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k) (with art. 3)

Registers and proof of licences, etc.

Register of licences, certificates and permits

174.—(1) [^{F7}The Department of Justice shall cause to be kept (whether by clerks of petty sessions or otherwise)] a register of—

- (a) bookmakers' licences;
- (b) bookmaking office licences;
- (c) bingo club licences;
- (d) gaming machine certificates;
- (e) gaming machine permits; and
- (f) lottery certificates;

[^{F7}granted by a county court or a court of summary jurisdiction] .

(2) [^{F8}There shall be recorded] in the register in respect of each licence, certificate or permit—

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- (a) the matters which under this Order or by regulations are required to be specified on the licence, certificate or permit;
- (b) particulars of the provisional grant of a bookmaking office licence or a bingo club licence and of any such licence declared final;
- (c) particulars of any renewal of the licence or certificate or of the transfer of any bookmaking office licence;
- (d) particulars of any bookmaking office licence or bingo club licence granted conditionally, of any period fixed by the court under Article 13(1) or (3) or 64(1) or (3) and of any declaration made by the court under Article 13(5) or 64(5);
- (e) particulars of any notice served under Article 15(10), 66(9), 86(9) or 143(7);
- (f) particulars of any restriction imposed on a bingo club licence under Article 63(8) or 68(5) (a), any direction given in respect of bingo club premises under Article 63(9) or 68(6)(a), any declaration made in respect of bingo club premises under Article 107, any variation of any such restriction or direction and any cancellation of any such direction or declaration;
- [^{F9}(fa) particulars of any declaration made in respect of a licensed office under Article 107 and any cancellation of any such declaration;]
- (g) particulars of any revocation of the licence, certificate or permit and of any disqualification order made in consequence of the revocation;
- [^{F10}(gg) particulars of the forfeiture and cancellation of any bookmaking office licence in consequence of an order made under paragraph 15(1) of Schedule 1 to the Betting and Gaming Duties Act 1981;]
- (h) particulars of any conviction of—
 - (i) a licensed bookmaker of any offence such as is mentioned in Article 53(1); or
 - (ii) any person of an offence mentioned in Article 79(1); or
 - (iii) a holder of a gaming machine certificate or a gaming machine permit of any offence mentioned in Article 125(1); or
 - (iv) a holder of a lottery certificate of any offence mentioned in Article 152; and of any disqualification order made in consequence of the conviction;
- (i) particulars of any matters such as are mentioned in paragraph (4)(a);
- (j) such other matters as may be prescribed by regulations.
- (3) [^{F11}The Department of Justice shall also cause to be kept] —
 - (a) the plans received ^{F12}... under [^{F9} paragraph (4)], Article 64(1)(b)^{F9} . . . or Part I of Schedule 9 as modified by Part II of that Schedule and any modifications of those plans consented to by the court under [^{F9} Article] 65(6);
 - (b) the particulars of any notice served under Article 173;

and those plans and particulars shall be deemed to be matters which are required to be, and have been, recorded in the register under paragraph (2).

^{F13}(4)

(5) A clerk of petty sessions may make such alterations in the register as are necessary to ensure that the matters recorded in the register in respect of the licence, certificate or permit are accurate.

F7	Words in art. 174(1) substituted (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 91(7)(a) (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k) (with art. 3)
F8	Words in art. 174(2) substituted (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 91(7)(b) (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k) (with art. 3)

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- F9** 2004 NI 1
- F10** 1986 c. 41
- F11** Words in art. 174(3) substituted (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), **Sch. 1 para. 91(7)(c)** (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k) (with art. 3)
- F12** Words in art. 174(3)(a) repealed (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 91(7)(c), **Sch. 9 Pt. 1** (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k)(m) (with art. 3)
- F13** Art. 174(4) repealed (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 91(7)(d), **Sch. 9 Pt. 1** (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k)(m) (with art. 3)

Register of clubs

175.—(1) [^{F14}The Department of Justice shall cause to be kept (whether by clerks of petty sessions or otherwise) a register of clubs] in respect of which a certificate of registration is issued under Article 97(1).

(2) [^{F15}There shall be recorded] in respect of each club entered in the register—

- (a) the name of the club;
- (b) the address of the premises of the club;
- (c) the name and address of the owner of the premises;
- (d) particulars of any renewal of registration of the club;
- (e) particulars of any cancellation of registration of the club;
- (f) particulars of conviction of any person of an offence under Article 126(12) or (14) committed in respect of the premises of the club and of any order made under Article 127 in consequence of the conviction;
- (g) particulars of any matters such as are mentioned in paragraph (3);
- (h) such other matters as may be prescribed by regulations.

^{F16}(3)

(4) Article 174(5) shall apply to a register of clubs under this Article as it applies to a register of licences, certificates and permits under that Article.

- F14** Words in art. 175(1) substituted (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), **Sch. 1 para. 91(8)(a)** (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k) (with art. 3)
- F15** Words in art. 175(2) substituted (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), **Sch. 1 para. 91(8)(b)** (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k) (with art. 3)
- F16** Art. 175(3) repealed (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 91(8)(c), **Sch. 9 Pt. 1** (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k)(m) (with art. 3)

Inspection of registers

176. A register of licences, certificates and permits and a register of clubs may be inspected, and copies of all or any part of any entry in those registers may be taken, at all reasonable hours.

Returns to Department

177. [^{F17}The Department of Justice shall, in respect of each such period as the Department may specify, arrange for a statement to be sent to the Department] showing—

- (a) the number of—
 - (i) bookmakers' licences;

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- (ii) bookmaking office licences;
- (iii) bingo club licences;
- (iv) gaming machine certificates;
- (v) gaming machine permits; and
- (vi) lottery certificates;

[^{F18}granted by a county court or court of summary jurisdiction] ;

- (b) the number of clubs ^{F19}... registered under this Order;
- (c) the number of licences or certificates so granted which have been renewed;
- (d) the number of bookmaking office licences which have been transferred;
- (e) the number of clubs so registered for which registration has been renewed;
- (f) the number of licences or certificates so granted which have been revoked;
- (g) the number of clubs so registered for which registration has been cancelled;
- (h) the number of disqualification orders made in consequence of—
 - (i) the revocation of any licence or certificate; or
 - (ii) the conviction of a licensed bookmaker for an offence mentioned in Article 53(1), or any person for an offence mentioned in Article 79(1) or for an offence under Article 126(12) or (14), or a holder of a gaming machine certificate or a gaming machine permit for an offence mentioned in Article 125(1) or the holder of a lottery certificate for an offence mentioned in Article 152;

and containing such other information as the Department may require.

- F17** Words in art. 177 substituted (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 91(9)(a) (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k) (with art. 3)
- F18** Words in art. 177(a) substituted (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 91(9)(b) (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k) (with art. 3)
- F19** Words in art. 177(b) repealed (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 91(9)(c), Sch. 9 Pt. 1 (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k)(m) (with art. 3)

Registers to be evidence

178.—(1) A register of licences, certificates and permits and a register of clubs shall be received in evidence of the matters required by or under this Order to be recorded in them, and any document purporting to be certified by a clerk of petty sessions to be a true copy of an entry in either of those registers ^{F20}... shall be received in evidence of any such matters contained in the entry.

- (2) On an application for—
 - (a) the grant, renewal or revocation of a bookmaker's licence, bookmaking office licence, bingo club licence, gaming machine certificate, or lottery certificate;
 - (b) the transfer of a bookmaking office licence;
 - (c) the grant of a gaming machine permit; or
 - (d) the grant, renewal or cancellation of the registration of a club under this Order;

the court^{F21}... shall have regard to the entries, if any, in the register of licences, certificates and permits or, as the case may be, the register of clubs relating to the person by whom, or the premises in respect of which, the application is made.

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- F20** Words in art. 178(1) repealed (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 91(10), **Sch. 9 Pt. 1** (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k)(m) (with art. 3)
- F21** 2004 NI 1

Proof of licences, etc.

179.—(1) A document purporting to be—

- (a) a bookmaker's licence;
- (b) a bookmaking office licence;
- (c) a bingo club licence;
- (d) a gaming machine certificate;
- (e) a gaming machine permit;
- (f) a lottery certificate; or
- (g) a certificate of registration issued under Article 97(1);

and to be signed by the clerk of [F22 the court] by which the licence, certificate or permit was granted or, as the case may be, the club was registered shall be received in evidence.

(2) A document which has been issued by the clerk of petty sessions F23 ... and certified by him to contain a true copy of the particulars recorded in the register of licences, certificates and permits in respect of that licence, certificate or permit or, as the case may be, in the register of clubs in respect of that club shall be treated for the purposes of this Order as the licence, certificate or permit as the case may require.

(3) The clerk of petty sessions may issue a document under paragraph (2) where he is satisfied that a licence, certificate or permit has been lost or destroyed.

- F22** 2004 NI 1
- F23** Words in art. 179(2) repealed (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 91(11), **Sch. 9 Pt. 1** (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k)(m) (with art. 3)

Inspection and rights of entry

Provision for inspection and rights of entry

180.—(1) For the purpose of ascertaining whether a contravention of this Order or of any regulations made under it is being or has been committed or whether any conditions which are applicable under this Order are being or have been complied with a constable may at any reasonable time—

- (a) enter—
 - (i) any licensed office; or
 - (ii) any licensed track; or
 - (iii) any bingo club premises; or
 - (iv) any premises which belong to the holder of a gaming machine certificate; or
 - (v) any registered club; or
 - (vi) any licensed premises such as are mentioned in Article 108(1)(b); or
 - (vii) any premises for which an amusement permit is in force; or

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- (viii) any premises on which a constable has reason to believe an entertainment to which Article 126 applies or an exempt entertainment is being held; or
- (ix) any travelling showmen's pleasure fair; or
- (x) any office of a registered society; or
- (xi) any premises for which a pleasure permit is in force; and
- (b) inspect any premises mentioned in sub-paragraph (a) and any gaming machine, machine or other equipment or any book or document found on those premises; and
- (c) upon production of a receipt, remove any such book or document for the purpose of having copies of it made or extracts taken from it; and
- (d) ask of any person found on any premises mentioned in sub-paragraph (a) such reasonable questions in relation to the business carried on on those premises as he thinks proper.

(2) If the holder of any licence, certificate or permit held in respect of any premises mentioned in paragraph (1)(a), or any officer of the registered society or registered club, or any person organising the entertainment or exempt entertainment, as the case may require, or any person acting on behalf of any such holder, officer or person—

- (a) fails without reasonable excuse to admit a constable who demands admission to the premises under paragraph (1); or
- (b) on being required by a constable to do so, fails without reasonable excuse to permit the constable to inspect the premises or any gaming machine, machine or other equipment on those premises; or
- (c) on being required by a constable to produce any book or document in his possession or under his control which relates to the premises and which the constable reasonably requires to inspect for the purpose specified in paragraph (1), fails without reasonable excuse to produce it to the constable and to permit the constable to remove the book or document for the purpose of taking copies of it or of any entry in it; or
- (d) fails or refuses to answer to the best of his knowledge and ability any question asked of him by a constable in exercise of the power conferred by paragraph (1) or gives an answer to any such question which is to his knowledge false or misleading;

he shall be guilty of an offence.

(3) If, on complaint on oath, a justice of the peace is satisfied that there are reasonable grounds for suspecting that an offence under this Order is being, has been or is about to be committed on any premises, he may issue a warrant in writing authorising any constable to enter the premises, if necessary by force,^{F24} . . . and to search the premises.

(4) Any constable who enters any premises under the authority of a warrant issued under paragraph (3) may—

- (a) seize and remove any document, money or valuable thing, instrument or other thing whatsoever found on the premises which he has reasonable cause to believe may be required as evidence for the purposes of proceedings in respect of an offence under this Order, and
- (b) ^{F24} . . . search any person found on the premises whom he has reasonable cause to believe to be committing or to have committed any such offence.

Para. (5) rep. by 1989 NI 12

F25 Code of practice

F25 Art. 180A and cross-heading inserted (1.10.2023) by [Betting, Gaming, Lotteries and Amusements \(Amendment\) Act \(Northern Ireland\) 2022 \(c. 14\)](#), **ss. 16(1)**, 17(3); S.R. 2023/74, art. 2, Sch.

Code of practice

180A.—(1) The Department must issue one or more codes of practice about the manner in which facilities for gambling are provided (whether by the holder of a licence, permit or certificate under this Order or by another person).

(2) In particular a code must describe arrangements that should be made by a person providing facilities for gambling to meet an expected duty of care to those using the facilities to include, but not be limited to—

- (a) ensuring that gambling is conducted in a fair and open way,
- (b) protecting persons under the age of 18 and other vulnerable persons from being harmed or exploited by gambling, and
- (c) making assistance available to persons who are or may be affected by problems related to gambling.

(3) A code may include provision about how facilities for gambling are advertised or described.

(4) A code may be revised or revoked by the Department.

(5) A code, and any revision, must state when it comes into force.

(6) The Department must publish a code and any revision in a manner which the Department thinks likely to bring it to the attention of those whose activities it concerns.

(7) The Department may make different provision under this Article for different cases or circumstances (whether or not by way of separate codes of practice).

(8) A failure to comply with a provision of a code does not of itself make a person liable to criminal or civil proceedings.

(9) But a code—

- (a) is admissible in evidence in criminal or civil proceedings,
- (b) must be taken into account by a court or tribunal in any case in which it appears to the court or tribunal to be relevant, and
- (c) must be taken into account by the Department, a court or a district council in the exercise of a function under the 1985 Order.

(10) Before issuing or revising a code under this Article the Department must consult—

- (a) such organisations as appear to the Department to represent the interests of the gambling industry in Northern Ireland,
- (b) persons who appear to the Department to have knowledge about social problems relating to gambling,
- (c) in the case of a code including provision by virtue of paragraph (3), persons who appear to the Department to have a relevant responsibility for regulating the advertising industry,
- (d) persons who appear to the Department to represent district councils,
- (e) the Chief Constable, and
- (f) in such manner as the Department thinks appropriate, members of the public.

(11) Serious, significant, continuing or multiple breaches of a code is a ground of revocation or cancellation of a licence, registration or permit under Articles 27, 42, 92, 103 or 121.

(12) In this Article “gambling” means betting, gaming or participating in a lottery.]

Legal proceedings

Prosecution and punishment of offences

181.—(1) Schedule 18 sets out in tabular form the manner in which offences under this Order are punishable on conviction.

(2) In relation to an offence under a provision of this Order specified in column 1 of Schedule 18 (the general nature of that offence being described in column 2)—

- (a) column 3 shows whether the offence is punishable on summary conviction or on indictment or in either one way or the other;
- (b) column 4 shows the punishment which may be imposed on a person convicted of the offence in the way specified in relation thereto in column 3 (that is to say, summarily or on indictment), any reference in column 4 to a period of years or months being construed as a reference to a term of imprisonment for that duration.

(3) In Schedule 18—

- (a) a reference to a period of imprisonment shall be construed as a reference to the maximum term of imprisonment which may be imposed for the offence;
- (b) a reference to a fine without a qualifying reference to a sum of money shall be construed as a reference to an unlimited fine;
- (c) a reference to a level shall be construed as a reference to that level on the standard scale; and
- (d) a reference to the statutory maximum or a level shall be construed as the maximum fine which may be imposed for that offence.

(4) This Article and Schedule 18 shall be subject to any other provision of this Order with respect to the prosecution and punishment of any offence specified in that Schedule.

Forfeiture of gaming machines as statutory consequence of conviction

182.—(1) Without prejudice to Article 183, where a person has been convicted of an offence under Article 95(2) in respect of the use of a gaming machine that gaming machine shall, unless the court by or before which the person has been convicted makes an order under paragraph (2), as a statutory consequence of the conviction, stand forfeited.

(2) Where, on the application of—

- (a) in the case of a registered club, the chairman or secretary of the club, or
- (b) in the case of bingo club premises, licensed premises within the meaning of the^{F26} Licensing (Northern Ireland) Order 1996^{F27}, a licensed office^{F26}] or premises for which an amusement permit is in force, the holder of the bingo club licence, the holder of the licence granted under that^{F26} Order of 1996^{F27}, the licensed bookmaker^{F26}] or the holder of the amusement permit, as the case may require,

the court is satisfied that the offence mentioned in paragraph (1) was committed by reason of the failure to renew the registration of the club, the bingo club licence, the licence granted under that^{F26} Order of 1996^{F27}, the bookmaking office licence^{F26}] or the amusement permit, as the case may require, and that there was good reason for the failure to so renew, the court may order that the gaming machine to which the offence relates shall not, as a statutory consequence of the conviction, stand forfeited.

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(3) Where, as a statutory consequence of a conviction under this Order, a gaming machine stands forfeited, then, notwithstanding any enactment or rule of law, it shall not be necessary for the court—

- (a) to pronounce the fact of such forfeiture at the time of adjudication; or
- (b) to record the fact of such forfeiture in the Order Book or in the order of convictions.

(4) A gaming machine forfeited as a statutory consequence of a conviction under this Order shall be destroyed or dealt with in such other manner as the court may direct.

F26 1996 NI 22

F27 2004 NI 1

Forfeiture on order of court

183.—(1) Subject to paragraph (2), the court by or before which a person is convicted of an offence under this Order may order anything shown to the satisfaction of the court to relate to the offence to be forfeited and either destroyed or dealt with in such other manner as the court may order.

(2) The court shall not order anything to be forfeited under paragraph (1), where a person claiming to be the owner of or otherwise interested in it applies to be heard by the court, unless an opportunity has been given to him to show cause why the order should not be made.

[^{F28} Appeals

184.—(1) Without prejudice to Articles 61 and 65 of the County Courts (Northern Ireland) Order 1980, any party to the proceedings who is dissatisfied with a decision of a county court on an application made to it under this Order may appeal from that decision as if the decision had been made in exercise of the jurisdiction conferred by Part III of that Order of 1980 and the appeal were brought under Article 60 of that Order of 1980.

(2) For the purposes of—

- (a) paragraph (1),
- (b) Articles 61 and 62 of the County Courts (Northern Ireland) Order 1980,
- (c) Articles 143 and 146 of the Magistrates' Courts (Northern Ireland) Order 1981,

a person who appears as an objector in any proceedings under this Order shall be deemed to be a party to the proceedings.]

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Procedure in connection with revocation, cancellation and disqualification

185.—(1) A court which—

- (a) revokes a bookmaker's licence, a bookmaking office licence, a bingo club licence, a gaming machine certificate or a lottery certificate, or
- (b) cancels the registration of a club or cancels an amusement permit or a pleasure permit, or
- (c) makes a disqualification order in respect of a bookmaker's licence or a bookmaking office licence under Article 30 or 53 or in respect of a bingo club licence under Article 74 or 79 or in respect of a gaming machine certificate or a gaming machine permit under Article 94 or 125 or in respect of a lottery certificate under Article 151 or 152,

shall order the holder of the licence, certificate or permit or, in the case of the cancellation of a club's registration, the chairman or secretary of the club to deliver that licence, certificate or permit or,

as the case may require, the certificate of registration of the club to the clerk of the court within a period specified in the order of the court, and if the person so ordered contravenes that court order he shall be guilty of an offence.

(2) The clerk of a court to whom a licence, certificate or permit is delivered under paragraph (1) shall—

- (a) in the case of a licence, certificate or gaming machine permit,—
 - (i) if he is not the clerk of petty sessions who keeps the register in which particulars of the licence, certificate or permit are recorded or, in the case of a certificate of registration of a club, in which the club is registered, send the licence, certificate or permit to that clerk of petty sessions; or
 - (ii) if he keeps that register, retain the licence, certificate or permit; or
- (b) in the case of an amusement permit or a pleasure permit, send the permit to the district council by which the permit was granted.

(3) The clerk of a court which revokes a licence, certificate or permit, cancels a registration or a permit or makes a disqualification order as mentioned in paragraph (1) or an order under Article 127 shall send notice of the revocation, cancellation or order—

- (a) in the case of the revocation of, or a disqualification order made in respect of, a bookmaker's licence, to the sub-divisional commander of the police sub-division in which the holder of the licence resides; and
- (b) in any other case, to the sub-divisional commander of the police sub-division in which the premises or club in respect of which the licence, registration or permit is in force or from which the holder of a certificate or permit carries on his business are situated.

Supplemental

Orders and regulations

186.—(1) The Department may by regulations provide that a court^{F29} . . . or, as the case may be, a district council—

- (a) shall refuse—
 - (i) to grant or renew a relevant licence, certificate or permit,
 - (ii) to grant a gaming machine permit,
 - (iii) to transfer a bookmaking office licence,
 - (iv) to grant or renew the registration of a club under Part III,
 - (v) to grant the registration of a society under Article 136, or
 - (vi) to grant or renew a pleasure permit,
 in such circumstances as may be prescribed by the regulations;
- (b) may refuse—
 - (i) to grant or renew a relevant licence, certificate or permit,
 - (ii) to transfer a bookmaking office licence,
 - (iii) to grant or renew the registration of a club under Part III, or
 - (iv) to grant the registration of a society,
 in such circumstances as may be so prescribed, without prejudice to any other grounds on which the grant or renewal could be refused apart from the regulations.

(2) In this Article “relevant licence, certificate or permit” means—

Changes to legislation: *The Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985, PART VI is up to date with all changes known to be in force on or before 15 February 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*

- (a) a bookmaker's licence;
- (b) a bookmaking office licence;
- (c) a bingo club licence;
- (d) a gaming machine certificate;
- (e) lottery certificate; or
- (f) an amusement permit.

(3) Regulations under paragraph (1) shall be subject to affirmative resolution.

(4) Orders made by the Department under Articles 81(3) and 82(4) and, subject to paragraph (3), regulations shall be subject to negative resolution.

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Modifications of Schedules, amendments, transitional provisions and repeals

187.—(1) The provisions of^{F30} Schedule 2 may be modified by county court rules and the provisions of Schedules 1, 3] to 7, 9 to 14, 16 and 17 may be modified by magistrates' courts rules and any rules under this paragraph may make consequential modifications of this Order.

Para. (2)—Amendments

(3) The transitional provisions in Schedule 20 shall have effect for the purposes of this Order.

Para. (4)—Repeals

(5) The rules of law relating to common gaming houses are hereby abolished.

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Changes to legislation:

The Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985, PART VI is up to date with all changes known to be in force on or before 15 February 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\(2\)\(a\)](#)