



# Betting, Gaming and Lotteries Act 1963

## 1963 CHAPTER 2

### PART I

#### BETTING

##### *Licensed betting offices*

#### **9 Betting office licences and betting agency permits**

- (1) Where in the case of any premises there is for the time being in force a licence authorising the holder of the licence to use those premises as a betting office (in this Act referred to as "a betting office licence"), section 1 (1) of this Act shall not apply to the use of those premises for the effecting of betting transactions with or through the holder of the licence or any servant or agent of his:

Provided that the licence shall not authorise the use of the premises for effecting any pool betting transaction made otherwise than by way of sponsored pool betting.

- (2) The following persons, and the following persons only, may apply for the grant or renewal of a betting office licence in respect of any premises, that is to say—
- (a) a person who is for the time being the holder of, or an applicant for, a bookmaker's permit;
  - (b) the Totalisator Board ;
  - (c) a person who, not being the holder of, or an applicant for, a bookmaker's permit, is for the time being both—
    - (i) accredited by a bookmaker who is the holder of a bookmaker's permit or by the Totalisator Board as an agent for the purpose of receiving or negotiating bets by way of business with a view to those bets being made with that bookmaker or, as the case may be, with or through that Board; and
    - (ii) the holder of, or an applicant for, a permit (in this Act referred to as "a betting agency permit") authorising him to hold a betting office licence.

- (3) An application for the grant of a betting office licence in respect of any premises may be made notwithstanding that the premises have still to be constructed or are still in the course of construction.
- (4) Subject to subsections (2) and (3) of this section. Schedule 1 to this Act shall have effect for the purposes of betting office licences and betting agency permits.
- (5) If the holder of a betting agency permit, on being required by a constable to produce his permit for examination, refuses or without reasonable cause fails so to do, he shall be liable on summary conviction to a fine not exceeding ten pounds.

## **10 Conduct of licensed betting offices**

- (1) A licensed betting office shall be managed in accordance with the rules set out in Schedule 4 to this Act, and in the case of any contravention of any of those rules the licensee and any servant or agent of the licensee by whom the contravention was committed shall be liable on summary conviction to a fine not exceeding one hundred pounds:

Provided that, where any person is charged with an offence under this subsection by reason only of his being the licensee, it shall be a defence to prove that the contravention took place without his consent or connivance and that he exercised all due diligence to prevent it

- (2) Without prejudice to any other right to refuse a person admission to premises or to expel a person from premises, in the case of a licensed betting office the licensee or any servant or agent of his may refuse to admit to, or may expel from, the licensed premises any person who is drunken, violent, quarrelsome or disorderly, or whose presence on those premises would subject the licensee or any servant or agent of his to a penalty under the foregoing subsection; and if any person liable to be expelled from the licensed premises under this subsection, when requested by the licensee, any servant or agent of the licensee or any constable to leave those premises, fails to do so, he shall be liable on summary conviction to a fine not exceeding five pounds.
- (3) Any constable may, on the request of the licensee or any servant or agent of the licensee, help to expel from a licensed betting office any person whom the constable has reasonable cause to believe to be liable to be expelled therefrom under subsection (2) of this section; and the constable may use such force as may be required for that purpose.
- (4) Any constable may enter any licensed betting office for the purpose of ascertaining whether the provisions of subsection (1) of this section are being complied with, and any person who obstructs any constable in the exercise of his powers under this subsection shall be liable on summary conviction to a fine not exceeding ten pounds.
- (5) If, save in a licensed betting office or in such manner as may be prescribed on premises giving access to such an office, any advertisement is published—
  - (a) indicating that any particular premises are a licensed betting office; or
  - (b) indicating where any such office may be found; or
  - (c) drawing attention to the availability of, or to the facilities afforded to persons resorting to, such offices,

then, in the case of an advertisement in connection with the office or offices of a particular licensee, that licensee, and in every case any person who published the advertisement or caused or permitted it to be published, shall be guilty of an offence:

Provided that it shall be a defence for any person charged with an offence under this subsection to prove—

- (i) that he did not know and had no reasonable cause to suspect that the advertisement was, and that he had taken all reasonable steps to ascertain that it was not, such an advertisement as aforesaid; or
- (ii) if he is charged by reason only of being a licensee, that the advertisement was published without his consent or connivance and that he exercised all due diligence to prevent the publishing of any such advertisement in connection with his office or offices.