



# Betting, Gaming and Lotteries Act 1963

## 1963 CHAPTER 2

### PART I

#### BETTING

*Special provisions with respect to bookmaker's and betting agency permits*

#### **11 Cancellation of and disqualification for bookmaker's or betting agency permit.**

- (1) If the holder of a bookmaker's permit or of a betting agency permit is convicted—
  - (a) of an offence under section 1(1), 4(1), 5, 6, 8 or 21 of this Act; or
  - (b) of any offence involving fraud or dishonesty,or if the holder of a betting agency permit is convicted of an offence under section 2(1) of this Act, the court by or before whom he is convicted may, if the court thinks fit, order that his permit shall be forfeited and cancelled.
- (2) An order under the foregoing subsection shall be deemed for the purposes of any appeal to be part of the sentence for the offence; and the permit shall not be forfeited or cancelled under that order—
  - (a) until the date of expiration of the period within which notice of appeal against the conviction or sentence may be given; nor
  - (b) if notice of appeal against the conviction or sentence is duly given within the period aforesaid, until the date of the determination or abandonment of the appeal.
- (3) Subsection (2) of this section shall not apply to Scotland, but the holder of a permit in respect of which an order under subsection (1) of this section is made by a court in Scotland may, without prejudice to any other form of appeal under any rule of law, appeal against the order in the same manner as against a conviction; and a permit shall not be forfeited or cancelled under an order so made—
  - (a) until the expiration of the period of fourteen days commencing with the date on which the order was made; nor

*Status: Point in time view as at 01/04/2001.*

*Changes to legislation: Betting, Gaming and Lotteries Act 1963, Cross Heading: Special provisions with respect to bookmaker's and betting agency permits is up to date with all changes known to be in force on or before 12 July 2023. 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)*

- (b) if an appeal against the order or the conviction which gave rise thereto is taken within the said period, until the date when that appeal is determined or abandoned or deemed to have been abandoned.
- (4) A person whose bookmaker's permit or betting agency permit is forfeited and cancelled in pursuance of an order under subsection (1) of this section shall, by virtue of that order, be disqualified for holding or obtaining a permit of either description for a period of five years beginning with the date of the conviction which gave rise to the order:  
Provided that, in a case where it appears to the court making the order to be just in all the circumstances, that court may include in the order a direction that the period of disqualification shall be such period shorter than five years as the court may specify.
- (5) Where a bookmaker's permit or betting agency permit is forfeited and cancelled in pursuance of an order under subsection (1) of this section, the [<sup>F1</sup>proper officer of] the court by whom the order was made shall, unless he is also [<sup>F2</sup>proper officer to] the authority who last either granted or renewed the permit, send a copy of the order to the [<sup>F2</sup>proper officer to] that authority.
- (6) Any holder of a bookmaker's permit or betting agency permit who employs in his bookmaking business any person known to him to be for the time being disqualified under subsection (4) of this section shall be guilty of an offence.
- [<sup>F3</sup>(6) In subsection (5)—  
“the proper officer of the authority” has the same meaning as in Schedule 1;  
and  
“the proper officer of the court” means—  
(a) in relation to a magistrates' court in England and Wales, the justices' chief executive for the court; and  
(b) in relation to any other court, the clerk of the court.]

#### Textual Amendments

- F1** Words in s. 11(5) substituted (1.4.2001) by 1999 c. 22, s. 90(1), **Sch. 13 para. 34(2)(a)** (with s. 107, Sch. 14 para. 7(2)); S.I. 2001/916, **art. 2(a)(ii)**
- F2** Words in s. 11(5) substituted (1.4.2001) by 1999 c. 22, s. 90(1), **Sch. 13 para. 34(2)(b)** (with s. 107, Sch. 14 para. 7(2)); S.I. 2001/916, **art. 2(a)(ii)**
- F3** S. 11(6) expressed to be inserted (1.4.2001) by 1999 c. 22, s. 90(1), **Sch. 13 para. 34(3)** (with s. 107, Sch. 14 para. 7(2)); S.I. 2001/916, **art. 2(a)(ii)**

#### Modifications etc. (not altering text)

- C1** Mode of trial in s. 11(6) specified (S.) (1.4.1996) by 1995 c. 46, ss. 292(1), 309(2), **Sch. 10 para. 4(c)** (with ss. 24(2), 307(2))

**Status:**

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**Changes to legislation:**

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