



Betting, Gaming and Lotteries Act 1963

1963 CHAPTER 2

[^{F1}PART I

BETTING]

The Totalisator Board and pool betting on horse races

14 Functions of Totalisator Board with respect to betting on horse races.

[^{F1}(1) The Totalisator Board [^{F2}shall have the exclusive right] to do, and to authorise other persons to do, either of the following things, that is to say—

- (a) to carry on pool betting business in any form on a recognised horse race; and
- (b) by way of business to receive or negotiate bets on a recognised horse race on terms that the winnings or any part thereof shall be calculated or regulated directly or indirectly by reference to the amounts or rates of any payments or distributions in respect of winning bets on that race made by way of sponsored pool betting;

and in giving any authority under this subsection the Board may do so on such terms, including terms as to payments to the Board, as the Board may think fit.

(2) Any infringement of the right conferred on the Totalisator Board by the foregoing subsection shall be actionable at the suit of the Board; and in any action for such an infringement all such relief, by way of damages, injunction, accounts or otherwise, shall be available to the Board as is available to the plaintiff in any corresponding proceedings in respect of infringements of proprietary rights and, notwithstanding anything to the contrary in any enactment or rule of law relating to the jurisdiction of county courts, a county court may, on the application of the Board, grant an injunction restraining an infringement or apprehended infringement of the right aforesaid whether or not any other relief is claimed; and for the purposes of this subsection the right aforesaid is infringed by any person who, without the authority of the Board—

- (a) does or authorises any other person to do anything such as is mentioned in subsection (1)(a) or (b) of this section; or

Status: Point in time view as at 01/09/2007.

Changes to legislation: Betting, Gaming and Lotteries Act 1963, Section 14 is up to date with all changes known to be in force on or before 02 April 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)

- (b) by way of business holds himself out as willing to enter into any pool betting transaction on a recognised horse race, whether by way of sponsored pool betting or otherwise, or to receive or negotiate a bet on a recognised horse race on such terms as are mentioned in the said subsection (1)(b).

In the application of this subsection to Scotland, “suit” means instance, “injunction” means an interdict, “accounts” means count, reckoning and payment, and “plaintiff” means pursuer.

- (3) Where bets on a race or combination of races are made by way of sponsored pool betting, the Totalisator Board shall—
- (a) cause to be deducted from the aggregate amount staked either—
- (i) such percentage of that amount as may be determined from time to time by the Board, either generally or with respect to any particular racecourse; or
- (ii) if so determined as aforesaid, such percentage of such part of that amount as may be determined as aforesaid; and
- (b) cause the whole of the remainder of that amount to be distributed among the persons making such of those bets as are winning bets.
- (4) Where facilities for sponsored pool betting are being provided on an approved horse racecourse by the persons having the management of that racecourse, any amount deducted by those persons under subsection (3)(a) of this section shall be paid to the Totalisator Board, but the Board may pay to those persons the amount of the expenses shown to the satisfaction of the Board to have been properly incurred by those persons in connection with the provision of those facilities.
- (5) Without prejudice to section 12(4) of this Act, the Totalisator Board may remunerate any person, by the payment of commissions or otherwise, in respect of the negotiation, receipt or transmission by that person—
- (a) of bets to be made by way of sponsored pool betting; or
- (b) of bets such as are mentioned in subsection (1)(b) of this section to be made with the Board or, under the authority of the Board, with the persons having the management of an approved horse racecourse,
- and may provide facilities on any such racecourse for persons engaged in receiving bets to be so made.
- (6) Nothing in this Act shall be construed as restricting the betting transactions which may be effected by way of sponsored pool betting to betting transactions upon the result of a single race, or upon the results of races run on a particular racecourse or on a particular day, or as preventing the Totalisator Board from giving credit in any betting transaction.]

Textual Amendments

- F1** Act repealed (1.1.2007 for the repeal of Sch. 2 para. 10, 1.9.2007 in so far as not already in force) by [Gambling Act 2005 \(c. 19\)](#), ss. 356(3), 358(1), [Sch. 17](#) (with ss. 352, 354); S.I. 2006/3272, art. 2(1), [Sch. 1](#) (with arts. 7-12, Sch. 4); S.I. 2006/3272, art. 3 (as amended by S.I. 2007/2169, art. 4)
- F2** Words substituted by [Horserace Totalisator and Betting Levy Boards Act 1972 \(c. 69\)](#), s. 1(5)

Modifications etc. (not altering text)

- C1** S. 14(3) modified in its application to pool betting by means of facilities provided by the Totalisator Board by [Horserace Totalisator and Betting Levy Boards Act 1972 \(c. 69\)](#), s. 1(3)

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- C2** Ss. 12, 14, 15 saved (1.9.2007) by the [Gambling Act 2005 \(Horserace Totalisator Board\) Order 2007 \(S.I. 2007/2102\)](#), arts. 1(1), **2**
- C3** S. 14(4) amended by [Horserace Totalisator and Betting Levy Boards Act 1972 \(c. 69\)](#), s. **4(1)**
- C4** S. 14(5) explained by [Horserace Totalisator and Betting Levy Boards Act 1972 \(c. 69\)](#), s. **1(4)**

Status:

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