



Betting, Gaming and Lotteries Act 1963

1963 CHAPTER 2

PART V

GENERAL

55 Interpretation, etc.-general

(1) In this Act, except where the context otherwise requires, the following expressions have the following meanings respectively, that is to say—

" approved horse racecourse " means any ground in respect of which there is for the time being in force a certificate of approval of that ground as a horse racecourse issued by the Totalisator Board under section 13 of this Act;

" betting agency permit " has the meaning assigned by section 9 (2) of this Act;

" betting office licence " has the meaning assigned by section 9 (1) of this Act;

" betting transaction " includes the collection or payment of winnings on a bet and any transaction in which one or more of the parties is acting as a bookmaker;

" bookmaker " means any person other than the Totalisator Board who—

- (a) whether on his own account or as servant or agent to any other person, carries on, whether occasionally or regularly, the business of receiving or negotiating bets or conducting pool betting operations; or
- (b) by way of business in any manner holds himself out, or permits himself to be held out, as a person who receives or negotiates bets or conducts such operations,

so, however, that a person shall not be deemed to be a bookmaker by reason only of the fact—

- (i) that he carries on, or is employed in, sponsored pool betting business; or
- (ii) that he operates, or is employed in operating, a totalisator;

and the expression " bookmaking " shall be construed accordingly;

Status: This is the original version (as it was originally enacted).

" Bookmakers' Committee " means the committee, established in accordance with section 26 of this Act;

" bookmaker's permit " has the meaning assigned by section 2 (1) of this Act;

" contravention ", in relation to any requirement, includes a failure to comply with that requirement, and cognate expressions shall be construed accordingly;

" dog race " means a race in which an object propelled by mechanical means is pursued by dogs, and " dog racecourse " shall be construed accordingly;

" game of chance " includes a game of chance and skill combined and a pretended game of chance or of chance and skill combined, but does not include any athletic game or sport;

" gaming " means the playing of a game of chance. for winnings in money or money's worth ;

" the Levy Board " means the Horserace Betting Levy Board established in accordance with section 24 of this Act;

" levy period " has the meaning assigned by section 27 (1) of this Act;

" licensed betting office " means premises in respect of which a betting office licence is for the time being in force;

" licensed track " means a track in respect of which a track betting licence is for the time being in force ;

" licensee " in relation to a licensed betting office, means the holder of the betting office licence for the time being in force in respect of that office;

" money " includes a cheque, banknote, postal order or money order;

" newspaper ", in Part III of this Act, includes any journal, magazine or other periodical publication ;

" player " , in relation to a game of chance, includes any person taking part in the game against whom other persons taking part in the game stake, play or bet;

" pool betting " has the same meaning as for the purposes of the Betting Duties Act 1963 ;

" pool betting business " means business involving the receiving or negotiating of bets made by way of pool betting;

" premises " includes any place and, in sections 1, 32 and 33 of this Act, also includes any vessel;

" prescribed " means prescribed by regulations made by the Secretary of State by statutory instrument, which shall be subject to annulment in pursuance of a resolution of either House of Parliament, and any such regulations may make different provision for different circumstances;

" qualified accountant " means a person who is a member, or a firm all of the partners wherein are members, of one or more of the following bodies, that is to say—

- (a) the Institute of Chartered Accountants in England and Wales;
- (b) the Institute of Chartered Accountants of Scotland;
- (c) the Association of Certified and Corporate Accountants;
- (d) the Institute of Chartered Accountants in Ireland;
- (e) any other body of accountants established in the United Kingdom and for the time being recognised for the purposes of section 161 (1) (a) of the Companies Act 1948 by the Board of Trade ;

Status: This is the original version (as it was originally enacted).

" recognised horse race " means a horse race run on an approved horse racecourse on a day when horse races and no other races take place on that racecourse ;

" registered pool promoter " has the meaning assigned by section 4 (2) of this Act;

" sponsored pool betting " means pool betting by means of facilities provided by the Totalisator Board or provided on an approved horse racecourse with the authority of that Board by the persons having the management of that racecourse;

" ticket ", in relation to any lottery or proposed lottery, includes any document evidencing the claim of a person to participate in the chances of the lottery;

" totalisator " means the contrivance for betting known as the totalisator or pari mutuel, or any other machine or instrument of betting of a like nature, whether mechanically operated or not;

" the Totalisator Board " means the Horserace Totalisator Board established in accordance with section 12 of this Act;

" track " means premises on which races of any description, athletic sports or other sporting events take place;

" track betting licence " has the meaning assigned by section 6 (1) of this Act;

" winnings " includes winnings of any kind and any reference to the amount or to the payment of winnings shall be construed accordingly.

(2) For the purposes of Part III of this Act—

- (a) references to printing shall be construed as including references to writing and other modes of representing or reproducing words in a visible form; and
- (b) documents or other matters shall be deemed to be distributed if they are distributed to persons or places whether within or outside Great Britain, and the expression " distribution " shall be construed accordingly.

(3) Section 8 of the Summary Jurisdiction (Appeals) Act 1933 (which prescribes the courts for the hearing of certain appeals to quarter sessions for the county of London) shall apply to' an appeal under any of the following provisions of this Act, that is to say, paragraphs 21 and 28 of Schedule 1, paragraph 6 of Schedule 2, paragraph 13 of Schedule 3, paragraph 6 of Schedule 6 and paragraph 5 of Schedule 7, as they apply to an appeal from a magistrates' court.

(4) Any power to make an act of Sederunt conferred on the Court of Session by this Act shall be exercisable by statutory instrument, and the Statutory Instruments Act 1946 shall apply to any instrument made in pursuance of such a power or of the power conferred on the Lord President of the Court of Session by section 29 (3) of this Act in like manner as if that power had been conferred on a Minister of the Crown.

(5) Save where the context otherwise requires, any reference in this Act to any enactment shall be construed as a reference to that enactment as amended by or under any other enactment.