

# THE BETTING, GAMING, LOTTERIES & AMUSEMENTS (NI) ORDER 1985

## The Betting and Gaming (NI) Order 2004

### NOTES FOR APPLICANTS

#### Introduction

The above Order places a general prohibition on the use of gaming machines in Northern Ireland except on certain premises.

Article 108 of the Order lists those premises on which gaming machines may be used – eg on certain bingo club premises, at a registered club, and on **those premises in respect of which an amusement permit is in force.**

Article 110(1) provides that those premises in which gaming by means of a gaming machine is authorised by an amusement permit, shall be such premises as may be prescribed by regulations.

Presently these are:-

- (a) Premises used wholly or mainly for the provision of amusements by means of gaming machines.
- (b) Premises used wholly or mainly for the purposes of a pleasure fair consisting wholly or mainly of amusements.

The Order lays down rules governing the use of gaming machines – these should be enforced by the Police.

Basically the rules governing the use of gaming machines are as follows:-

- (i) The maximum amount to be levied for any **one game** on a machine must not exceed £0.30
- (ii) The prize or reward is limited to the following:- In respect of permits granted for gaming machines under Article 108 (1)(c)
  - (a) A money prize not exceeding £8.00
  - (b) Non-monetary prize/prizes – the value of which not exceed £8.00 in value
  - (c) A monetary prize together with a non-monetary prize of an aggregate value not exceeding £8 or a token or tokens exchangeable only for such a combination of a money prize and a non-monetary prize.
  - (d) If applying for a permit in respect of Article 108 1(c) the fee will be £32 per annum.
- (iii) In addition to the above, permits granted in respect of Article 108 (1)(ca) the prize or reward is limited to a money prize or money prizes of an amount or aggregate amount not exceeding £25 delivered by the machine.

A permit issued under Article 108 (1)(ca) will be subject to the following conditions:

- Where admission to the premises is restricted to those aged 18 or over:
  - no-one under 18 is admitted to the premises; and
  - at any entrance to, and inside the premises, there are prominently displayed notices indicating that access by those under 18 is prohibited.
- Where those under 18 are admitted to the premises:
  - any £25 prize gaming machines are located in an area of the premises separated from the rest of the premises by an effective physical barrier;
  - only those 18 or over are admitted to an area of the premises in which any such machines are located;
  - access to an area in which such machines are located is supervised;
  - all parts of any area of the premises in which such machines are located can be observed; and
  - at any entrance to, and inside any area of the premises in which such machines are located, there are prominently displayed notices indicating that access by those under 18 is prohibited.
  - If applying for a permit in respect of Article 108 1(ca) the fee will be £250 per annum.

### **AMUSEMENT PERMITS**

1. The application for the amusement permit shall be made by the occupier, or proposed occupier, of the premises for which the permit is sought.
2. An amusement permit may be granted to an individual, a partnership of two or more, or to a registered company.
3. The Order provides that a District Council shall not grant an amusement permit unless satisfied that the applicant is a fit person to hold such a permit – having regard to his/her character, reputation and financial standing.

(To this end the Council requires all applicants to enclose with their application **two** references. One of the references should be as to the applicant's character and reputation, the other should be as to his/her financial standing. The latter should preferably come from a professional person with knowledge of the applicant's financial situation eg Bank Manager or Accountant.)

4. The Council may require an inspection of the applicant's premises so as to ascertain if any alterations need to be carried out to bring the premises up to a standard equal to their proposed use. The Council is empowered to grant a permit conditional on such alterations being made.
5. To facilitate the Council in its decision all applicants are required to submit duplicate copies of plans of the premises to a scale of 1/100
6. The application fee is non-returnable if the application is refused.

7. All applicants must send **a copy** of the application to the Sub-Divisional Commander of the Police Sub-Division, in which the premises is situated. The Police have a statutory right to make representations to the Council on the fitness of an applicant to hold an amusement permit.
8. A copy of planning approval for use of the premises as an amusement arcade, and a current fire certificate are required before a permit is issued.
9. Advertisement: - The application must be advertised in two local newspapers within 7 days of making the application. A draft copy of the advertisement is attached.
10. Please send your application to:-

Building Control Manager, Limavady Borough Council, 7 Connell Street, Limavady BT49 0HA

If you have any queries concerning your application contact the Building Control Department  
Telephone: 028777 60301