

Betting, Gaming and Lotteries Act 1964

1964 CHAPTER 78

An Act to amend the Betting, Gaming and Lotteries Act 1963 with respect to gaming machines and with respect to the provision of amusements with prizes.

[31st July 1964]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Gaming machines. 1963 c. 2.

1. In section 33(2)(*b*) of the Betting, Gaming and Lotteries Act 1963 (which imposes the condition with respect to gaming by means of a gaming machine that the stake required to be hazarded in order to play the game once does not exceed sixpence) the words " required to be " are hereby repealed.

Provision of certain amusements with prizes at certain commercial entertainments.

2.—(1) Where any amusement with prizes provided under section 49 of the Betting, Gaming and Lotteries Act 1963 (which relates to the provision of amusements with prizes at certain commercial entertainments) takes the form of a game played by means of a machine, being a game which is made playable by the insertion into the machine of one or more coins or tokens, then, in addition to the conditions set out in subsection (3) of that section, the conditions set out in subsections (2) and (3) of this section shall be observed.

(2) In respect of any one playing of the game a successful player shall not receive any article other than one, and one only, of the following, namely—

(*a*) a money prize not exceeding one shilling;

(*b*) a prize other than money of a value not exceeding five shillings;

(*c*) one or more tokens of a nominal value exchangeable (so far as not used for further playing of the game) for prizes other than money on the basis of a prize or prizes of a value or aggregate value not exceeding five shillings for a number of tokens equal to the maximum number of tokens which can be won at any one playing of the game.

(3) A player's success at the game shall not entitle any person to, or to exchange any prize or token for, any benefit other than those provided for by subsection (2) of this section.

(4) In subsection (2) of the said section 49, the reference to the conditions set out in subsection (3) of that section shall be construed as including a reference to the conditions set out in subsections (1) to (3) of this section; and in subsection (4) of that section the reference to the condition set out in subsection (3)(*d*) of that section shall be construed as including a reference to the condition set out in subsection (3) of this section.

Permits for the provision of amusements with prizes.

3.—(1) Where under Schedule 6 to the Betting, Gaming and Lotteries Act 1963 an application is made to the local authority for the grant or renewal of a permit for the provision of amusements with prizes on any premises which are not an amusement place, then, in exercising the discretion conferred upon them by paragraph 2 of that Schedule, and without prejudice to any ground on which the local authority might have refused to grant or renew the permit if this subsection had not been passed, the local authority may refuse to grant or renew the permit on the ground that, by reason of the purposes for which, or the persons by whom, or any circumstances in which, the premises are, or are to be, used, it is undesirable that amusements with prizes should be provided thereon.

(2) On any such application in respect of such premises as aforesaid—

(*a*) the powers of a local authority under the said paragraph 2 shall include power to grant or renew the permit subject to a condition limiting the amusements which may be provided on the premises under the permit to such games played by means of a machine as are mentioned in section 2(1) of this Act, with or without a further condition limiting the number of the machines which may be so provided for the playing of such games; and

(*b*) there shall be the like right of appeal to a court of quarter sessions or, in Scotland, to the sheriff from the imposition of any such condition by the local authority as there would be under paragraph 6 or 7 of the said Schedule 6 from a refusal by the authority of the application; and on any such appeal the court or sheriff may revoke the condition imposed by the authority or substitute therefor

any other condition which might have been imposed by the authority under paragraph (*a*) of this subsection;

and where any permit is held subject to a condition imposed under this subsection and that condition is contravened, the holder of the permit shall be guilty of an offence and section 52 of the said Act of 1963 (which relates to penalties and forfeitures for offences under that Act) shall apply as if this subsection were contained in that Act.

(3) The court by or before whom the holder of any permit under the said Schedule 6 is convicted of an offence under subsection (2) of this section or under section 49(2) of the said Act of 1963, being an offence in connection with the premises to which the permit relates, may, if the court thinks fit, order that the permit shall be forfeited and cancelled; and subsections (2) and (3) of section 11 of the said Act of 1963 (which relate to appeals from the forfeiture and cancellation of bookmaker's permits) shall apply to an order under this subsection as they apply to an order under subsection (1) of that section.

(4) So much of paragraph 3 of the said Schedule 6 as restricts the grounds on which an application for the renewal of a permit under the said Schedule 6 may be refused shall apply only to a permit in respect of premises which are an amusement place; and accordingly, in the said paragraph 3, after the words " such a permit " there shall be inserted the words " in respect of any premises which are an amusement place as defined by section 3(6) of the Betting, Gaming and Lotteries Act 1964 ".

(5) Notwithstanding anything in paragraph 3 of the said Schedule 6, a local authority may refuse to grant or renew a permit under that Schedule in respect of any premises if they or their authorised representatives have been refused reasonable facilities to inspect the premises.

(6) In this section, the expression " amusement place " means premises used, or to be used, wholly or mainly—

(*a*) for the provision of amusements by means of machines; or

(*b*) for the purposes of a pleasure fair consisting wholly or mainly of amusements.

Citation, commencement and extent.

4.—(1) This Act may be cited as the Betting, Gaming and Lotteries Act 1964.

1963 c. 42.

(2) The Betting, Gaming and Lotteries Act 1963, the Dog Racing (Betting Days) Act 1963 and this Act may be cited together as the Betting, Gaming and Lotteries Acts 1963 to 1964.

(3) Section 2 of this Act shall not come into operation until 31st October 1965.

(4) This Act shall not extend to Northern Ireland.