CHAPTER 20.

An Act to make temporary provision for limiting betting on licensed dog racecourses to Saturdays and certain other days, for varying for those days the restrictions on the number of races on which and the time during which such betting may take place, and for purposes connected therewith. [27th March 1947.]

BE it enacted by the King'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 :—

Temporary limitation of dog racecourse betting to Saturdays and certain other days, and variation of restrictions for those days.

1.—(1) During the continuance in force of this Act the Betting and Lotteries Act, 1934 (in this Act referred to as " the principal Act "), so far as it relates to betting, whether by way of bookmaking or by means of a totalisator, on licensed tracks being dog racecourses, shall have effect as if every Saturday and Bank Holiday, and no other days, had been fixed by every licensing authority as the days on which betting facilities may be provided on licensed tracks within their licensing area, and those days, and no other days, shall accordingly be appointed days for the purposes of the said Act so far as it relates to such betting.

24 & 25 Geo. 5. c. 58.

(2) During the continuance in force of this Act subsection (1) of section four of the principal Act (which provides that betting by way of bookmaking or by means of a totalisator shall not take place on any day on a track being a dog racecourse in connection with more than eight dog races, and that betting by way of bookmaking or by means of a totalisator on the results of dog races shall not take place on any day on such a track except during one continuous period not exceeding four hours,

but subject to a proviso relaxing those restrictions in relation to the special appointed days therein mentioned) shall have effect as respects licensed tracks subject to the following modifications, that is to say,—

(*a*) there shall be substituted therein, for the word " eight " where it first occurs, the word " sixteen ", and, for the words " one continuous period not exceeding four hours " where they first occur, the words " a period or periods not exceeding eight hours in the aggregate " ; and

(*b*) the proviso shall not have effect :

Provided that paragraph (*a*) of this subsection shall not apply as respects such betting as is mentioned in the said subsection (1) on any licensed track on the Saturday next following a Bank Holiday if such betting has taken place thereon on the Bank Holiday in connection with more than eight dog races or during more than one continuous period or during one continuous period exceeding four hours.

(3) For the purposes of the application to any licensed track being a dog racecourse of paragraph (*a*) of subsection (1) of section one of the principal Act (which provides that betting by way of bookmaking or by means of a totalisator shall not take place on any track on more than one hundred and four days in any year), a day on which such betting on the track takes place in connection with more than eight dog races, or during more than one continuous period or during one continuous period exceeding four hours, shall be reckoned as two days :

Provided that this subsection shall not apply—

(*a*) to a Bank Holiday ; or

(*b*) to the Saturday next following a Bank Holiday, in a case in which such betting did not take place as aforesaid on the track on the Bank Holiday.

(4) Licensing authorities shall during the continuance in force of this Act observe the provisions of section ten of the principal Act (which relates to the fixing of appointed days), and of subsection (3) of section four thereof (which relates to the fixing of special appointed days) notwithstanding the preceding provisions of this section.

Temporary limitation of dog racecourse betting on Saturdays to after 1.0 p.m.

2.—(1) During the continuance in force of this Act betting by way of bookmaking or by means of a totalisator on a licensed track being a dog racecourse shall not take place before the hour of one in the afternoon on any day other than a Bank Holiday.

(2) If bookmaking is carried on or a totalisator is operated by any person on any track in contravention of this section, that person, and, if he is not the occupier of the track, the occupier also, shall be guilty of an offence :

Provided that, where the occupier of a track is charged with an offence by reason of a contravention of this section on the part of another person, it shall be a defence for him to prove that the contravention occurred without his knowledge.

Application to Scotland.

3. For the purpose of the application of this Act to Scotland, every licensing authority in Scotland shall fix two days during the period between the passing of this Act and the first day of July nineteen hundred and forty-seven and four days during the year ending on the thirtieth day of June nineteen hundred and forty-eight, such days not being Saturdays and being local public holidays, and for any reference to a Bank Holiday there shall be substituted a reference to one of the days so fixed.

Expiry of this Act, and power to relax its operation in particular localities.

4.—(1) Subject to the provisions of this section, this Act shall continue in force until the thirtieth day of June, nineteen hundred and forty-eight, and shall expire at the end of that day.

(2) His Majesty may by Order in Council declare that it is no longer necessary that this Act, or any provision thereof specified in the Order, should continue in force, and, if an Order under this subsection is made, this Act, or the specified provision, as the case may be, shall expire at the end of such day as may be specified in the Order.

(3) If the Secretary of State is satisfied as respects any particular licensing area or part of such an area that, having regard to its situation or to other local circumstances, the making of an order under this subsection in relation thereto is unlikely to lead to any substantial interference with industrial production, he may by order direct that, on and after such day as may be specified in the order, either—

(*a*) this Act shall not apply to tracks in that area or part; or

(*b*) subsection (1) of section two of this Act shall not apply to tracks in that area or part, or shall, in its application to tracks in that area or part, have effect with the substitution of a reference to an earlier hour for the reference to one in the afternoon;

and any order under this subsection may be revoked, and an order thereunder substituting an earlier hour as aforesaid may be varied, by a subsequent order made by the Secretary of State.

(4) The expiry of this Act, or the revocation of an order under the last preceding subsection, shall not affect the operation thereof as respects things previously done or omitted to be done, and, in reckoning the number of days on which betting by way of bookmaking or by means of a totalisator may take place on a track in a part of a year after the expiry of section one of this Act or in a part thereof during which that section does not apply to the track, days in that year on which such betting has taken

place during the continuance in force of that section and its application to the track shall be reckoned in accordance with subsection (3) of that section.

Short title, construction and extent.

5.—(1) This Act may be cited as the Dog Racecourse Betting (Temporary Provisions) Act, 1947.

(2) This Act shall be construed as one with the principal Act as if included in Part I thereof.

33 & 34 Vict. c. 17.

(3) In this Act the expression "Bank Holiday" means each of the days specified as Bank Holidays in England in the Schedule to the Bank Holidays Act, 1871.

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

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