STATUTORY INSTRUMENTS

# 1985 No. 1513 (S.113)

## BETTING, GAMING AND LOTTERIES

## The Dog Racecourse Totalisator (Scotland) (Amendment) Regulations 1985

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| *Made* - - - - | *30th September* 1985 |
| *Laid before Parliament* | *11th October* 1985 |
| *Coming into Operation* | *4th November* 1985 |

In exercise of the powers conferred on me by paragraph 1 and 3(*c*) of Schedule 5 to the Betting, Gaming and Lotteries Act 1963**(a)**, as read with the definition of the expression "prescribed" in section 55(1) of that Act, and of all other powers enabling me in that behalf, I hereby make the following regulations:—

**1.** These regulations may be cited as the Dog Racecourse Totalisator (Scotland) (Amendment) Regulations 1985 and shall come into operation on 4th November 1985.

**2.** In these regulations the expression "the principal regulations" means the Dog Racecourse Totalisator (Scotland) Regulations 1967**(b)**.

**3.** In regulation 2(1) of the principal regulations—

*(a)* before the definition of "betting unit" there shall be inserted the following definition:—

""Act of 1963" means the Betting, Gaming and Lotteries Act 1963;";

*(b)* after the definition of "betting unit" there shall be inserted the following definition:—

""carried-over pool" means the aggregate amount staked on any race or combination of races on the track by way of bets made by means of the totalisator (less any deductions made in pursuance of paragraph 4(*a*) of Schedule 5 to the Act of 1963) which is carried over to a subsequent race or combination of races on the track in accordance with a condition complying with the provisions of paragraph 4A of Schedule 5 to the Act of 1963;"; and

*(c)* after the definition of "multi-event bet" there shall be inserted the following definition:—

""operator" has the same meaning as in paragraph 2 of Schedule 5 to the Act of 1963;".

**4.** At the end of regulation 14 of the principal regulations the following paragraph shall be added:—

"(7) When a carried-over pool is to be added to the aggregate amount staked by way of win bets, place bets, forecast bets, double event bets or

**(a)** 1963 c.2; paragraph 3(*c*) of Schedule 5 was inserted by section 2(3) of the Betting, Gaming and Lotteries (Amendment) Act 1985 (c.18).
**(b)** S.I. 1967/63.

multi-event bets made with the totalisator on any race or combination of races, the said particulars shall be the total number of betting units in each carried-over pool which is to be so added; and the said particulars—

*(a)* shall be shown before any bet made by means of the totalisator is received in connection with the relevant race or combination of races, and

*(b)* shall continue to be shown until the relevant race or first race in a combination of races, as the case may be, is over.".

**5.** In regulation 16(1) of the principal regulations:—

*(a)* before the words "Regulation 15 of" there shall be inserted the words "regulation 14(1) and (7) and"; and

*(b)* after the words "paragraph (2) thereof" there shall be inserted the words "and regulation 14(1) and (7) of these regulations.".

**6.** After regulation 17 of the principal regulations there shall be inserted the following regulation:—

"17A. The notice which the operator is required to display under paragraph 3 of Schedule 5 to the Act of 1963 shall, in addition to the other particulars required by that paragraph, include the terms on which he invites persons to bet on any race or combination of races on the track by means of the totalisator, including—

*(a)* the amount of deductions that will be made from winning bets in respect of sums payable by way of the general betting duty (which amount may be expressed as a percentage),

*(b)* the procedure for the resolution of disputed bets, and

*(c)* if in respect of any bet on any race or combination of races he includes the condition that, in the event of there being no winning bets on that race or those races, the aggregate amount staked thereon by way of bets made by means of the totalisator (less any deductions made in pursuance of paragraph 4(*a*) of Schedule 5 to the Act of 1963) shall be carried over to a subsequent race or combination of races on the track, that condition and the bets to which the condition applies.".

*George Younger,*
One of Her Majesty's Principal Secretaries of State.

New St Andrew's House,
Edinburgh.
30th September 1985.

## EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These regulations amend the Dog Racecourse Totalisator (Scotland) Regulations 1967 ("the 1967 Regulations") to take account of changes to Schedule 5 (totalisators on dog racecourses) of the Betting, Gaming and Lotteries Act 1963 ("the 1963 Act") which are made by section 2(3) and (4) of the Betting, Gaming and Lotteries (Amendment) Act 1985 ("the 1985 Act"). Those provisions (together with section 2(6) of the 1985 Act) are brought into force by the Betting, Gaming and Lotteries (Amendment) Act 1985 (Commencement) Order 1985 (S.I. 1985/1475).

Paragraph 4A of Schedule 5 to the 1963 Act (as inserted by section 2(4) of the 1985 Act) allows the totalisator operator to include amongst the terms on which he invites persons to bet on any race or combination of races a condition that, if there are no winning bets on that race or those races, the aggregate amount staked on that race or those races (less certain deductions) will be carried over to a subsequent race or combination of races and added to the amount staked on the subsequent race or races.

Regulation 4 of these regulations accordingly inserts a provision in regulation 14 of the 1967 Regulations requiring that where an amount (described as the "carried-over pool") is carried over to a race or combination of races the control visual indicator included in the totalisator must show the total number of betting units in that amount. This must be done before any bets are received. Regulation 5 of these regulations amends regulation 16(1) of the 1967 Regulations to require other public visual indicators included in the totalisator to show the same information. Again this must be done before any bets are received. (Regulation 13 of the 1967 Regulations provides for the control visual indicator and the other public visual indicators.)

Paragraph 3(*c*) of Schedule 5 to the 1963 Act (as inserted by section 2(3) of the 1985 Act) gives power for regulations to prescribe additional particulars to be inserted in the notice displayed by the totalisator operator before receiving bets. Regulation 6 of these regulations exercises this power. It requires the operator to include in the notice the terms on which he invites people to bet on any race or combination of races. Where a condition providing for the carrying-over of an amount to a subsequent race or combination of races is included in accordance with paragraph 4A of Schedule 5 to the 1963 Act, the notice must set out the terms of the condition and the bets to which it applies.

SI 1985/1513
ISBN 0-11-057513-X

