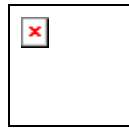


DRAFT GAMBLING (BETTING) (AMENDMENT No. 11) (JERSEY) REGULATIONS 200

**Lodged au Greffe on 16th October 2001
by the Gambling Control Committee**



STATES OF JERSEY

STATES GREFFE

180

2001

P.150

Price code: B

Report

The Gambling Control Committee reported to the States in early October when it brought Amendment No. 5 to the Gambling (Jersey) Law 1964 that this was one in a number of the steps in an ongoing process to bring the Island's Gambling Regulations broadly into line with those introduced into the United Kingdom in the mid-1990s.

The changes proposed here by the Gambling Control Committee seek to relax the controls placed on licensed betting offices first put in place in 1965, and include the removal of restrictions on advertising, including signs and their size, both inside and outside of licensed betting offices.

The Amendment also seeks to remove the restriction placed on the size of television screens permitted in betting offices, and remove restrictions placed on shop front designs which currently do not permit one to see in. The provision of non-alcoholic refreshments and pre-packed snacks such as sandwiches will be permitted under this amendment.

Greater prominence, however, will be given to the placing of notices that can be read from outside, that refer to young persons not being admitted to the premises. Details of the procedure for the resolution of disputed bets will also be made more conspicuous inside of the premises and to notices referring to the setting-out of terms and conditions on which persons are invited to bet, deductions that may be made, and the limit on the amount of winnings.

The draft Regulations have no implications for the financial or manpower resources of the States.

Explanatory Note

These Regulations amend the Gambling (Betting) (Jersey) Regulations 1965, as amended to bring the controls on licensed betting offices into line with those currently operating in the United Kingdom, insofar as the premises, advertisements and some of the facilities provided are concerned.

Regulations 2 and 8 substantially deregulate signs and notices exhibited inside a licensed betting office, whether or not they are visible from outside. They allow the advertising of licensed betting facilities where the advertisements are in a material form, or where they are not in a material form but either are not visible from outside, or, if they are visible from outside, they comply with certain conditions. Those conditions limit such advertisements to the communication of the information about the premises and the activities carried on there which is listed in paragraph (10). The amount of text permitted is restricted.

Regulation 3 removes the prohibition on encouraging persons on licensed premises to bet. This is necessary because of the de-regulation of advertisements on licensed betting offices.

Regulation 4 removes the restriction on the size of television screens permitted in licensed betting offices.

Regulations 5 and 6 remove the prohibition on the provision of refreshments in licensed betting offices, but prohibit the provision of alcohol, and limit the provision of food to pre-packed sandwiches and snacks.

Regulation 7 increases the prominence required of notices indicating that young people are not admitted to licensed betting offices. It also requires the exhibition in licensed betting offices of the conditions subject to which bets will be accepted there, and enables further conditions to be prescribed by Order.

Regulation 9 provides that the amending Regulations shall come into force immediately.

Gambling (Jersey) Law 1964

GAMBLING (BETTING) (AMENDMENT No. 11) (JERSEY) REGULATIONS 200-

(Promulgated on the _____ day of _____ 200-)

STATES OF JERSEY

The _____ day of _____ 200-

THE STATES, in exercise of the powers contained in Article 3 of the Gambling (Jersey) Law 1964,^[1] as amended, have made the following Regulations -

1. In these Regulations “the principal Regulations” means the Gambling (Betting) (Jersey) Regulations 1965,^[2] as amended.^[3]

2.-(1) In Regulation 4(6) of the principal Regulations, for the words“Subject to the provisions of paragraph (7) of this Regulation, if, save in a licensed betting office or in manner provided by the Third Schedule to these Regulations on premises giving access to a licensed betting office, any advertisement is published -” there shall be substituted the words “If an advertisement, other than an advertisement published in a material form or an advertisement to which paragraph (7) applies, is published -”.

(2) For Regulation 4(7) of the principal Regulations there shall be substituted the following paragraphs -

“(7) This paragraph applies to an advertisement if it is published otherwise than in a material form and -

(a) it is published inside, but not outside a licensed betting office; or

(b) it complies with the restrictions set out in paragraphs (8) and (9) and with any other restrictions as may be prescribed, and is, in such a manner as is set out in paragraph (8) and (9), or in such other manner as may be prescribed, published outside a licensed betting office -

(i) from a place inside such an office; or

(ii) in premises giving access to such an office.

(8) Except as provided by paragraph (9), no advertisement -

(a) which includes any of the matters set out in paragraph (6)(a), (b) and (c);

(b) which is published outside a licensed betting office otherwise than in a material form in any of the ways set out in paragraph (7)(b)(i) and (ii); and

(c) which consists of, or includes, text,

is permitted.

(9) To the extent that any of the matters set out in paragraph (10) would otherwise contravene the provisions of paragraph (6), text in respect of all or any of them may nevertheless be included in an advertisement to which paragraph (8)(a) and (b) applies.

(10) The matters referred to in paragraph (9) are -

(a) subject to paragraph (11), text indicating that the premises are, or give access to, a licensed betting office whether -

- (i) the expression 'licensed betting office' or some other expression such as 'bookmaker' or 'turf accountant' is used; and
- (ii) the expression is included in the name of the licensee or otherwise;
- (b) in the case of premises giving access to a licensed betting office, text indicating where any such office may be found;
- (c) text indicating the hours during which a licensed betting office is open;
- (d) text indicating the facilities afforded to persons resorting to the licensed betting office concerned;
- (e) text indicating the range of bets available in the licensed betting office concerned; and
- (f) text providing information relating to any event in connection with which betting transactions may be, or have been, effected in the licensed betting office concerned, including information as to the odds available on any particular event.

(11) Text in respect of the matter referred to in paragraph (10)(a) is not permitted if it exceeds three words in length.

(12) For the purposes of paragraphs (8), (9), (10) and (11), the expression 'text' includes figures without words, as well as words, and words and figures.”.

3. Paragraph 4 of the Third Schedule to the principal Regulations shall be revoked.

4. In paragraph 5A of the Third Schedule to the principal Regulations sub-paragraph (1) shall be revoked.

5. In paragraph 5B of the Third Schedule to the principal Regulations the words “and no refreshment of any kind” shall be revoked.

6. After paragraph 5B of the Third Schedule to the principal Regulations there shall be inserted the following paragraph -

“5C.-(1) Except as permitted by this paragraph, no refreshments shall be provided in a licensed betting office

(2) Any drink may be served in a licensed betting office except intoxicating liquor within the meaning of Article 1 of the Licensing (Jersey) Law 1974 as amended.

(3) Pre-packaged sandwiches and pre-packaged snacks may be served in a licensed betting office.”.

7.-(1) In paragraph 6(b) of the Third Schedule to the principal Regulations there shall be inserted after the word “some conspicuous place” the words “including a place near to the entrance of the licensed premises and, where practicable, in a window of the premises so that it can be read from outside the premises,”.

(2) In paragraph 6(c) of the Third Schedule to the principal Regulations after the word “prescribed” there shall be inserted the following -

“and

(d) in some conspicuous place inside the licensed premises a notice setting out the terms on which he invites persons to bet on the premises including -

(i) the amount of the various deductions that may be, or will be, made from winning bets;

(ii) any maximum limit on the amount of winnings; and

(iii) the procedure for the resolution of disputed bets,

and shall comply with any prescribed restrictions with respect to the exhibiting of other written matter or signs

of any description on the licensed premises.”.

8. Paragraphs 7 and 8 of the Third Schedule to the principal Regulations shall be revoked.

9. These Regulations may be cited as the Gambling (Betting) (Amendment No. 11) (Jersey) Regulations 2000 and shall come into force on the day following promulgation.

^[1] Recueil des Lois, Volume 1963-1965, page 287.

^[2] No. 4643.

^[3] Nos. 6653, 7007, 7726, 8253, 8843, 8856 and 117/2000.