

DRAFT GAMBLING (BETTING) (AMENDMENT No. 13) (JERSEY) REGULATIONS 200

**Lodged au Greffe on 7th May 2002
by the Gambling Control Committee**



STATES OF JERSEY

STATES GREFFE

150

2002

P.72

Price code: B

REPORT

Draft Gambling (Betting) (Amendment No. 13) (Jersey) Regulations 200~~0~~ (P.72/2002)
Draft Gambling (Licensing Provisions) (Amendment No. 13) (Jersey) Regulations 200~~0~~ (P.73/2002)
Draft Gambling (Pool Betting) (Amendment No. 2) (Jersey) Regulations 200~~0~~ (P.74/2002)

The Gambling (Jersey) Law 1964, as amended prior to the Amendment No. 5 Law, generally prohibited gambling transactions with persons or bodies outside the Island.

Following consultations with Jersey licensed bookmakers, the Gambling Control Committee received a request to permit bets to be placed on the United Kingdom Totalisator. The Totalisator, or as it is commonly known, the Tote, is a system operated by the Totalisator Board of the United Kingdom. It is a form of pool betting. The gross receipts of bets taken on a particular race are placed into the 'pool'. Winnings and commissions are then paid from the pool to participating bookmakers. A certain percentage is retained by the Board from which a contribution is made to the Horse Racing Levy Board for the improvement of horse racing, breeds of horses and the advancement or encouragement of veterinary science or education.

The Committee and the States agreed that amendments should be made to the Law and to the Regulations. These would enable the Totalisator Board's on-line betting system, Tote Direct, by which bets can be placed on the tote on horse racing taking place in the United Kingdom, to be made available to Jersey licensed bookmakers. The States accordingly passed the Gambling (Amendment No. 5) (Jersey) Law 2001.

Amendments to the Gambling (Licensing Provisions) (Jersey) Regulations, the Gambling (Betting) (Jersey) Regulations and the Gambling (Pool Betting) (Jersey) Regulations are now necessary to complete the process.

The Gambling (Betting) (Amendment No. 13) (Jersey) Regulations 200~~0~~ would amend the Gambling (Betting) (Jersey) Regulations 1965 by providing that Tote betting transactions shall not be unlawful gambling, and that a betting office licence, including a credit betting office licence, may authorize Tote betting transactions.

The Gambling (Licensing Provisions) (Amendment No. 13) (Jersey) Regulations 200~~0~~ would amend the Gambling (Licensing Provisions) (Jersey) Regulations 1965 by revising the wording of the activities permitted by betting office and credit betting office licences. The original wording authorized all betting transactions other than pool betting transactions, which currently are not permitted to be arranged on such premises.

The Gambling (Pool Betting) (Amendment No. 2) (Jersey) Regulations 200~~0~~ would amend the Gambling (Pool Betting) (Jersey) Regulations 1965 by providing that Tote betting shall not be unlawful gambling if such bets are made in accordance with the Gambling (Betting) (Jersey) Regulations 1975 and with the holder of a betting office or credit betting office licence.

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

Explanatory Note

The draft Regulations amend the Gambling (Betting) (Jersey) Regulations 1965 by providing that Tote betting transactions shall not be unlawful gambling, and that a betting office licence, including a credit betting office licence, may authorize Tote betting transactions.

Gambling (Jersey) Law 1964

GAMBLING (BETTING) (AMENDMENT No. 13) (JERSEY) REGULATIONS 200-

(Promulgated on the _____ day of _____ 200-)

STATES OF JERSEY

The _____ day of _____ 200-

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

1. Regulation 2(2) of the Gambling (Betting) (Jersey) Regulations 1965, as amended^[2] (in these Regulations referred to as “the principal Regulations”) shall be amended by revoking sub-paragraph (E) and substituting the following sub-paragraph -

“(E) (a) Subject to clause (b), in the case of a betting transaction by way of pool betting effected otherwise than on a horse racecourse or a licensed track, the betting transaction shall be effected only by or with a registered pool promoter.

(b) This clause shall not apply to -

(i) a betting transaction effected by way of sponsored pool betting; or

(ii) bets made and transmitted by means of facilities provided in accordance with section 14 of the United Kingdom Act, by the Totalisator Board or by persons authorized by the Totalisator Board and having the management of an approved horse racecourse.

(c) In this regulation -

‘the United Kingdom Act’ means the Betting, Gaming and Lotteries Act, 1963, of the United Kingdom;

‘Totalisator Board’ means the Horserace Totalisator Board established by section 12 of the United Kingdom Act; and

‘approved horse racecourse’ means any ground in respect of which there is for the time being in force a certificate of approval of that ground as a horse racecourse issued under section 13 of the United Kingdom Act by the Horserace Betting Levy Board established by section 24 of the United Kingdom Act.”.

2. Regulation 4(1) of the principal Regulations shall be amended by adding, after “sponsored pool betting” the words “or in accordance with Regulation 2(2)(E)”.

3. These Regulations may be cited as the Gambling (Betting) (Amendment No. 13) (Jersey) Regulations 200- and shall come into force on the day following promulgation.

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

^[2] No. 4643.