



Gambling Act 2005

Occasional Use Notice

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary (marked with the number of the relevant question). You may wish to keep a copy of the completed form for your records. Where the application is in respect of a vessel the application should be made on the relevant form for that type of application.

Once completed, send your application to the following:-

- **Legal Services & Licensing**, Borough Council of King's Lynn and West Norfolk, King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX.

SECTION A – General Information

1. Title:

Mr

Mrs

Miss

Ms

Dr

Other (please specify) _____

2. Full Name*:

Surname:

Other Name(s):

3. Your current address (We will use this address to correspond with you):

Current postal address:

Post Town:

Post Code:

4. Telephone number:

5. Email address of premises licence holder (optional):

6. Capacity of person giving notice:

Person responsible for administration of events on the track

Occupier of the Track

7. Your current address (We will use this address to correspond with you):

Address of track:

Post Town:		Post Code:	

8. Date of event:

__/__/____ (dd/mm/yyyy)

SECTION B – Declaration and Checklist

<u>Checklist:</u>	
Send a copy of this notice to:	
<ul style="list-style-type: none"> To the licensing authority for the area in which the track is located 	<input type="checkbox"/>
<ul style="list-style-type: none"> To the chief officer of police for the area in which the track is located 	<input type="checkbox"/>
If the track is situated in one or more licensing authority areas, send a copy of this notice to each additional licensing authority	<input type="checkbox"/>
If the track is situated in one or more police areas, send a copy of this notice to each additional chief officer of police	<input type="checkbox"/>
Sign the declaration below	<input type="checkbox"/>

The information contained in this form is correct to the best of my knowledge and belief.

I understand that it is an offence:

- a) Without reasonable excuse to give to the licensing authority information which is false or misleading;
 - b) To use premises, or causes or permit premises to be used to provide facilities for betting (whether by making or accepting bets, by acting as a betting intermediary or by providing other facilities for the making or accepting bets) in contravention of this notice.
 - c) A person guilty of either of the above shall be liable on summary conviction to imprisonment not exceeding 51 weeks, a fine not exceeding level 5 on the standard scale or both
 - d) I am a person responsible for the administration of events on the track
- Or**
 An occupier of the track (tick either or both boxes as appropriate)

I am a person responsible for the administration of events on the track

<input type="checkbox"/> Yes	<input type="checkbox"/> No
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I am an occupier of the track

<input type="checkbox"/> Yes	<input type="checkbox"/> No
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Signature:		Print Name:	
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Date:	
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Guidance notes:

What the Gambling Act says: -

Section 37 - Use of premises

A person commits an offence if he uses premises, or causes or permits premises to be used, to—
provide facilities for betting (whether by making or accepting bets, by acting as a betting intermediary or by providing other facilities for the making or accepting of bets).

Does not apply in relation to the use of a track by a person for accepting bets if the use is authorised by a premises licence (whether or not held by him).

A person guilty of an offence under this section shall be liable on summary conviction to—

- a) imprisonment for a term not exceeding 51 weeks,
- b) a fine not exceeding level 5 on the standard scale, or
- c) both.

Section 39 – Occasional Use Notice

A person who accepts bets on a track, or who causes or permits premises to be used for the acceptance of bets, does not commit an offence under section 37 if—

- a) a notice has been given under this section in respect of the track, and
- b) the activity is carried on in accordance with the notice.

A notice under this section (an “occasional use notice”) in respect of a track may be given only by a person who is—

- a) responsible for the administration of events on the track, or
- b) an occupier of the track.

An occasional use notice must—

- a) be given in writing to the licensing authority for any area in which the track is wholly or partly situated, and
- b) be copied to either—
 - (i) in England and Wales, the chief officer of police for any area in which the track is wholly or partly situated, or
 - (ii) in Scotland, the chief constable of the police force maintained for the police area comprising that area.

An occasional use notice must specify a day on which it has effect.

An occasional use notice may not be given in respect of a track for a day in a calendar year if eight occasional use notices have been given in respect of that track for days in that year.

In this section—

- a) “chief officer of police” has the meaning given by section 101(1) of the Police Act 1996 (c.16) and
- b) a reference to a chief officer’s area is a reference to the area in respect of which he has responsibility under that Act.