



Northern Ireland  
Assembly

Committee for Communities

# OFFICIAL REPORT (Hansard)

Betting, Gaming, Lotteries and Amusements  
(Amendment) Bill:  
Research and Information Service

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Two important developments in other jurisdictions may not impact the Bill but will impact the wider regulation of gambling in Northern Ireland. In Great Britain, there was a review of the Gambling Act 2005. The Act regulates online gambling. While it does not extend to Northern Ireland to a large extent, gamblers in Northern Ireland use the same websites as gamblers in Great Britain, so it has relevance here.

A call for evidence was launched by the Department for Digital, Culture, Media and Sport last December. It closed in March this year, and there were 16,000 submissions. That is a massive response. The Government have indicated that they will publish a White Paper setting out and consulting on the next steps within the coming months. I do not know whether the Committee wants, or if it would be appropriate, to feed back information from some of the evidence sessions to that White Paper consultation.

Although gambling is devolved, the review was important because it looked at online protections for players, advertising, sponsorship and branding, a lot of which is not devolved to Northern Ireland. It will look at the Gambling Commission's powers and resources, consumer redress mechanisms, age limits and age verification.

In the South, the Minister of State has published the General Scheme of the Gambling Regulation Bill, so a significant programme of gambling reform will take place there. The Programme for Government has a commitment to establish a gambling regulator down South that will have wide-ranging powers. It will become the licensing authority and will also regulate gambling advertising, websites and apps, and look at issues such as gambling fairness, safeguards for problem gamblers, young gambling and crime.

That is relevant to here because of the cross-border nature of some gambling activities. Some businesses that operate here may also operate in the South. Also, we can probably draw lessons on effective regulations and plans for enforcement for the second stage of reform.

The table provided in the paper was extracted from a recent House of Lords Select Committee report on gambling-related harm. It shows how gambling is not just an issue for one Department; rather, it involves many Departments. The Select Committee therefore argued that it requires a cross-departmental, multi-agency response. The table outlines the roles of Departments across the water, which are largely similar to our Departments here.

I should say that, when it comes to the activities of the Gambling Commission, Northern Ireland has mentioned the North/South relationship and the GB/NI relationship. The Minister outlined during the Bill's Second Stage that she is trying to set up a cross-departmental group on gambling. The Committee may therefore want to consider, for information purposes, getting an update on that group and who will sit on it.

I will take you quickly through the Bill's substantive clauses. There is more information in the paper, including some cross-jurisdictional analysis and some issues that you may want to look at. I will not go over those, because you are running out of time.

Clause 2 removes the existing Sunday and Good Friday trading prohibitions on licensed bookmakers.

Clause 3 amends the definition of "betting work" to extend Sunday working protection to workers in licensed bookmaking offices.

Clause 4 permits the operation of pool betting in licensed bookmakers. I found that clause particularly technical. If you like a bit of a flutter, it probably makes absolute sense to you. If you do not, it might seem quite technical. The Committee may want to consider asking the Department to provide a short brief on what pool betting is and exactly how the clause will impact on that.

Clause 5 will amend the eligibility requirements for persons who may take part in bingo on licensed premises, essentially removing the 24-hour waiting period between applying for membership and playing bingo.

Clause 6 removes the existing Sunday and Good Friday trading prohibitions on licensed bingo clubs and the prohibition on using gaming machines during those days.

Clause 7 creates new offences on inviting, causing or permitting a person under the age of 18 to play anything other than low-stakes gaming machines. The key thing there is the definition of "invites, causes or permits". You may want to draw that out in your evidence sessions.

Clause 8 reworks article 131 of the 1985 Order to exclude free-to-enter prize draw competitions from the definition of a lottery. Article 168 of the 1985 Order currently prohibits the conduct of certain newspaper and other prize competitions in Northern Ireland. However, clause 11 seeks to remove free-to-enter prize draw competitions from that prohibition. The new schedule to the Bill sets out what does and does not constitute a requirement to pay.

Clause 9 is very important for local charities, clubs and societies. It removes the £1 limit on societies' lotteries and alters the rules on deductible expenses. I know that you are going to hear more from the Northern Ireland Council for Voluntary Action (NICVA) on that issue.

Clause 10 removes the current residency and incorporation requirements for the granting of bookmakers' licences, bingo clubs' licences and gaming machine certificates or permits. It also reduces the lower age limit for granting those licences, certificates and permits from 21 to 18 years of age.

Clause 12 replaces the existing definition of cheating. Currently, the offence is applicable only if you win anything. The Bill proposes to replace that definition with a definition that means that it is immaterial whether or not somebody has won an amount of money.

Clause 13 provides for gambling contracts to be legally enforceable. As the Chair pointed out previously, they are more like gentlemen's agreements at the moment.

Clause 14 provides DFC with the power, by way of regulations, to impose a financial levy on applications for the grant of licences etc. The regulations may also set out when the levy is to be repaid — for example, if an application is unsuccessful. Regulations will also identify how the amount of the levy is to be determined. There is some more information in the paper about countries that have levies and how the amount is calculated.

Clause 15 requires the Department to issue and publish codes of practice and outlines the procedure for issuing and revising those codes. There is an at-a-glance table on pages 10-15 of the paper, which you might find helpful. It summarises what I have just covered.

I will recap the issues that Members raised during Second Stage. Some want to see greater regulation of gambling advertising and sponsorship. Other Members want to see enhanced regulation of online gambling. This was a significant issue raised at Second Stage. Other issues included a ban on the use of credit cards for gambling; greater protections for vulnerable and problem gamblers; greater regulations on age verification and self-exclusion; further regulation of fixed-odds betting terminals in Northern Ireland; and a more preventative approach to gambling-related harm, with a greater emphasis on educating children and young people. Lots of other issues have been raised by the all-party group on reducing harm related to gambling in its excellent report. Last month, it launched a new inquiry into gaming machines, so I will follow that closely.

Another piece of pertinent information of which you may be aware is a DFC press release of 1 November that stated that the Minister announced that there will be a short, focused consultation on a mandatory code of practice for the gambling industry with key stakeholders and that there are plans to make compliance with the code a condition of a licence. It stated that requirements in the code will include a ban on the use of credit cards in gambling transactions, a ban on the practice of reverse withdrawals and a ban on the location of ATMs in gambling establishments. Further protections for children and young people include age verification standards and tighter controls of fixed-odds betting terminals. The Committee might want to consider asking the Department for an update on that.

I am happy to take any questions. If I do not know the answers, I will come back to you.

**The Chairperson (Ms P Bradley):** Thank you, Eleanor. As always, it is great work that will be beneficial as we go through the Bill. You mentioned pool betting and how you knew very little about it before you started looking into the issue. I have to say that I knew very little about betting in general before we started this process, so I think that all of us need to have the key findings in your table beside us as we go through our witness sessions. Last week, we had the first evidence session, which was with the turf bookmakers, who have already put in place many of those measures, including a ban on credit cards, so there seems to be a precedence there. I have no questions because I need to

digest your paper in great detail. It is not something that I know a great deal about, although I imagine that, by the end of it, we will all know lots about gambling in every sense. Members, are there any questions of clarification for Eleanor? The paper covers many of the issues in great detail.

**Ms Armstrong:** Eleanor, the last slide was on the Minister's consultation, which will include payments by credit card. I was looking at that area and a possible amendment, with the insertion of a new clause that banned the use of credit cards. If the Department is taking that forward, we as a Committee can consider that and put it in our report. When is that consultation due to finish?

**Ms E Murphy:** I am not sure, Kellie. I have only the information that was in the press release. The Committee might like to consider asking the Department for further information on that and an update on when the consultation will launch and when it is due to conclude. I am sorry that I do not have any further information on that.

**Ms Armstrong:** It is another consultation that has come out in the middle of a Committee Stage. It is very useful, but it is just a pity that it was not done before the Bill reached the Committee. This paper is brilliant. As always, the questions are there so that we can hit home with the Department. Thank you.

**The Chairperson (Ms P Bradley):** Nobody else has indicated that they have a question for Eleanor. Are members in agreement that we send the RalSe paper through to the Department for responses to all Eleanor's questions and that we request a written response to the questions that were raised at Second Stage? We need those responses as a matter of urgency and have yet to receive them.

*Members indicated assent.*

**The Chairperson (Ms P Bradley):** Is there anything else that members want to ask Eleanor at this stage? I know that she will come back to us if there is anything that we need her to answer.

**Ms Armstrong:** Eleanor, this might be a stupid question, so please forgive me. I am concerned because I do not understand clause 9, which is the rules for societies' lotteries. Your paper details the percentage of expenses that can be allowed. What confuses me is that the Bill is for Northern Ireland. On TV, we see big charities offering prizes such as £3 million for a house. Will that still be allowed to happen? Will people from Northern Ireland still be able to take part in societies' lotteries?

**Ms E Murphy:** It depends on whether they have to pay to participate. There are other rules as well. I will have to go back and clarify that. In Great Britain, there is almost a two-tier system for societies' lotteries. Larger organisations that run lotteries have to be licensed by the Gambling Commission. There is a £5 million cap on the prizes that can be offered. Smaller societies' lotteries for organisations such as sports clubs have a £25,000 limit. NICVA will be able to provide you with further information on that. I will have a look, and come back to you.

**Ms Armstrong:** I am confused because, if the organisation is in Northern Ireland, we can deal with that, but some adverts originate in Great Britain — for example, the Health Lottery or the lotteries that offer houses and massive prizes. How will the Bill manage that because the lotteries are outside of Northern Ireland?

**Ms E Murphy:** I am not entirely sure, Kellie. I will go back and try to clarify that with the Department.

**Ms Armstrong:** Thank you. It is not a stupid question after all. I had not picked it up wrongly.

**The Chairperson (Ms P Bradley):** No questions are ever stupid. Does anybody else want to ask Eleanor anything? No.

Eleanor, again, that was brilliant. Thank you so much for all the hard work that you do to assist the Committee. It is really appreciated.

**Ms E Murphy:** Thank you, Chair.