



AN BILLE GEALLTÓIREACHTA (LEASÚ), 2012
BETTING (AMENDMENT) BILL 2012

Mar a tionscnaíodh
As initiated

ARRANGEMENT OF SECTIONS

Section

1. Interpretation.
2. Amendment of section 1 of Principal Act.
3. Prohibitions.
4. False representations.
5. Prosecution *in absentia*.
6. Issue of certificates of personal fitness to certain persons ordinarily resident in State.
7. Issue of certificates of personal fitness to certain persons resident outside State.
8. Issue of certificates of personal fitness to other persons.
9. Renewal of certificate of personal fitness.
10. Revocation of certificate of personal fitness.
11. Grounds for refusal of certificate of personal fitness.
12. Bookmaker's licence.
13. Remote bookmaker's licence and remote betting intermediary's licences.
14. Obligation to notify Garda Síochána or Minister for Justice and Equality of certain matters.
15. Change in relevant officer of corporate licence holder.
16. Amendment of section 8 of Principal Act.
17. Register of licensed bookmakers.
18. Register of Remote Bookmaking Operations.

[No. 68 of 2012]

19. Appeal from refusal of certificate of personal fitness or a certificate of suitability of premises.
20. Revocation and suspension of licences by District Court.
21. Amendment of section 19 of Principal Act.
22. Hours of operation of registered premises.
23. Amendment of section 23 of Principal Act.
24. Amendment of section 29 of Principal Act.
25. Offence of false statement of age.
26. Orders against unlicensed bookmakers, remote bookmakers or remote betting intermediaries.
27. Service of documents.
28. Offences by bodies corporate.
29. Regulations.
30. Amendment of Chapter 1 of Part 2 of Finance Act 2002.
31. Repeal.
32. Short title, collective citation and commencement.

ACTS REFERRED TO

Betting Act 1853	16 & 17 Vict., c. 119
Betting Act 1931	1931, No. 27
Betting Acts 1931 and 1994	
Central Bank and Credit Institutions (Resolution) Act 2011	2011, No. 27
Companies Acts	
Criminal Justice (Money Laundering and Terrorist Financing) Act 2010	2010, No. 6
Criminal Justice (Mutual Assistance) Act 2008	2008, No. 7
Finance Act 2002	2002, No. 5
Finance Act 2011	2011, No. 6
Gaming and Lotteries Acts 1956 to 2003	
Inland Revenue Regulation Act 1890	53 & 54 Vict., c. 21
Irish Horseracing Industry Act 1994	1994, No. 18
Taxes Consolidation Act 1997	1997, No. 39



AN BILLE GEALLTÓIREACHTA (LEASÚ), 2012
BETTING (AMENDMENT) BILL 2012

BILL

entitled

5 AN ACT TO MAKE PROVISION IN RELATION TO THE
LICENSING OF BOOKMAKING ACTIVITIES AND, IN
PARTICULAR, IN RELATION TO THE CONDUCT OF
BOOKMAKING AND BOOKMAKING RELATED OPER-
10 OTHER PURPOSES TO AMEND THE BETTING ACT
1931; TO AMEND THE FINANCE ACT 2002; AND TO
PROVIDE FOR MATTERS CONNECTED THEREWITH.

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

1.—(1) In this Act “Principal Act” means the Betting Act 1931. Interpretation.

15 (2) For the purpose of this Act, a company within the meaning of
the Companies Acts shall be deemed to be ordinarily resident at its
registered office, and every other body corporate of persons shall
be deemed to be ordinarily resident at its principal office or place
of business.

20 2.—Section 1 of the Principal Act is amended by— Amendment of
section 1 of
Principal Act.

(a) the substitution of the following definition for the defini-
tion of “licensed bookmaker”:

“ ‘licensed bookmaker’ means a person who is the holder
of a bookmaker’s licence;”,

25 (b) the substitution of the following definition for the defini-
tion of “registered premises”:

“ ‘registered premises’ means premises for the time being
registered in the register of bookmaking offices;”,

and

30 (c) the insertion of the following definitions:

“ ‘bookmaker’ means a person, who in the course of busi-
ness, takes bets, sets odds and undertakes to pay out on
winning bets;

‘bookmaker’s licence’ means a licence issued—

- (a) under subsection (3) of section 7 (inserted by *section 12* of the *Betting (Amendment) Act 2012*), or
- (b) in accordance with section 7A (inserted by subsection (2) of section 66 of the Irish Horse-racing Industry Act 1994);

‘certificate of personal fitness’ has the meaning assigned to it by section 4 (inserted by *section 6* of the *Betting (Amendment) Act 2012*) and section 5 (inserted by *section 7* of the *Betting (Amendment) Act 2012*) and 5A (inserted by *section 8* of the *Betting (Amendment) Act 2012*);

‘credit institution’ has the same meaning as it has in the Central Bank and Credit Institutions (Resolution) Act 2011;

‘licensed remote betting intermediary’ means a person who is the holder of a remote betting intermediary’s licence;

‘licensed remote bookmaker’ means a person who is the holder of a remote bookmaker’s licence;

‘register of bookmaking offices’ means the register referred to in section 8;

‘relevant consideration’ shall be construed in accordance with section 6 (inserted by *section 11* of the *Betting (Amendment) Act 2012*);

‘relevant officer’ means, in relation to a body corporate—

- (a) the chairperson of the body or the chairperson of the board or board of directors of the body,
- (b) the managing director or chief executive officer of the body, or
- (c) any other person acting in either such capacity;

‘remote betting intermediary’ means a person who, in the course of business, provides facilities that enable persons to make bets with other persons (other than the first-mentioned person) by remote means;

‘remote betting intermediary’s licence’ means a licence issued under section 7C (inserted by *section 13* of the *Betting (Amendment) Act 2012*);

‘remote bookmaker’ means a person who carries on the business of bookmaker by remote means;

‘remote bookmaker’s licence’ means a licence issued under section 7B (inserted by *section 13* of the *Betting (Amendment) Act 2012*);

‘remote bookmaking operation’ means the activities of a remote betting intermediary or remote bookmaker;

‘remote means’ means, in relation to a communication, any electronic means, and includes—

- (a) the internet,
- (b) telephone, and
- 5 (c) telegraphy (whether or not wireless telegraphy);”.

3.—The Principal Act is amended by the substitution of the following section for section 2: Prohibitions.

10 “2.—(1) (a) A person (other than a licensed bookmaker) who carries on business, or acts, as a bookmaker shall be guilty of an offence.

15 (b) Subject to subsection (6) of section 7 (inserted by section 12 of the *Betting (Amendment) Act 2012*), a person (other than a licensed remote bookmaker) who carries on business, or acts, as a remote bookmaker from a place in the State shall be guilty of an offence.

20 (c) A person (other than a licensed remote betting intermediary) who carries on business, or acts, as a remote betting intermediary from a place in the State shall be guilty of an offence.

25 (2) (a) It shall be unlawful for a person (other than a licensed remote bookmaker) to carry on the business of or act as a remote bookmaker from a place outside the State by means of an internet website that may be accessed by a person from a place in the State.

30 (b) It shall be unlawful for a person (other than a licensed remote bookmaker) who carries on the business of or acts as a remote bookmaker from a place outside the State to communicate or attempt to communicate with a person in the State by remote means for the purpose of the making of a bet or bets with the first-mentioned person.

35 (3) (a) It shall be unlawful for a person (other than a licensed remote betting intermediary) to carry on the business of or act as a remote betting intermediary from a place outside the State by means of an internet website that may be accessed by a person from a place in the State.

40 (b) It shall be unlawful for a person (other than a licensed remote betting intermediary) who carries on the business of or acts as a remote betting intermediary from a place outside the State to communicate or attempt to communicate with a person in the State by remote means for the purpose of the making of a bet or bets by the second-mentioned person with any person (other than the first-mentioned person).

45 (4) If a person contravenes subsection (2) or (3), the Minister for Justice and Equality shall cause to be served on him a notice specifying the contravention concerned and requiring him to

take such measures as are specified in the notice within such period as may be so specified for the purpose of securing that he ceases to contravene that subsection.

(5) A person who contravenes a notice under subsection (4) shall be guilty of an offence. 5

(6) A person, upon whom a notice under subsection (4) has at any time been served, who contravenes subsection (2) or (3) shall be guilty of an offence.

(7) A person guilty of an offence under this section shall be liable— 10

(a) on summary conviction, to a class A fine, or

(b) on conviction on indictment, to a fine not exceeding €150,000 or imprisonment for a term not exceeding 5 years or both.

(8) Summary proceedings for an offence under this section may be brought and prosecuted by the Minister for Justice and Equality. 15

(9) For the purposes of this section, a person communicates with another person if—

(a) the communication is directed to the other person personally, 20

(b) the communication is directed to persons belonging to a class of which the other person is one, or

(c) the communication is directed to persons generally (whether in the State or both in the State and outside the State) and is capable of being received and responded to by a person in the State.”. 25

False representations.

4.—The Principal Act is amended by the insertion of the following section:

“2A.—(1) (a) A person (other than a licensed bookmaker) who holds himself out, or represents himself, as being a licensed bookmaker shall be guilty of an offence. 30

(b) A person (other than a licensed remote bookmaker) who holds himself out, or represents himself, as being a licensed remote bookmaker shall be guilty of an offence. 35

(c) A person (other than a licensed remote betting intermediary) who holds himself out, or represents himself, as being a licensed remote betting intermediary shall be guilty of an offence. 40

(2) A person guilty of an offence under this section shall—

(a) be liable, on summary conviction, to a class A fine, or

(b) subject to subsection (3), be liable, on conviction on indictment, to a fine not exceeding €100,000. 45

5 (3) Where a person, after having been convicted of an offence under subsection (1), commits a further offence under that subsection, that subsection shall apply subject to the modification that the words ‘a fine not exceeding €250,000 or imprisonment for a term not exceeding 5 years or both’ shall be substituted for the words ‘a fine not exceeding €100,000’.”.

5.—The Principal Act is amended by the insertion of the following section: *Prosecution in absentia.*

10 “2B.—(1) Where, at any stage of proceedings to which this section applies, a person fails, without reasonable excuse, to appear before the court before which the proceedings are for the time being taking place, the court may do any thing or make any order that it would be entitled to do or make had the person so appeared.

15 (2) Where, by virtue of a person’s failure to appear in proceedings to which this section applies, the person does not enter a plea (whether before the District Court or the trial judge), the trial of the person may proceed as though he had entered a plea of not guilty.

20 (3) This section applies to proceedings for an offence under this Act against a person upon whom a document in respect of those proceedings is served—

(a) in accordance with subsection (1) of section 81 of the Act of 2008,

25 (b) otherwise than by post, pursuant to a request referred to in subsection (2) of that section, or

(c) in accordance with an arrangement to which subsection (4) of that section applies.

(4) In this section—

30 ‘Act of 2008’ means the Criminal Justice (Mutual Assistance) Act 2008;

‘document’ means a document—

(a) to which subsection (1) of section 80 of the Act of 2008 applies, and

35 (b) that requires a person to appear as a defendant in proceedings for an offence.”.

6.—The Principal Act is amended by the substitution of the following section for section 4: *Issue of certificates of personal fitness to certain persons ordinarily resident in State.*

40 “4.—(1) Upon compliance with subsection (3), an individual who ordinarily resides in the State may apply for a certificate (in this Act referred to as a ‘certificate of personal fitness’) that he is a fit and proper person to hold a bookmaker’s licence—

(a) to the Superintendent of the Garda Síochána for the district in which he ordinarily resides, or

(b) in a case where the individual has established, or proposes to establish, an office registered under this Act, to the Superintendent of the Garda Síochána for the district in which the office is located or is proposed to be located. 5

(2) Upon compliance with subsection (3), a relevant officer of a body corporate that is ordinarily resident in the State may apply for a certificate (in this Act also referred to as a ‘certificate of personal fitness’) that he is a fit and proper person to be a relevant officer of a body corporate that holds a bookmaker’s licence— 10

(a) to the Superintendent of the Garda Síochána for the district in which the body corporate is ordinarily resident, or

(b) in a case where the body corporate has established, or proposes to establish, an office registered under this Act, to the Superintendent of the Garda Síochána for the district in which the office is located or is proposed to be located. 15

(3) An individual (including a relevant officer of a body corporate) intending to apply for a certificate of personal fitness under this section shall, not later than 14 days and not earlier than one month before making the application, publish, in two daily newspapers circulating in the district to which the Superintendent of the Garda Síochána to whom the application is required to be made, in accordance with subsection (1) or (2), is assigned, a notice in such form as may be prescribed of his intention to make the application. 20 25

(4) An application for a certificate of personal fitness under this section shall be in such form as may be specified by the Minister for Justice and Equality. 30

(5) A Superintendent of the Garda Síochána to whom an application for a certificate of personal fitness is duly made under this section shall, not later than 28 days after receiving the application, either— 35

(a) grant the application and issue a certificate of personal fitness to the applicant, or

(b) refuse the application.

(6) A Superintendent of the Garda Síochána shall not refuse an application for a certificate of personal fitness under this section unless— 40

(a) he is satisfied that by reason of the financial circumstances of, or the existence of a relevant consideration in relation to, the applicant for the certificate, the applicant is not a fit and proper person to hold a licence under this Act or to be a relevant officer of a body corporate that holds a licence under this Act, or 45

(b) he—

(i) has reasonable grounds for believing that the applicant for the certificate is making the application on behalf of another person, and

5 (ii) is satisfied that that other person would not be a fit and proper person to hold a licence under this Act or to be a relevant officer of a body corporate that held a licence under this Act by reason of his financial circumstances or the existence of a relevant consideration in relation to him.

(7) A certificate of personal fitness under this section shall be in such form as may be prescribed.

15 (8) An individual who, in applying for a certificate of personal fitness under this section, knowingly makes a statement or provides information to a Superintendent of the Garda Síochána that is false or misleading in a material respect shall be guilty of an offence and shall be liable—

20 (a) on summary conviction to a class A fine or imprisonment for a term not exceeding 6 months or both, or

(b) on conviction on indictment to a fine not exceeding €25,000 or imprisonment for a term not exceeding 2 years or both.

25 (9) A Superintendent of the Garda Síochána shall, as soon as may be after making a decision in relation to an application for a certificate of personal fitness, notify the Revenue Commissioners in writing of that decision.”.

7.—The Principal Act is amended by the substitution of the following section for section 5:

Issue of certificates of personal fitness to certain persons resident outside State.

30 “5.—(1) Upon compliance with subsection (2), an individual who ordinarily resides outside the State may apply to the Minister for Justice and Equality for a certificate (in this Act also referred to as a ‘certificate of personal fitness’) that the individual is a fit and proper person to hold a bookmaker’s licence, or to be a relevant officer of a body corporate that holds such a licence, as the case may be.

40 (2) An individual intending to apply for a certificate of personal fitness under this section shall, not later than 14 days, and not earlier than one month, before making the application, publish in two daily newspapers circulating in the State a notice in such form as may be prescribed of his intention to make the application.

45 (3) An application for a certificate of personal fitness under this section shall be in such form as may be specified by the Minister for Justice and Equality.

(4) Upon consideration of an application under this section, the Minister for Justice and Equality shall, not later than 28 days after receiving the application, either—

(a) grant the application and issue a certificate of personal fitness to the applicant, or

(b) refuse the application.

(5) The Minister for Justice and Equality shall not refuse an application for a certificate of personal fitness under this section unless— 5

(a) he is satisfied that by reason of the financial circumstances of, or the existence of a relevant consideration in relation to, the applicant for the certificate, the applicant is not a fit and proper person to hold a bookmaker's licence, or 10

(b) he—

(i) has reasonable grounds for believing that the applicant for the certificate of personal fitness is making the application on behalf of another person, and 15

(ii) is satisfied that that other person is not a fit and proper person to hold a licence under this Act by reason of his financial circumstances or the existence of a relevant consideration in relation to him. 20

(6) A certificate of personal fitness under this section shall be in such form as may be prescribed.

(7) An individual who, in applying for a certificate of personal fitness under this section, knowingly makes a statement or provides information to the Minister for Justice and Equality that is false or misleading in a material respect shall be guilty of an offence and shall be liable— 25

(a) on summary conviction to a class A fine or imprisonment for a term not exceeding 6 months or both, or 30

(b) on conviction on indictment to a fine not exceeding €25,000 or imprisonment for a term not exceeding 2 years or both.

(8) The Minister for Justice and Equality shall, as soon as may be after making a decision in relation to an application for a certificate of personal fitness, notify the Revenue Commissioners in writing of that decision.”. 35

Issue of certificates of personal fitness to other persons.

8.—The Principal Act is amended by the insertion of the following section:

“5A.—(1) Upon compliance with subsection (2), an individual (whether resident in the State or outside the State) may apply to the Minister for Justice and Equality for a certificate (in this Act also referred to as a ‘certificate of personal fitness’) that the individual is a fit and proper person to hold a licence (other than a bookmaker's licence) under this Act, or to be a relevant officer of a body corporate that holds such a licence, as the case may be. 40 45

5 (2) An individual intending to apply for a certificate of personal fitness under this section shall, not later than 14 days, and not earlier than one month, before making the application, publish in two daily newspapers circulating in the State a notice in such form as may be prescribed of his intention to make the application.

(3) An application for a certificate of personal fitness under this section shall be in such form as may be specified by the Minister for Justice and Equality.

10 (4) Upon consideration of an application under this section, the Minister for Justice and Equality shall, not later than 28 days after receiving the application, either—

(a) grant the application and issue a certificate of personal fitness to the applicant, or

15 (b) refuse the application.

(5) The Minister for Justice and Equality shall not refuse an application for a certificate of personal fitness under this section unless—

20 (a) he is satisfied that by reason of the financial circumstances of, or the existence of a relevant consideration in relation to, the applicant for the certificate, the applicant is not a fit and proper person to hold a licence under this Act or to be a relevant officer of a body corporate that holds a licence under this Act, or

25 (b) he—

30 (i) has reasonable grounds for believing that the applicant for the certificate of personal fitness is making the application on behalf of another person, and

35 (ii) is satisfied that that other person is not a fit and proper person to hold a licence under this Act or to be a relevant officer of a body corporate that holds a licence under this Act by reason of his financial circumstances or the existence of a relevant consideration in relation to him.

(6) A certificate of personal fitness under this section shall be in such form as may be prescribed.

40 (7) An individual who, in applying for a certificate of personal fitness under this section, knowingly makes a statement or provides information to the Minister for Justice and Equality that is false or misleading in a material respect shall be guilty of an offence and shall be liable—

45 (a) on summary conviction to a class A fine or imprisonment for a term not exceeding 6 months or both, or

(b) on conviction on indictment to a fine not exceeding €25,000 or imprisonment for a term not exceeding 2 years or both.

(8) The Minister for Justice and Equality shall, as soon as may be after making a decision in relation to an application for a certificate of personal fitness, notify the Revenue Commissioners in writing of that decision.”.

Renewal of certificate of personal fitness.

9.—The Principal Act is amended by the insertion of the following section: 5

“5B.—(1) Subject to subsection (2) and section 5C (inserted by section 10 of the *Betting (Amendment) Act 2012*) a certificate of personal fitness shall remain in force for a period of one year commencing on the date on which the certificate was issued. 10

(2) If, before the expiration of a certificate of personal fitness, the individual to whom it was issued makes an application under section 4 or 5, as may be appropriate, for a new certificate of personal fitness, the first-mentioned certificate of personal fitness shall remain in force until the Superintendent of the Garda Síochána concerned or the Minister for Justice and Equality, as the case may be, makes a decision in relation to the application.”. 15

Revocation of certificate of personal fitness.

10.—The Principal Act is amended by the insertion of the following section: 20

“5C.—(1) If, in relation to an individual to whom a certificate of personal fitness has been issued under section 4 or 5 or 5A, the Minister for Justice and Equality is satisfied that, by reason of the financial circumstances of, or the existence of a relevant consideration in relation to, the individual, the individual is not a fit and proper person to hold a licence under this Act, that Minister of the Government may revoke the certificate. 25

(2) The Minister for Justice and Equality may revoke a certificate of personal fitness issued under section 4 or 5 or 5A where he is satisfied that the holder of the certificate provided information to the Minister or a Superintendent of the Garda Síochána when making an application for that certificate that was false or misleading in a material respect. 30

(3) Where, in accordance with this section, the Minister for Justice and Equality revokes a certificate of personal fitness he shall, as soon as may be thereafter, inform the Revenue Commissioners of that revocation.”. 35

Grounds for refusal of certificate of personal fitness.

11.—The Principal Act is amended by the substitution of the following section for section 6:

“6.—For the purposes of this Act, a relevant consideration exists if— 40

- (a) arrears of duty payable on or in respect of bets made are due and owing by the applicant, or a body corporate of which the applicant is a relevant officer,
- (b) the applicant, or a body corporate of which the applicant is a relevant officer, stands convicted of an offence under— 45
 - (i) this Act,

- (ii) an Act relating to excise duty on bets,
- (iii) the Gaming and Lotteries Acts 1956 to 2003, or
- (iv) the law of a place (other than the State) relating to the conduct of gambling,

5 (c) a licence under this Act previously held by the applicant, or a body corporate of which the applicant is a relevant officer, was revoked,

(d) the applicant was previously refused a certificate of personal fitness and either—

- 10 (i) the applicant did not appeal the refusal, or
- (ii) on appeal to the District Court, the refusal was affirmed,

15 (e) in the case of an applicant who used to hold a licence under this Act, or is or was a relevant officer of a body corporate that holds or used to hold such a licence, the applicant or body corporate, as the case may be—

20 (i) unreasonably refused to pay sums due to persons who had won bets placed with the applicant or body corporate, or

25 (ii) conducted the business of bookmaking in a disorderly manner or in such a manner as to cause or encourage persons to congregate and loiter in or outside the premises where the business was conducted or had permitted persons to loiter in those premises,

30 (f) the applicant is the holder of a pawnbroker's licence or is a registered moneylender, or is a relevant officer of a body corporate that holds a pawnbroker's licence or is a registered moneylender,

(g) the applicant is not a fit and proper person for the purposes of Chapter 9 of Part 4 of the Criminal Justice (Money Laundering and Terrorist Financing) Act 2010.”.

35 **12.**—The Principal Act is amended by the substitution of the following section for section 7: Bookmaker's licence.

40 “7.—(1) A qualified person may apply to the Revenue Commissioners for a licence (in this Act referred to as a ‘bookmaker's licence’) authorising the person to carry on the business of, and act as, a bookmaker.

(2) An application under this section shall—

(a) be in such form, and made in such manner, as may be specified by the Revenue Commissioners,

45 (b) specify the name of the applicant and the address at which he ordinarily resides and the address of his principal office or place of business,

- (c) in circumstances where the applicant proposes to carry on the business concerned under a trading name, specify that trading name,
- (d) specify a date (being either the first day of December immediately following the date of the making of the application or a day that is not more than 14 days after the date of the making of the application, whichever occurs sooner) from which he wishes the bookmaker's licence to have effect, 5
- (e) the address of the premises (if any) at which he proposes to carry on the business of bookmaker, 10
- (f) in the case of an applicant who is an individual, be accompanied by the certificate of personal fitness issued to him in the period of 21 days preceding the application, and 15
- (g) in the case of an applicant that is a body corporate, be accompanied by a list of the names of the relevant officers of the body corporate and the certificate of personal fitness issued in respect of each such relevant officer in the period of 21 days preceding the application. 20

(3) Upon receipt of an application in accordance with this section and payment to the Revenue Commissioners of the excise duty payable in respect of a bookmaker's licence, and subject to subsection (4), the Revenue Commissioners shall issue to the applicant a bookmaker's licence. 25

(4) The Revenue Commissioners shall not issue a bookmaker's licence unless—

- (a) they are satisfied that the applicant is a qualified person, and 30
- (b) a tax clearance certificate in relation to that licence has been issued to the person in accordance with section 1094 of the Taxes Consolidation Act 1997.

(5) A bookmaker's licence shall—

- (a) state the name and place of residence, or the principal office or place of business, of the person to whom it is issued, and 35
- (b) specify the date from which the licence shall have effect.

(6) A bookmaker's licence shall, in addition to authorising the licensed bookmaker concerned to carry on the business of, and act as, a bookmaker, authorise that licensed bookmaker to accept bets by remote means provided that the value of all such bets in any year does not exceed the lower of the following: 40

- (a) €200,000, or 45
- (b) 10 per cent of the licensed bookmaker's turnover in that year derived from his bookmaking operations carried on pursuant to the bookmaker's licence concerned.

(7) A bookmaker's licence shall remain in force until the 30th day of November immediately following the date of its issue.

(8) This section shall not operate to affect the issue of a licence under section 7A.

5 (9) A bookmaker's licence in force on the day immediately preceding the commencement of *section 12* of the *Betting (Amendment) Act 2012* (except where that day falls on the 30th day of November of the year concerned) shall remain in force until the 30th day of November next following such commencement.

10 (10) In this section 'qualified person' means, in relation to an application under this section—

15 (a) an individual to whom a certificate of personal fitness was issued under this Act not earlier than 21 days before the making of the application, or

(b) a body corporate, each of the relevant officers of which have been issued with certificates of personal fitness under this Act not earlier than 21 days before the making of the application.”.

20 **13.**—The Principal Act is amended by the insertion of the following sections:

“Remote bookmaker's licence.

7B.—(1) A qualified person may apply to the Revenue Commissioners for a licence (in this Act referred to as a 'remote bookmaker's licence') authorising the person to carry on the business of, and act as, a remote bookmaker.

Remote bookmaker's licence and remote betting intermediary's licences.

25 (2) An application under this section shall—

30 (a) be in such form and made in such manner as may be specified by the Revenue Commissioners,

(b) specify the name of the applicant and the address at which he ordinarily resides and the address of his or her principal office or place of business,

35 (c) in circumstances where the applicant proposes to carry on the business concerned under a trading name, specify that trading name,

(d) specify the applicant's e-mail address,

40 (e) specify a date (being either the first day of December immediately following the date of the making of the application or a day that is not more than 14 days after the date of the making of the application, whichever occurs sooner) from which he wishes the remote bookmaker's licence to have effect,

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(f) in the case of an applicant who is an individual, be accompanied by the certificate of personal fitness issued to him in the period of 21 days preceding the application, and 5

(g) in the case of an applicant that is a body corporate, be accompanied by a list of the names of the relevant officers of the body corporate and the certificate of personal fitness issued in respect of each such relevant officer in the period of 21 days preceding the application. 10

(3) Upon receipt of an application in accordance with this section and payment to the Revenue Commissioners of the excise duty payable in respect of a remote bookmaker's licence, and subject to subsection (4), the Revenue Commissioners shall issue to the applicant a remote bookmaker's licence. 15

(4) The Revenue Commissioners shall not issue a remote bookmaker's licence unless— 20

(a) they are satisfied that the applicant is a qualified person, and

(b) a tax clearance certificate in relation to that licence has been issued to the person in accordance with section 1094 of the Taxes Consolidation Act 1997. 25

(5) A remote bookmaker's licence shall—

(a) state the name and place of residence, or the principal office or place of business, of the person to whom it is issued, and 30

(b) specify the date from which the licence shall have effect.

(6) A remote bookmaker's licence shall remain in force until the 30th day of November immediately following the date of its issue. 35

(7) This section shall not operate to affect the issue of a licence under section 7A.

(8) In this section 'qualified person' means, in relation to an application under this section— 40

(a) an individual to whom a certificate of personal fitness was issued under this Act not earlier than 21 days before the making of the application, or 45

(b) a body corporate, each of the relevant officers of which have been issued with certificates of personal fitness under this Act not earlier than 21 days before the making of the application. 50

Remote
betting
intermediary's
licence.

7C.—(1) A qualified person may apply to the Revenue Commissioners for a licence (in this Act referred to as a 'remote betting intermediary's licence') authorising the person to carry on the business of, or act as, a remote betting intermediary.

(2) An application under this section shall—

- (a) be in such form and made in such manner as may be specified by the Revenue Commissioners,
- (b) specify the name of the applicant and the address at which he ordinarily resides and the address of his or her principal office or place of business,
- (c) in circumstances where the applicant proposes to carry on the business concerned under a trading name, specify that trading name,
- (d) specify the applicant's e-mail address,
- (e) specify a date (being either the first day of December following the date of the making of the application or a day that is not more than 14 days after the date of the making of the application whichever occurs sooner) from which he wishes the remote betting intermediary's licence to have effect,
- (f) in the case of an applicant who is an individual, be accompanied by the certificate of personal fitness issued to him in the period of 21 days preceding the application, and
- (g) in the case of an applicant that is a body corporate, be accompanied by a list of the names of the relevant officers of the body corporate and the certificate of personal fitness issued in respect of each such relevant officer in the period of 21 days preceding the application.

(3) Upon receipt of an application in accordance with this section and payment to the Revenue Commissioners of the excise duty payable in respect of a remote betting intermediary's licence, and subject to subsection (4), the Revenue Commissioners shall issue to the applicant a remote betting intermediary's licence.

(4) The Revenue Commissioners shall not issue a remote betting intermediary's licence unless—

- (a) they are satisfied that the applicant is a qualified person, and

(b) a tax clearance certificate in relation to that licence has been issued to the person in accordance with section 1094 of the Taxes Consolidation Act 1997.

(5) A remote betting intermediary's licence shall— 5

(a) state the name and place of residence, or the principal office or place of business, of the person to whom it is issued, and 10

(b) specify the date from which the licence shall have effect.

(6) A remote betting intermediary's licence shall remain in force until the 30th day of November immediately following the date of its issue. 15

(7) This section shall not operate to affect the issue of a licence under section 7A.

(8) In this section 'qualified person' means in relation to an application under this section— 20

(a) an individual to whom a certificate of personal fitness was issued under this Act not earlier than 21 days before the making of the application, or

(b) a body corporate, the relevant officers of which have been issued with certificates of personal fitness under this Act not earlier than 21 days before the making of the application.”. 25

Obligation to notify Garda Síochána or Minister for Justice and Equality of certain matters.

14.—The Principal Act is amended by the insertion of the following section: 30

“7D.—(1) An individual shall, when making an application for a certificate of personal fitness notify the Superintendent of the Garda Síochána concerned or the Minister for Justice and Equality, as may be appropriate, in writing of— 35

(a) any offence referred to in paragraph (b) of section 6 (inserted by *section 11* of the *Betting (Amendment) Act 2012*) of which he has been convicted, or

(b) any offence of which he has been convicted in a place other than the State consisting of an act or omission that, if done or omitted to be done in the State, would, under the law of the State, constitute an offence under the said paragraph (b). 40

(2) An individual to whom a certificate of personal fitness has been issued shall, notify the Minister for Justice and Equality in writing of— 45

(a) any offence referred to in paragraph (b) of section 6 of which he has been convicted, or

5 (b) any offence of which he has been convicted in a place other than the State consisting of an act or omission that, if done or omitted to be done in the State, would, under the law of the State, constitute an offence under the said paragraph (b).

(3) A body corporate that is the holder of a licence under this Act shall notify the Minister for Justice and Equality in writing of—

10 (a) any offence referred to in paragraph (b) of section 6 of which a relevant officer of the body corporate has been convicted, or

15 (b) any offence of which a relevant officer of the body corporate has been convicted in a place other than the State consisting of an act or omission that, if done or omitted to be done in the State, would, under the law of the State, constitute an offence under the said paragraph (b).

20 (4) A body corporate that is the holder of a licence under this Act shall notify the Minister for Justice and Equality in writing of any change in the name or address of any relevant officer of the body corporate.

(5) A notification under subsection (2) or (3) shall be given not later than 7 days after the conviction concerned.

25 (6) A notification under subsection (4) shall be given not later than 7 days after the change concerned.

(7) A person who contravenes subsection (1), (2) or (3) shall be guilty of an offence and shall be liable—

30 (a) on summary conviction to a class A fine or imprisonment for a term not exceeding 6 months or both, or

(b) on conviction on indictment, to a fine not exceeding €25,000 or imprisonment for a term not exceeding 2 years or both.

(8) A body corporate that contravenes subsection (4) shall be guilty of an offence and shall be liable—

35 (a) on summary conviction to a class A fine,

(b) on conviction on indictment, to a fine not exceeding €25,000.”.

15.—The Principal Act is amended by the insertion of the following section:

Change in relevant officer of corporate licence holder.

40 “7E.—(1) Where a person is appointed to be a relevant officer of a body corporate that is the holder of a licence under this Act, that body corporate shall cause the person to make an application under this Act, not later than one month after his appointment, for a certificate of personal fitness.

45 (2) A body corporate that contravenes subsection (1) shall be guilty of an offence and shall be liable, on summary conviction, to a class A fine.”.

Amendment of section 8 of Principal Act.

16.—Section 8 of the Principal Act is amended by the insertion of the following subsection:

“(3) The Revenue Commissioners shall cause the register of bookmaking offices to be published on the internet or in such other manner as they consider appropriate.”. 5

Register of licensed bookmakers.

17.—The Principal Act is amended by the insertion of the following section:

“8A.—(1) The Revenue Commissioners shall establish and maintain a register (to be known, and in this Act referred to, as the ‘Register of Licensed Bookmakers’) of all licensed bookmakers. 10

(2) The Revenue Commissioners shall enter the following particulars in the Register of Licensed Bookmakers:

(a) the name and trading name (if different) of each licensed bookmaker; 15

(b) the address at which each licensed bookmaker ordinarily resides or the address of his principal office or place of business;

(c) the address of the registered premises (if any) at which the licensed bookmaker carries on the business of bookmaker; 20

(d) in the case of a licensed bookmaker that is a body corporate, the names of the relevant officers of the body corporate;

(e) such other particulars as may be prescribed. 25

(3) If a bookmaker’s licence is revoked, the Revenue Commissioners shall remove all entries in relation to the licensed bookmaker concerned from the Register of Licensed Bookmakers.

(4) If a bookmaker’s licence is suspended, the Revenue Commissioners shall record the fact of the suspension in the Register of Licensed Bookmakers. 30

(5) The Revenue Commissioners shall cause the Register of Licensed Bookmakers to be published on the internet or in such other manner as they consider appropriate.”. 35

Register of Remote Bookmaking Operations.

18.—The Principal Act is amended by the insertion of the following section:

“8B.—(1) The Revenue Commissioners shall establish and maintain a register (to be known, and in this Act referred to, as the ‘Register of Remote Bookmaking Operations’) of all remote bookmakers’ licences and remote betting intermediaries’ licences issued under this Act. 40

(2) The Revenue Commissioners shall, in relation to a remote bookmaker’s licence or remote betting intermediary’s

licence, enter the following particulars in the Register of Remote Bookmaking Operations:

- 5 (a) the name and trading name (if different) of the holder of the remote bookmaker's licence or remote betting intermediary's licence, as the case may be;
- (b) the address at which the holder of the remote bookmaker's licence or remote betting intermediary's licence, as the case may be, ordinarily resides or the address of his principal office or place of business;
- 10 (c) in the case of a remote bookmaker's licence or remote betting intermediary's licence held by a body corporate, the names of the relevant officers of the body corporate;
- (d) such other particulars as may be prescribed.

15 (3) If a remote bookmaker's licence or remote betting intermediary's licence is revoked, the Revenue Commissioners shall remove all entries in relation to that licence from the Register of Remote Bookmaking Operations.

20 (4) If the operation of a remote bookmaker's licence or remote betting intermediary's licence is suspended, the Revenue Commissioners shall record the fact of the suspension in the Register of Remote Bookmaking Operations.

25 (5) The Revenue Commissioners shall cause the Register of Remote Bookmaking Operations to be published on the internet or in such other manner as they consider appropriate.”.

19.—The Principal Act is amended by the substitution of the following section for section 13:

Appeal from refusal of certificate of personal fitness or a certificate of suitability of premises.

30 “13.—(1) If the Minister for Justice and Equality or a Superintendent of the Garda Síochána refuses an application for a certificate of personal fitness, that Minister of the Government or the Superintendent of the Garda Síochána, as the case may be, shall, on the written request of the applicant for the certificate made not later than 14 days after the refusal, give the applicant a statement in writing of the reasons for the refusal.

35 (2) If a Superintendent of the Garda Síochána refuses an application for a certificate of suitability of premises, he shall, on the written request of the applicant for the certificate made not later than 14 days after the refusal, give the applicant a statement in writing of the reasons for the refusal.

40 (3) A person to whom a certificate of personal fitness or a certificate of suitability of premises has been refused may, not later than 14 days after receiving a statement in writing under subsection (1) or (2), appeal the refusal to the District Court.

45 (4) A person who brings an appeal under this section shall give notice of the appeal to the Revenue Commissioners and—

- (a) in the case of a refusal referred to in subsection (1), to the Minister for Justice and Equality or the Superintendent of the Garda Síochána concerned, as the case may be, or

(b) in the case of a refusal referred to in subsection (2), to the Superintendent of the Garda Síochána concerned.

(5) The District Court may, upon an appeal under this section, either— 5

(a) affirm the refusal, or

(b) grant the appeal and direct—

(i) in the case of an appeal against a refusal referred to in subsection (1), the Minister for Justice and Equality or the Superintendent of the Garda Síochána concerned, as the case may be, to issue a certificate of personal fitness to the appellant, or 10

(ii) in the case of an appeal against a refusal referred to in subsection (2), the Superintendent of the Garda Síochána concerned to issue a certificate of suitability of premises to the appellant. 15

(6) The Minister for Justice and Equality or the Superintendent of the Garda Síochána concerned, as may be appropriate, shall comply with a direction of the District Court under this section not later than 3 days after the giving of the direction. 20

(7) Section 27 of the Inland Revenue Regulation Act 1890 shall apply to proceedings under this section as it applies to proceedings relating to inland revenue.

(8) The respondent in an appeal under this section shall not be entitled to advance as a reason for opposing an appeal under this section a reason not specified in a statement of the reasons for a refusal given to the appellant pursuant to a request under subsection (1) or (2). 25

(9) If the District Court affirms a refusal under paragraph (a) of subsection (5), it may also make an order requiring the appellant to pay the costs incurred by the respondent in defending the appeal and may determine the amount of such costs. 30

(10) There shall be no appeal to the Circuit Court from a decision of the District Court under this section. 35

(11) An appeal under this section by a person not ordinarily resident in the State shall be brought before a judge of the District Court assigned to the Dublin Metropolitan District.

(12) (a) A Superintendent of the Garda Síochána shall, as soon as may be after the making of a decision by the District Court in relation to an appeal against a refusal by him to issue a certificate of personal fitness, notify the Revenue Commissioners in writing of that decision. 40 45

(b) The Minister for Justice and Equality shall, as soon as may be after the making of a decision by the District Court in relation to an appeal against a refusal by that Minister of the Government to issue a certificate

of personal fitness, notify the Revenue Commissioners in writing of that decision.”.

20.—The Principal Act is amended by the substitution of the following section for section 16:

Revocation and suspension of licences by District Court.

5 “16.—(1) Where the holder of a licence under this Act is convicted of an offence referred to in paragraph (b) of section 6, the Minister for Justice and Equality may apply to the District Court for an order under this section.

10 (2) Where the Minister for Justice and Equality believes that the holder of a licence under this Act has contravened subsection (8) of section 4 or subsection (7) of section 5 or section 7D, 7E or 23, that Minister of the Government may apply to the District Court for an order under this section.

15 (3) The Minister for Justice and Equality shall, before making an application under this section, serve a notice on the holder of the licence concerned—

(a) specifying, as appropriate—

(i) the offence of which the holder of the licence has been convicted, or

20 (ii) the provision that he or she has reasonable grounds for believing has been contravened by the holder of the licence, and those grounds,

25 (b) stating that that Minister of the Government proposes to make an application to the District Court under this section, and

30 (c) that the holder of the licence may, within such period (being not shorter than 7 days after the service of the notice) as is specified in the notice, make a statement in writing to that Minister of the Government in relation to the matter.

(4) The Minister for Justice and Equality shall, before making an application under this section, consider any statement made by the holder of the licence concerned pursuant to and in accordance with a notice under subsection (3).

35 (5) If the District Court is satisfied, upon an application under this section, that the holder of the licence concerned has been convicted of an offence referred to in paragraph (b) of section 6 or has contravened a provision referred to in subsection (2), it may make an order—

40 (a) suspending the operation of the licence concerned for such period as it considers appropriate, or

(b) revoking the licence.

45 (6) Where the District Court makes an order under subsection (5), it may in addition make any one or more of the following orders:

- (a) an order that credit institutions in the State shall not transact any business in relation to accounts connected with the conduct of the business of remote bookmaker or remote betting intermediary with the person in respect of whom the order under subsection (5) applies; 5
- (b) an order that advertising in respect of that person's remote bookmaking operation is prohibited in the State;
- (c) an order that that person is prohibited from sponsoring any sporting event conducted in the State; 10
- (d) an order that telecommunications service providers and internet service providers in the State shall not permit access to—
 - (i) the internet address of any internet domain that the person uses from time to time for the purpose of conducting a remote bookmaking operation, 15
 - (ii) a particular facility in such a domain, or
 - (iii) any other order that that court considers appropriate for the purpose of ensuring that any such domain, or any remote bookmaking operation conducted by the person is not accessible from the State. 20

(7) The District Court may by order amend an order under this section from time to time for the purpose of securing that the person in respect of whom the second-mentioned order was made is not able to avoid the operation of the order by reason of any act done or transaction effected by or on behalf of him or her subsequent to the making of the second-mentioned order. 25 30

(8) An application under this section shall be made to a judge of the District Court assigned to the Dublin Metropolitan District.

(9) The Minister for Justice and Equality shall, as soon as may be after the making of a decision by the District Court in relation to an application under this section, notify the Revenue Commissioners in writing of that decision.”. 35

Amendment of section 19 of Principal Act.

21.—Section 19 of the Principal Act is amended—

- (a) in subsection (4), by the substitution of “Betting Act 1853” for “Betting Houses Act 1853”, 40
- (b) by the substitution of the following subsection for subsection (5):
 - “(5) A person shall be guilty of an offence if, in contravention of subsections (2) or (3), he—
 - (a) carries on any trade, profession or business (other than bookmaking) in registered premises, or 45

(b) permits the use of any such premises for the purpose of carrying on any trade, profession or business (other than bookmaking).”,

and

5 (c) by the insertion of the following subsection:

“(6) A person guilty of an offence under subsection (5) shall be liable on summary conviction to a class B fine or imprisonment for a term not exceeding 3 months or both.”.

10 **22.**—The Principal Act is amended by the substitution of the following section for section 21: Hours of operation of registered premises.

“21.—(1) Registered premises shall not be opened or kept open—

(a) at any time on Christmas Day or Good Friday, or

15 (b) before 7 o’clock in the morning or after 10 o’clock in the evening on any other day.

(2) If, in relation to registered premises, subsection (1) is contravened, the registered proprietor of those premises shall be guilty of an offence and shall be liable on summary conviction to a class A fine.”.

20 **23.**—Section 23 of the Principal Act is amended— Amendment of section 23 of Principal Act.

(a) in subsection (1), by the substitution of “bookmaker, remote bookmaker or remote betting intermediary” for “licensed bookmaker”,

25 (b) in subsection (2), by the deletion of the words “and officers of An Post or Bord Telecom Éireann entering such premises in the course of their duty as such officers”,

(c) by the substitution of the following subsection for subsection (3):

30 “(3) A person who contravenes this section shall be guilty of an offence and shall be liable on summary conviction to a class A fine.”,

(d) by the insertion of the following subsection:

“(5) In this section ‘betting transaction’ includes—

35 (a) any act done in the course of business by a remote betting intermediary that facilitates the making of a bet by or on behalf of another person, and

(b) the creation of a betting account.”.

40 **24.**—Section 29 of the Principal Act is amended— Amendment of section 29 of Principal Act.

(a) in subsection (1), by the deletion of the words “and officers of An Post or Bord Telecom Éireann entering

such premises in the course of their duty as such officers”, and

(b) in subsection (2), by—

- (i) the substitution of “class E fine” for “fine not exceeding €60”, and 5
- (ii) the substitution of “class D fine” for “fine not exceeding €125”.

Offence of false statement of age.

25.—The Principal Act is amended by the substitution of the following section for section 31:

“31.—(1) A person who has not attained the age of 18 years shall be guilty of an offence if he represents himself to have attained that age with the intention of inducing a licensed bookmaker to accept a bet or enter into a betting transaction. 10

(2) A person who has not attained the age of 18 years shall be guilty of an offence if he represents himself to have attained that age with the intention of inducing the owner or occupier of a registered premises to permit the person to enter, or remain on, the premises. 15

(3) A person who has not attained the age of 18 years shall be guilty of an offence if he represents himself to have attained that age with the intention of inducing a remote bookmaker or a remote betting intermediary to— 20

- (a) accept a bet from the person,
- (b) permit the person to create an account with the remote bookmaker or remote betting intermediary, as the case may be, or 25
- (c) otherwise effect a transaction consisting of the making of a bet by the person, or assist the person to effect a transaction consisting of the making of a bet with any person, by remote means. 30

(4) A person who contravenes this section shall be guilty of an offence and shall be liable, on summary conviction, to a class E fine.”.

Orders against unlicensed bookmakers, remote bookmakers or remote betting intermediaries.

26.—The Principal Act is amended by the insertion of the following section: 35

“32A.—(1) Where the Minister for Justice and Equality believes that a bookmaker, remote bookmaker or remote betting intermediary has contravened section 2, 2A or 23A, that Minister of the Government may apply to the District Court for an order under this section. 40

(2) The Minister for Justice and Equality shall, before making an application under this section, serve a notice on the bookmaker, remote bookmaker or remote betting intermediary concerned—

(a) specifying the provision that that Minister of the Government has reasonable grounds for believing has been contravened, and those grounds, and

5 (b) stating that that Minister of the Government proposes to make an application to the District Court under this section.

10 (3) If the District Court is satisfied, upon an application under this section, that a bookmaker, remote bookmaker or remote betting intermediary concerned has contravened a provision referred to in subsection (1) it may make any one or more of the following orders:

(a) an order that credit institutions in the State shall not transact any business, in relation to accounts connected with—

15 (i) the conduct of the business of bookmaker with the bookmaker concerned, or

(ii) the conduct of the business of remote bookmaking operation, with the remote bookmaker or remote betting intermediary concerned;

20 (b) an order that advertising in the State in respect of the bookmaker, remote bookmaker or remote betting intermediary concerned is prohibited;

25 (c) an order that the bookmaker, remote bookmaker or remote betting intermediary concerned is prohibited from sponsoring any sporting event conducted in the State;

30 (d) in the case of a remote bookmaker or remote bookmaking intermediary, an order that telecommunications service providers and internet service providers in the State shall not permit access to—

(i) the internet address of any internet domain that the remote bookmaker or remote betting intermediary concerned uses for the purposes of conducting his business,

35 (ii) a particular facility in such a domain, or

40 (iii) any other order that that court considers appropriate for the purpose of ensuring that any such domain, or any remote bookmaking operation conducted by the remote bookmaker or remote betting intermediary concerned is not accessible to persons in the State.

45 (4) The District Court may by order amend an order under this section from time to time for the purpose of securing that the person in respect of whom the second-mentioned order was made is not able to avoid the operation of the order by reason of any act done or transaction effected by or on behalf of him or her subsequent to the making of the second-mentioned order.

50 (5) An application under this section shall be made to a judge of the District Court assigned to the Dublin Metropolitan District.”.

Service of documents.

27.—The Principal Act is amended by the insertion of the following section:

“32B.—A notice or other document that is required to be served on or given to a person under this Act shall be addressed to the person concerned by name, and may be so served on or given to the person in one of the following ways: 5

- (a) by delivering it to the person;
- (b) by leaving it at the address at which the person ordinarily resides or, in a case in which an address for service has been furnished, at that address; 10
- (c) by sending it by post in a prepaid registered letter to the address at which the person ordinarily resides or, in a case in which an address for service has been furnished, to that address; or
- (d) in a case in which an e-mail address for service has been furnished, to that e-mail address.”. 15

Offences by bodies corporate.

28.—The Principal Act is amended by the insertion of the following section:

“32C.—Where an offence under this Act is committed by a body corporate and is proved to have been so committed with the consent or connivance of any person, being a director, manager, secretary or other officer of the body corporate, or a person who was purporting to act in such capacity, that person shall, as well as the body corporate, be guilty of an offence and shall be liable to be proceeded against and punished as if he were guilty of the first-mentioned offence.”. 20 25

Regulations.

29.—Section 35 of the Principal Act is amended by the insertion of the following subsection:

“(3) Every regulation under this Act shall be laid before each House of the Oireachtas as soon as may be after it is made and, if a resolution annulling the order or regulation is passed by either such House within the next 21 days on which that House sits after the order or regulation is laid before it, the order or regulation shall be annulled accordingly, but without prejudice to the validity of anything previously done thereunder.”. 30 35

Amendment of Chapter 1 of Part 2 of Finance Act 2002.

30.—(1) Section 64 of the Finance Act 2002 is amended by—

- (a) the substitution of the following definition for the definition of “remote betting intermediary” (inserted by paragraph (c) of subsection (1) of section 49 of the Finance Act 2011): 40

“‘remote betting intermediary’ has the same meaning as it has in the Betting Act 1931 (amended by the *Betting (Amendment) Act 2012*);”,

- (b) the insertion of the following definition:

“‘remote betting intermediary’s licence’ has the same meaning as it has in the Betting Act 1931 (amended by the *Betting (Amendment) Act 2012*);”

5 (c) the substitution of the following definition for the definition of “remote bookmaker” (inserted by the said paragraph (c)):

“‘remote bookmaker’ has the same meaning as it has in the Betting Act 1931 (amended by the *Betting (Amendment) Act 2012*);”

10 (d) the insertion of the following definition:

“‘remote bookmaker’s licence’ has the same meaning as it has in the Betting Act 1931 (amended by the *Betting (Amendment) Act 2012*);”

and

15 (e) the substitution of the following definition for the definition of “remote means” (inserted by the said paragraph (c)):

20 “‘remote means’ has the same meaning as it has in the Betting Act 1931 (amended by the *Betting (Amendment) Act 2012*).”

(2) Section 66A (inserted by paragraph (d) of subsection (1) of section 49 of the Finance Act 2011) of the Finance Act 2002 is amended, in subsection (1), by the substitution of the following paragraph for paragraph (a):

25 “(a) for and upon every remote bookmaker’s licence, an excise duty of €5,000, and”.

(3) Section 66B (inserted by paragraph (d) of subsection (1) of section 49 of the Finance Act 2011) of the Finance Act 2002 is amended, in subsection (1), by the substitution of the following paragraph for paragraph (a):

30 “(a) for and upon every remote betting intermediary’s licence, an excise duty of €5,000, and”.

31.—Section 15 of the Principal Act is repealed.

Repeal.

35 **32.**—(1) This Act may be cited as the Betting (Amendment) Act 2012.

Short title, collective citation and commencement.

(2) This Act and the Betting Acts 1931 and 1994 may be cited as the Betting Acts 1931 to 2012.

40 (3) This Act shall come into operation on such day or days as the Minister may appoint by order or orders either generally or with reference to any particular purpose or provision and different days may be so appointed for different purposes or provisions.