



## Notice under Section 39 of the Gambling Act 2005 Occasional Use of Track for Purpose of Betting

This notice is to be used by the occupier or person responsible for the event at a track who wishes to authorise occasional and infrequent betting activities in accordance with section 39 of The Gambling Act 2005. Occasional Use Notices can be relied upon for 8 days or fewer over a calendar year.

The personal details of applicant -named person must be (a) responsible for the administration of the event on the track, or (b) an occupier of the track	
<b>1. Your name</b>	
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)
Surname	
Forenames	
<b>2. Your current address (We will use this address to correspond with you)</b>	
Post town	Postcode
<b>3. Other contact details</b>	
Telephone numbers Daytime	
Evening (optional)	
Mobile (optional)	
E-Mail address (if available)	
Capacity of person giving notice	<input type="checkbox"/> Person responsible for administration of events on the track <input type="checkbox"/> Occupier of the Track
<b>4. Address of track</b>	
Post Town	Post Code
Date of event	Start/End time
Number of Occasional Use Notices applied in respect of this track in a current year	

5.Checklist – I shall (please mark the appropriate boxes with an X)	
Send a copy of this notice to the licensing authority for the area in which the track is located	
Send a copy of this notice to the chief officer of police for the area in which the track is located	
If the track is situated in one or more licensing authority areas, send a copy of this notice to each additional licensing authority	
If the track is situated in one or more police areas, send a copy of this notice to each additional chief officer of police	

### Declaration

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

(ii) I understand that it is an offence:

- Without reasonable excuse to give to the licensing authority information which is false or misleading;
- 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.

And that 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.

Signature
Date
Printed name

### 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.

**Licensing Team  
Public Protection  
Shropshire Council  
Shirehall  
Abbey Foregate  
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