

Guidance Notes

1. 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.

2. The meaning of track in the Act covers not just horse racecourses or dog tracks, but also any other premises on any part of which a race or other sporting event takes place, or is intended to take place. Land, which has a number of uses, one of which fulfils the definition of track, can qualify for the occasional use notice provisions (eg, agricultural land upon which a point-to-point meeting takes place). Land used temporarily as a track can qualify, provided races or sporting events take place or will take place there. The track need not be a permanent fixture.

3. 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 of the Gambling Act 2005 if:
 - a. a notice has been given under section 39 in respect of the track, and
 - b. the activity is carried on in accordance with the notice.No other gambling activity is permitted.

4. Those taking bets will be required to have an Operating Licence from the Gambling Commission.

5. 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 the chief officer of police for any area in which the track is wholly or partly situated.

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

7. 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.

8. Notices may be given in relation to consecutive days, so long as the overall limit of eight days is not exceeded in the calendar year.

9. It would assist if the notice could be given at least ten working days prior to the event.