



Northern Ireland
Assembly

Committee for Communities

Minutes of Proceedings

Tuesday 25 January 2022

Meeting Location: Room 30, Parliament Buildings, Belfast

Present: Ms Paula Bradley MLA (Chairperson)
Ms Kellie Armstrong MLA (Deputy Chairperson)
Mr Andy Allen MBE MLA
Mr Paul Frew MLA

Present by Video or Teleconference:

Mr Stephen Dunne MLA
Mr Mark Durkan MLA
Ms Ciara Ferguson MLA
Ms Áine Murphy MLA
Ms Aisling Reilly MLA

Apologies:

In Attendance: Dr Janice Thompson (Assembly Clerk)
Mr Sean McCann (Assistant Clerk)
Ms Rachel Ashe (Clerical Supervisor)



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In Attendance by Video or Teleconference: Ms Antoinette Bowen (Clerical Officer)

The Chairperson, Paula Bradley, assumed the Chair. The meeting began at 9.09 am in closed session. The following Members were present at the start of the public session: Paula Bradley (Chairperson), Andy Allen, Stephen Dunne, Ciara Ferguson, Paul Frew and Aisling Reilly.

Declaration of Interests

No declarations of interest were made.

1. Apologies

No apologies were made.

2. Draft Minutes

Agreed: The Committee agreed the minutes of the meetings held on Tuesday 18 January 2022.

3. Chairperson's Business

The Chairperson asked Members if the Committee was content to share the briefing papers submitted by the Department for Communities on the budget and monitoring round with RaISe to assist them with papers they are preparing to assist all MLAs with budget scrutiny.



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Agreed: The Committee was content to share the Department's briefing papers with RaiSe.

4. Committee Deliberations on the Betting, Gaming, Lotteries and Amusements (Amendment) Bill

The Chairperson informed Members that the Committee would continue its deliberations on the Betting, Gaming, Lotteries and Amusements (Amendment) Bill.

The Chairperson reminded Members that this was not the formal clause by clause stage, but rather an opportunity to continue to discuss clauses comprehensively with Officials and seek clarification on any issues raised by stakeholders or Members.

The Chairperson noted the impending deadline for the publication of the Betting, Gaming, Lotteries and Amusements (Amendment) Bill Committee Report, reminded Members and Officials of the short amount of time left for Committee deliberations and that it was intended to complete the formal clause by clause later in the meeting.

The Chairperson welcomed the following Officials to the meeting:

Martina Campbell

Ciarán Mee

The Officials briefed the Committee on the most recent written response and participated in a question and answer session with Members. The Officials and Members discussed the Bill in detail, scrutinising each clause in turn.

Clause 1: Interpretation

No queries were raised in relation to clause 1.

Clause 2: Opening of licensed offices on Sunday

No queries were raised in relation to clause 2.



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Clause 3: Sunday working in license office

The Officials informed the Committee that they would work with their colleagues in the Department for the Economy to investigate whether further regulations were required to protect workers' rights and they would update the Committee.

No queries were raised in relation to clause 3.

Kellie Armstrong joined the meeting at 9.16 am

Clause 4: Pool betting

No queries were raised in relation to clause 4.

Clause 5: Persons who may participate in bingo at bingo club

No queries were raised in relation to clause 5.

Clause 6: Days when bingo and use of gaming machines permitted on bingo club premises

Officials informed the Committee that they had sent responses from the Court Service, and that this had taken longer than expected as civil servants had needed to manually trawl through papers.

Officials confirmed that no register of purchasers currently exists, and agreed that they would consider including a register of purchasers in the Code of Practice. Officials confirmed that they would work with suppliers in creating the register of purchasers.

No further queries were raised in relation to clause 6.

Clause 7: Offence of inviting, etc. person under 18 to play gaming machine

Officials informed the Committee that the Minister desired a two-phased approach and that Phase 2 of the reforms would be subject to the views of an incoming Minister and Executive.

Officials informed the Committee that it was not possible to simply review and modernise the 1985 Order as the age, language and structure of the Order was not compatible with modern day terms such as online or internet.



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The Officials further advised that, based on legal advice from OLC, the Department was satisfied that FOBTs were captured by the definition of a gaming machine as set out at Article 2 (2) of the 1985 Order.

Officials confirmed that notices must be displayed on machines aimed at over 18 year olds clearly stating clearly the machines are for over 18 year olds only. The Officials drew the Committee's attention to the information on notices already within the Code of Practice and confirmed that the Department will amend this section to reflect this suggestion by the Committee. Officials informed the Committee that a specific section on gaming machines would be reviewed further to ensure that all suggestions by the Committee had been taken on board.

Officials confirmed that all existing leaflets on gaming machines would be updated and would cross reference the Draft Code of Practice and vice versa.

The Committee was content with this response.

Mark Durkan joined the meeting at 9.19 am

Áine Murphy joined the meeting at 9.23 am

Clause 8: Arrangements not requiring persons to pay to participate

No queries were raised in relation to clause 8.

Clause 9: Rules for societies' lotteries

Officials informed the Committee that the Minister had agreed to impose a maximum ticket price limit.

Officials informed the Committee that the Department possessed the existing powers contained in Article 137 (4) (power to vary frequency of lotteries) together with the existing power in Article 137 (21) (power to amend amounts), to meet the policy intention of prohibiting societies from running too many draws with tickets at, or close to, the upper limit of the proposed £100. The text of the proposed Amendment is as follows:

Clause 9, Page 4, Line 5 Leave out paragraph (a) and insert— '(a) in paragraph (5) (price limit on tickets) for "£1" substitute "£100".'

The Committee was content with this response.



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Clause 10: Qualifications by age, residence or corporate status for licenses, certificates and permits

No queries were raised in relation to clause 10.

Clause 11: Prize competitions not requiring persons to pay to participate.

No queries were raised in relation to clause 11.

Clause 12: Cheating

No queries were raised in relation to clause 12.

Clause 13: Enforceability of gambling contracts

No queries were raised in relation to clause 13.

Clause 14: Industry levy

Officials informed the Committee that they had forwarded the draft amendment from OLC which reads as follows:

Clause 14, Page 7, Line 7 Leave out from ‘the gambling’ to end of line 7 and insert ‘— (a) persons who have suffered from, or been affected by, addiction to gambling or other forms of harm or exploitation associated with gambling; (b) persons who have experience or knowledge of issues relating to such addiction, harm or exploitation; and (c) the gambling industry in Northern Ireland.’

In relation to the EFM, the Officials stated that the request to amend the EFM to make it clear that the proceeds of any levy will only be used to fund education, treatment and research had been made but not yet been cleared by OLC.

Clause 15: Code of Practice

Officials confirmed that the Code of Practice would be made available on the Department’s website and that the Department would also send copies of the Code of Practice to representative bodies, such as NIACTA and the Turf Guardians’ Association.



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Officials also confirmed that the Department intended to publicise the Code of Practice through press releases, departmental social media channels such as Twitter, and possibly an event.

Officials confirmed that the Department would review all its guidance documents following the release of the Code of Practice.

Officials confirmed that the Departmental 6-week consultation period on the Code of Practice was still ongoing and would conclude on 25 February.

Members emphasised the importance of achieving balance between safeguarding against gambling related harm, and allowing the gambling industry to continue to function.

The Committee was content with this response.

Clause 16 – Short title and commencement

No queries were raised in relation to clause 16.

Schedule

The Committee had sight of the draft amended EFM and will see the leaflet in due course.

There were no further queries on the Schedule.

The meeting was adjourned at 10.08 am

The meeting recommenced in closed session at 10.16 am to allow the Committee to receive advice from Claire McCanny, Bill Office Clerk.

Áine Murphy left the meeting at 10.30 am

The meeting went into public session at 10.33 am



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5. Clause by Clause consideration of the Betting, Gaming, Lotteries and Amusements (Amendment) Bill

Clause 1: Interpretation

The Chairperson asked the Committee if it was content with Clause 1 as drafted?

Agreed: The Committee was content with Clause 1 as drafted.

Clause 2: Opening of licensed offices on Sunday

The Chairperson asked the Committee if it was content with Clause 2 as drafted?

The Committee was divided: Ayes 5; Noes 3; Abstain 0

AYES: Ms Kellie Armstrong, Mr Mark Durkan, Mr Andy Allen, Ms Ciara Ferguson, Ms Aisling Reilly

NOES: Mr Paul Frew, Mr Stephen Dunne, Ms Paula Bradley.

Agreed: The Committee was content with Clause 2 as drafted.

Clause 3: Sunday working in license office

The Chairperson asked the Committee if it was content with Clause 3 as drafted?

Agreed: The Committee was content with Clause 3 as drafted.

Clause 4: Pool betting

The Chairperson asked the Committee if it was content with Clause 4 as drafted?

Agreed: The Committee was content with Clause 4 as drafted.

Clause 5: Persons who may participate in bingo at bingo club

The Chairperson asked the Committee if it was content with Clause 5 as drafted?

Agreed: The Committee was content with Clause 5 as drafted.



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Clause 6: Days when bingo and use of gaming machines permitted on bingo club premises

The Chairperson asked the Committee if it was content with Clause 6 as drafted?

The Committee divided: Ayes 5; Noes 3; Abstain 0

AYES: Ms Kellie Armstrong, Mr Mark Durkan, Mr Andy Allen, Ms Ciara Ferguson, Ms Aisling Reilly

NOES: Mr Paul Frew, Mr Stephen Dunne, Ms Paula Bradley.

Agreed: The Committee was content with Clause 6 as drafted.

Clause 7: Offence of inviting, etc. person under 18 to play gaming machine

The Chairperson asked the Committee if it was content with Clause 7 as drafted?

Agreed: The Committee was content with Clause 7 as drafted.

Clause 8: Arrangements not requiring persons to pay to participate

The Chairperson asked the Committee if it was content with Clause 8 as drafted?

Agreed: The Committee was content with Clause 8 as drafted.

Clause 9: Rules for societies' lotteries

The Chairperson asked the Committee if it was content with Clause 9 as drafted?

Agreed: The Committee was content with Clause 9 as drafted.

Clause 10: Qualifications by age, residence or corporate status for licenses, certificates and permits

The Chairperson asked the Committee if it was content with Clause 10 as drafted?

Agreed: The Committee was content with Clause 10 as drafted.

Clause 11: Prize competitions not requiring persons to pay to participate.

The Chairperson asked the Committee if it was content with Clause 11 as drafted?



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Agreed: The Committee was content with Clause 11 as drafted.

Clause 12: Cheating

The Chairperson asked the Committee if it was content with Clause 12 as drafted?

Agreed: The Committee was content with Clause 12 as drafted.

Clause 13: Enforceability of gambling contracts

The Chairperson asked the Committee if it was content with Clause 13 as drafted?

Agreed: The Committee was content with Clause 13 as drafted.

Clause 14: Industry levy

The Chairperson asked the Committee if it was content with Clause 14 as drafted?

Agreed: The Committee was content with Clause 14 as drafted.

Clause 15: Code of Practice

The Chairperson asked the Committee if it was content with Clause 15 as drafted?

Agreed: The Committee was content with Clause 15 as drafted.

Clause 16 – Short title and commencement

The Chairperson asked the Committee if it was content with Clause 16 as drafted?

Agreed: The Committee was content with Clause 16 as drafted.

Schedule

The Chairperson asked the Committee if it was content with the Schedule as drafted?

Agreed: The Committee was content with the Schedule as drafted.



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6. Date, time and location of next meeting

The next meeting will be held on Wednesday 26 January 2022 on Starleaf to review the draft Committee Report for the Betting, Gaming, Lotteries and Amusements (Amendment) Bill.

The meeting went into closed session at 10.47 am

The meeting was adjourned at 11.28 am.

Paula Bradley MLA
Chairperson, Committee for Communities