



Gambling Act 2005

2005 CHAPTER 19

PART 4

PROTECTION OF CHILDREN AND YOUNG PERSONS

Miscellaneous offences

56 Invitation to participate in lottery

- (1) A person commits an offence if he invites, causes or permits a child to participate in a lottery other than—
- (a) an incidental ^{F1}... lottery that is exempt for the purposes of section 258 by virtue of Part 1 of Schedule 11,
 - (b) a private lottery (whether a private society lottery, a work lottery or a residents' lottery) that is exempt for the purposes of section 258 by virtue of Part 2 of Schedule 11, or
 - (c) a lottery which forms part of the National Lottery.
- (2) Subsections (3) to (6) of section 46 shall have effect in relation to subsection (1) of this section as they have effect in relation to subsection (1) of that section; and for that purpose—
- (a) references to a child or young person shall be treated as references only to a child, and
 - (b) references to gambling shall be treated as references to participation in a lottery.

Textual Amendments

- F1** Word in s. 56(1)(a) omitted (6.4.2016) by virtue of [The Legislative Reform \(Exempt Lotteries\) Order 2016 \(S.I. 2016/124\)](#), arts. 1(1), **4(1)(a)**

Status: Point in time view as at 06/04/2016.

Changes to legislation: There are currently no known outstanding effects for the Gambling Act 2005, Cross Heading: Miscellaneous offences. (See end of Document for details)

Commencement Information

- II** S. 56 in force at 1.9.2007 by S.I. 2006/3272, art. 2(4)(5), Sch. 3B (with arts. 7-11, 7-12, Sch. 4) (as inserted by S.I. 2007/2169, arts. 3, 6, Sch.)

57 Invitation to participate in football pools

- (1) A person commits an offence if he invites, causes or permits a child to participate in football pools.
- (2) Subsections (3) to (6) of section 46 shall have effect in relation to subsection (1) of this section as they have effect in relation to subsection (1) of that section; and for that purpose—
 - (a) references to a child or young person shall be treated as references only to a child, and
 - (b) references to gambling shall be treated as references to participation in football pools.

Commencement Information

- 12** S. 57 in force at 1.9.2007 by S.I. 2006/3272, art. 2(4)(5), Sch. 3B (with arts. 7-11, 7-12, Sch. 4) (as inserted by S.I. 2007/2169, arts. 3, 6, Sch.)

58 Return of stake

A person commits an offence if without reasonable excuse he fails to comply with a condition attached to an operating licence by virtue of section 83.

Commencement Information

- 13** S. 58 in force at 1.9.2007 by S.I. 2006/3272, art. 2(4)(5), Sch. 3B (with arts. 7-11, 7-12, Sch. 4) (as inserted by S.I. 2007/2169, arts. 3, 6, Sch.)

59 Age limit for Category D gaming machines

- (1) The Secretary of State may by order create an offence of inviting, causing or permitting a child or young person below a specified age to use a Category D gaming machine.
- (2) An order under subsection (1) may, in particular—
 - (a) apply (with modifications) or include provision similar to section 46(3) to (6);
 - (b) make consequential amendments of this Act.
- (3) Before making an order under subsection (1) the Secretary of State shall consult—
 - (a) the Commission,
 - (b) one or more persons who appear to the Secretary of State to represent the interests of persons carrying on gambling businesses, and
 - (c) one or more persons who appear to the Secretary of State to have knowledge about social problems relating to gambling.
- (4) An order under subsection (1) may apply to a class of Category D gaming machine determined by reference to—

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- (a) the nature of the facilities for gambling which are made available on the machine,
- (b) the nature or value of a prize offered by the machine,
- (c) the manner in which the machine operates, or
- (d) any other matter.

Commencement Information

I4 S. 59 in force at 1.9.2007 by S.I. 2006/3272, art. 2(4)(5), Sch. 3B (with arts. 7-11, 7-12, Sch. 4) (as inserted by S.I. 2007/2169, arts. 3, 6, Sch.)

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