



Gaming Act 1968 (repealed)

1968 CHAPTER 65

PART II

GAMING ON PREMISES LICENSED OR REGISTERED UNDER THIS PART OF THIS ACT

23 Offences under Part II.

- (1) Subject to the following provisions of this section, if any of the provisions of sections 12 to 20 of this Act, or of any regulations made under subsection (1), subsection (2) or subsection (4) of section 22 of this Act, are contravened in relation to any premises,—
 - (a) the holder of the licence, if they are premises in respect of which a licence under this Act is for the time being in force, or
 - (b) every officer of the club or institute, if they are premises in respect of which a club or a miners' welfare institute is for the time being registered under this Part of this Act,shall be guilty of an offence.
- (2) Without prejudice to the preceding subsection, but subject to subsection (3) of this section, if any such provisions as are mentioned in the preceding subsection are contravened in relation to any gaming (or, in the case of the provisions of section 16(3) of this Act, are contravened in relation to a cheque accepted in exchange for cash or tokens to be used by a player in any gaming), every person concerned in the organisation or management of the gaming shall be guilty of an offence.
- (3) Where a person is charged with an offence under either of the preceding subsections in respect of a contravention of any such provisions as are mentioned in subsection (1) of this section, it shall be a defence for him to prove—
 - (a) that the contravention occurred without his knowledge, and
 - (b) that he exercised all such care as was reasonable in the circumstances to secure that the provisions in question would not be contravened.
- (4) Any person guilty of an offence under subsection (1) or subsection (2) of this section shall be liable—
 - (a) on summary conviction to a fine not exceeding £400,

Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Gaming Act 1968 (repealed), Section 23. (See end of Document for details)

- (b) on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years or to both.
- (5) Where, on the grant or renewal of a licence under this Act in respect of any premises, or on registering or renewing the registration of a club or a miners' welfare institute under this Part of this Act, the licensing authority or sheriff imposed any restrictions under paragraph 24 or paragraph 25 of Schedule 2, under paragraph 11 of Schedule 3 or under paragraph 13 of Schedule 4 to this Act, subsections (1) to (3) of this section shall have effect in relation to any contravention of those restrictions as they have effect in relation to any contravention of the provisions of sections 12 to 20 of this Act.
- (6) If any person, for the purpose of obtaining, for himself or for any other person, a certificate of approval under section 19 of this Act, or the reinstatement of such a certificate after it has been revoked by the Board,—
- (a) makes a statement which he knows to be false in a material particular, or
- (b) recklessly makes a statement which is false in a material particular,
- he shall be guilty of an offence and liable on summary conviction to a fine not exceeding [^{F1}level 4 on the standard scale].

Textual Amendments

- F1** Words substituted by virtue of (E.W.) [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **ss. 38, 46** and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), **ss. 289F, 289G**

Modifications etc. (not altering text)

- C1** [S. 23](#) extended by [Gaming \(Bingo\) Act 1985 \(c. 35, SIF 12:1\)](#), **s. 4(2)**
- C2** [S. 23\(6\)](#) amended by [Gaming \(Bingo\) Act 1985 \(c. 35, SIF 12:1\)](#), **s. 4(2)**

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