

*These notes refer to the Gambling Act 2005 (c.19)  
which received Royal Assent on 7 April 2005*

# **GAMBLING ACT 2005**

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## **EXPLANATORY NOTES**

### **TERRITORIAL EXTENT**

*Territorial limits – vessels and aircraft*

*Schedule 6: Exchange of information: persons and bodies*

### **Part 3: General Offences**

*Section 44: Provision of unlawful facilities abroad*

170. This section gives the Secretary of State power to specify countries or places as prohibited territories, with the result that it will be an offence for a person to invite or enable a person in a prohibited territory to participate in remote gambling, where the person making the invitation or enabling the activity does anything in Great Britain or uses any remote gambling equipment in Great Britain so to do.
171. The Secretary of State's decision whether or not to exercise this power could depend on matters such as: the development of the global gambling market; the laws which other countries establish to permit, constrain or prohibit the use of remote gambling; the practical measures employed by those countries to secure compliance with such laws; and the extent to which it is possible to reach international agreements about the cross-border use of the internet for gambling.
172. In the event that the Secretary of State makes an order designating countries or places as prohibited territories the order must also prescribe the mode of trial and maximum penalty for the offence.