



Gambling Act 2005

2005 CHAPTER 19

PART 4

PROTECTION OF CHILDREN AND YOUNG PERSONS

General

60 Temporary use notice

- (1) For the purposes of this Part—
- (a) a temporary use notice in respect of the use of premises to carry on an activity shall be treated as if it were a premises licence authorising that activity, and
 - (b) an occasional use notice in respect of premises shall be treated as if it were a betting premises licence.
- (2) Sections 47(6) and 182 shall apply in relation to a notice treated as a premises licence by virtue of subsection (1) above.

Commencement Information

- II** S. 60 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.)

61 Employment

- (1) In this Part a reference to employing a person includes a reference to—
- (a) employing or engaging the person whether or not under a contract of employment, and
 - (b) causing or permitting the person to be employed or engaged.

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

- (2) Where a person commits an offence under this Part by employing a person or by being employed, he shall be treated as committing the offence on each day during any part of which the employment continues.

Commencement Information

- I2** S. 61 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.)

62 Penalty

- (1) A person guilty of an offence under this Part shall be liable on summary conviction to—
- (a) imprisonment for a term not exceeding 51 weeks,
 - (b) a fine not exceeding level 5 on the standard scale, or
 - (c) both.
- (2) But in relation to an offence committed by a young person subsection (1) shall have effect as if—
- (a) paragraphs (a) and (c) were omitted, and
 - (b) in paragraph (b) the reference to level 5 were a reference to level 3.
- (3) In the application of subsection (1) to Scotland the reference to 51 weeks shall have effect as a reference to six months.

Commencement Information

- I3** S. 62 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.)

63 Reasonable belief about person's age

- (1) Where a person is charged with an offence under this Part of doing anything in relation to an individual who is a child it is a defence for the person charged to prove that—
- (a) he took all reasonable steps to determine the individual's age, and
 - (b) he reasonably believed that the individual was not a child.
- (2) Where a person is charged with an offence under this Part of doing anything in relation to an individual who is a young person it is a defence for the person charged to prove that—
- (a) he took all reasonable steps to determine the individual's age, and
 - (b) he reasonably believed that the individual was not a young person.

Commencement Information

- I4** S. 63 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.)

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

64 Use of children in enforcement operations

(1) Nothing in this Part renders unlawful—

- (a) anything done, in the performance of his functions, by a constable, an enforcement officer or an authorised person, or
- (b) anything done by a child or young person at the request of a constable, enforcement officer or authorised person acting in the performance of his functions.

(2) Subsection (1) applies to an order under section 59 as to the provisions of this Part.

Commencement Information

I5 S. 64 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.)

Changes to legislation:

There are currently no known outstanding effects for the Gambling Act 2005, Cross Heading: General.