

Status: Point in time view as at 01/09/2009.

Changes to legislation: There are currently no known outstanding effects for the Gambling Act 2005, SCHEDULE 7. (See end of Document for details)

SCHEDULES

SCHEDULE 7

Section 126

RELEVANT OFFENCES

PART 1

THE OFFENCES

Gambling offences

- 1 An offence under—
- (a) this Act,
 - (b) the Betting, Gaming and Lotteries Act 1963 (c. 2),
 - (c) the Gaming Act 1968 (c. 65),
 - (d) the Lotteries and Amusements Act 1976 (c. 32),
 - (e) the National Lottery etc. Act 1993 (c. 39), or
 - (f) the National Lottery Act 1998 (c. 22).

Commencement Information

II Sch. 7 para. 1 in force at 1.1.2007 by S.I. 2006/3272, art. 2(1), Sch. 1 (with arts. 7-11, 7-12, Sch. 4)

Theft, &c.

- 2 An offence under any of the following provisions of the Theft Act 1968 (c. 60)—
- (a) section 1 (theft),
 - (b) section 8 (robbery),
 - (c) section 9 (burglary),
 - (d) section 10 (aggravated burglary),
 - (e) section 11 (theft from exhibition, &c.),
 - (f) section 12A (aggravated vehicle-taking),
 - (g) section 13 (abstracting electricity),
 - (h) section 15 (obtaining property by deception),
 - (i) section 15A (obtaining money transfer by deception),
 - (j) section 16 (obtaining pecuniary advantage by deception),
 - (k) section 17 (false accounting),
 - (l) section 19 (false statement by director, &c.),
 - (m) section 20 (suppression of document, &c.),
 - (n) section 21 (blackmail),
 - (o) section 22 (handling stolen goods),

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- (p) section 24A (retaining wrong credit), and
- (q) section 25 (going equipped for stealing, &c.).

Commencement Information

I2 Sch. 7 para. 2 in force at 1.1.2007 by [S.I. 2006/3272](#), art. 2(1), **Sch. 1** (with arts. 7-11, 7-12, Sch. 4)

- 3 An offence under section 1 or 2 of the Theft Act 1978 (c. 31) (obtaining services, or evading liability, by deception).

Commencement Information

I3 Sch. 7 para. 3 in force at 1.1.2007 by [S.I. 2006/3272](#), art. 2(1), **Sch. 1** (with arts. 7-11, 7-12, Sch. 4)

- [^{F1}3A An offence under the Fraud Act 2006.]

Textual Amendments

F1 [Sch. 7 para. 3A](#) inserted (15.1.2007) by [Fraud Act 2006 \(c. 35\)](#), s. 15(1), **Sch. 1 para. 38**; [S.I. 2006/3200](#), art. 2

- 4 An offence under section 170 or 170B of the Customs and Excise Management Act 1979 (c. 2) (evasion of duty).

Commencement Information

I4 Sch. 7 para. 4 in force at 1.1.2007 by [S.I. 2006/3272](#), art. 2(1), **Sch. 1** (with arts. 7-11, 7-12, Sch. 4)

- 5 An offence under section 58(1) of the Civic Government (Scotland) Act 1982 (c. 45) (convicted thief in possession).

Commencement Information

I5 Sch. 7 para. 5 in force at 1.1.2007 by [S.I. 2006/3272](#), art. 2(1), **Sch. 1** (with arts. 7-11, 7-12, Sch. 4)

- 6 Both in England and Wales and in Scotland, the offence at common law of conspiracy to defraud.

Commencement Information

I6 Sch. 7 para. 6 in force at 1.1.2007 by [S.I. 2006/3272](#), art. 2(1), **Sch. 1** (with arts. 7-11, 7-12, Sch. 4)

- 7 In Scotland the offences at common law of—
- (a) theft,
 - (b) robbery,
 - (c) theft by housebreaking,
 - (d) fraud,
 - (e) extortion, and
 - (f) reset.

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I7 Sch. 7 para. 7 in force at 1.1.2007 by [S.I. 2006/3272](#), art. 2(1), [Sch. 1](#) (with arts. 7-11, 7-12, Sch. 4)

Miscellaneous

[^{F2} 8. An offence listed in Part 2 of Schedule 15 to the Criminal Justice Act 2003 (specified sexual offences).]

Textual Amendments

F2 Sch. 7 paras. 8-9A added and Sch. 7 paras. 8, 9 removed (8.1.2007) by [Gambling Act 2005 \(Relevant Offences\) \(Amendment\) Order 2006 \(S.I. 2006/3391\)](#), arts. 1(1), 2

Commencement Information

I8 Sch. 7 para. 8 in force at 1.1.2007 by [S.I. 2006/3272](#), art. 2(1), [Sch. 1](#) (with arts. 7-11, 7-12, Sch. 4)

[^{F2}8A. An offence under any of the following provisions of the Sexual Offences Act 1956—
(a) section 8 (intercourse with a defective);
(b) section 12 (buggery); and
(c) section 18 (fraudulent abduction of an heiress).]

Textual Amendments

F2 Sch. 7 paras. 8-9A added and Sch. 7 paras. 8, 9 removed (8.1.2007) by [Gambling Act 2005 \(Relevant Offences\) \(Amendment\) Order 2006 \(S.I. 2006/3391\)](#), arts. 1(1), 2

[^{F2}8B. An offence under section 3 of the Sexual Offences (Amendment) Act 2000 (abuse of trust).]

Textual Amendments

F2 Sch. 7 paras. 8-9A added and Sch. 7 paras. 8, 9 removed (8.1.2007) by [Gambling Act 2005 \(Relevant Offences\) \(Amendment\) Order 2006 \(S.I. 2006/3391\)](#), arts. 1(1), 2

[^{F2} 9. An offence under the law of England and Wales which leads, or is intended to lead, to a person's death or to physical injury to a person.]

Textual Amendments

F2 Sch. 7 paras. 8-9A added and Sch. 7 paras. 8, 9 removed (8.1.2007) by [Gambling Act 2005 \(Relevant Offences\) \(Amendment\) Order 2006 \(S.I. 2006/3391\)](#), arts. 1(1), 2

Commencement Information

I9 Sch. 7 para. 9 in force at 1.1.2007 by [S.I. 2006/3272](#), art. 2(1), [Sch. 1](#) (with arts. 7-11, 7-12, Sch. 4)

[^{F2}9A. An offence of arson under section 1 of the Criminal Damage Act 1971 (destroying or damaging property).]

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Textual Amendments

- F2** Sch. 7 paras. 8-9A added and Sch. 7 paras. 8, 9 removed (8.1.2007) by [Gambling Act 2005 \(Relevant Offences\) \(Amendment\) Order 2006 \(S.I. 2006/3391\)](#), arts. 1(1), 2

- 10 An offence under—
- (a) the Firearms Act 1968 (c. 27), or
 - (b) the Firearms (Amendment) Act 1988 (c. 45).

Commencement Information

- I10** Sch. 7 para. 10 in force at 1.1.2007 by [S.I. 2006/3272](#), art. 2(1), [Sch. 1](#) (with arts. 7-11, 7-12, Sch. 4)

- 11 An offence under any of the following provisions of the Misuse of Drugs Act 1971 (c. 38)—
- (a) section 4(2) (production),
 - (b) section 4(3) (supply),
 - (c) section 5(3) (possession with intent to supply), and
 - (d) section 8 (permitting activity on premises).

Commencement Information

- I11** Sch. 7 para. 11 in force at 1.1.2007 by [S.I. 2006/3272](#), art. 2(1), [Sch. 1](#) (with arts. 7-11, 7-12, Sch. 4)

- 12 An offence under the Forgery and Counterfeiting Act 1981 (c. 45), except for sections 18 and 19 (reproduction and imitation notes and coins).

Commencement Information

- I12** Sch. 7 para. 12 in force at 1.1.2007 by [S.I. 2006/3272](#), art. 2(1), [Sch. 1](#) (with arts. 7-11, 7-12, Sch. 4)

- 13 An offence under section 3 of the Private Security Industry Act 2001 (c. 12) (unlicensed activity).

Commencement Information

- I13** Sch. 7 para. 13 in force at 1.1.2007 by [S.I. 2006/3272](#), art. 2(1), [Sch. 1](#) (with arts. 7-11, 7-12, Sch. 4)

- [^{F3}14A An offence under section 42 of the Armed Forces Act 2006 as respects which the corresponding offence under the law of England and Wales (within the meaning given by that section) is an offence listed elsewhere in this Schedule.]

Textual Amendments

- F3** Sch. 7 para. 14A substituted for Sch. 7 paras. 14-16 (28.3.2009 for specified purposes) by [Armed Forces Act 2006 \(c. 52\)](#), s. 383(2), [Sch. 16 para. 246\(a\)](#); [S.I. 2009/812](#), art. 3(a)(b) (with transitional provisions in [S.I. 2009/1059](#))

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- 17 An offence under section 52 or 52A of the Civic Government (Scotland) Act 1982 (offences relating to indecent photographs of children).

Commencement Information

I17 Sch. 7 para. 17 in force at 1.1.2007 by [S.I. 2006/3272, art. 2\(1\)](#), [Sch. 1](#) (with [arts. 7-11, 7-12, Sch. 4](#))

- 18 An offence under any of the following provisions of the Criminal Law (Consolidation) (Scotland) Act 1995 (c. 39)—
- (a) section 1 (incest),
 - (b) section 2 (intercourse with a stepchild),
 - (c) section 3 (intercourse with child under 16 by person in position of trust),
 - (d) section 5 (unlawful intercourse with a girl under 16),
 - (e) section 6 (indecent behaviour towards girl between 12 and 16),
 - (f) section 8 (detention of woman in brothel or other premises),
 - (g) section 10 (person having parental responsibilities causing or encouraging sexual activity in relation to a girl under 16), and
 - (h) section 13(5) (homosexual offences).

Commencement Information

I18 Sch. 7 para. 18 in force at 1.1.2007 by [S.I. 2006/3272, art. 2\(1\)](#), [Sch. 1](#) (with [arts. 7-11, 7-12, Sch. 4](#))

- [^{F4}18A. An offence under either of the following provisions of the Mental Health (Scotland) Act 1984—
- (a) section 106 (protection of mentally handicapped females), and
 - (b) section 107 (protection of patients).]

Textual Amendments

F4 Sch. 7 paras. 18A-18C added (8.1.2007) by [Gambling Act 2005 \(Relevant Offences\) \(Amendment\) Order 2006 \(S.I. 2006/3391\)](#), [arts. 1\(1\), 3\(1\)](#)

- [^{F4}18B. An offence under either of the following provisions of the Mental Health (Care and Treatment) (Scotland) Act 2003—
- (a) section 311 (non-consensual sexual acts), and
 - (b) section 313 (persons providing care services: sexual offences).]

Textual Amendments

F4 Sch. 7 paras. 18A-18C added (8.1.2007) by [Gambling Act 2005 \(Relevant Offences\) \(Amendment\) Order 2006 \(S.I. 2006/3391\)](#), [arts. 1\(1\), 3\(1\)](#)

- [^{F4}18C. An offence under any of the following provisions of the Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005—
- (a) section 1 (meeting a child following certain preliminary contact),
 - (b) section 9 (paying for sexual services of a child),
 - (c) section 10 (causing or inciting provision by child of sexual services or child pornography), and

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- (d) section 11 (controlling a child providing sexual services or involved in pornography).]

Textual Amendments

- F4** Sch. 7 paras. 18A-18C added (8.1.2007) by [Gambling Act 2005 \(Relevant Offences\) \(Amendment\) Order 2006 \(S.I. 2006/3391\)](#), arts. 1(1), **3(1)**

- 19 In Scotland, the offences at common law of—
- (a) rape,
 - (b) clandestine injury to women,
 - (c) abduction of a woman or girl with intent to rape or ravish,
 - (d) assault with intent to rape or ravish,
 - (e) indecent assault,
 - (f) lewd, indecent or libidinous behaviour or practices,
 - (g) shameless indecency,
 - (h) sodomy,
 - (i) murder,
 - (j) culpable homicide, ^{F5}...
 - (k) assault.
 - [^{F6}(l) wilful fireraising,
 - (m) culpable and reckless fireraising, and
 - (n) bestiality.]

Textual Amendments

- F5** Word in Sch. 7 para. 19 omitted (8.1.2007) by virtue of [Gambling Act 2005 \(Relevant Offences\) \(Amendment\) Order 2006 \(S.I. 2006/3391\)](#), arts. 1(1), **3(2)(a)**
- F6** Words in Sch. 7 para. 19 added (8.1.2007) by [Gambling Act 2005 \(Relevant Offences\) \(Amendment\) Order 2006 \(S.I. 2006/3391\)](#), arts. 1(1), **3(2)(b)**

Commencement Information

- I19** Sch. 7 para. 19 in force at 1.1.2007 by [S.I. 2006/3272](#), art. 2(1), **Sch. 1** (with arts. 7-11, 7-12, Sch. 4)

- 20 In Scotland, the offence at common law of uttering and fraud.

Commencement Information

- I20** Sch. 7 para. 20 in force at 1.1.2007 by [S.I. 2006/3272](#), art. 2(1), **Sch. 1** (with arts. 7-11, 7-12, Sch. 4)

- 21 An inchoate offence relating to an offence listed elsewhere in this Schedule.

Commencement Information

- I21** Sch. 7 para. 21 in force at 1.1.2007 by [S.I. 2006/3272](#), art. 2(1), **Sch. 1** (with arts. 7-11, 7-12, Sch. 4)

- 22 A reference in this Part of this Schedule to an offence under an Act or a provision of an Act includes a reference to an offence under subordinate legislation made under that Act or provision.

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I22 Sch. 7 para. 22 in force at 1.1.2007 by [S.I. 2006/3272](#), [art. 2\(1\)](#), [Sch. 1](#) (with [arts. 7-11](#), [7-12](#), [Sch. 4](#))

[^{F7}22A Section 48 of the Armed Forces Act 2006 (attempts, conspiracy, incitement and aiding and abetting outside England and Wales) applies for the purposes of this Act as if the reference in subsection (3)(b) to any of the following provisions of that Act were a reference to any provision of this Act.]

Textual Amendments

F7 Sch. 7 para. 22A inserted (28.3.2009 for specified purposes) by [Armed Forces Act 2006 \(c. 52\)](#), s. 383(2), [Sch. 16 para. 246\(b\)](#); [S.I. 2009/812](#), [art. 3\(a\)\(b\)](#) (with transitional provisions in [S.I. 2009/1059](#))

PART 2

POWER TO AMEND PART 1

- 23 The Secretary of State may by order amend Part 1 of this Schedule so as to—
- (a) add an entry,
 - (b) vary an entry, or
 - (c) remove an entry.

Commencement Information

I23 Sch. 7 para. 23 in force at 5.12.2006 by [S.I. 2006/3220](#), [art. 2](#)

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Changes to legislation:

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