



Gambling Act 2005

2005 CHAPTER 19

PART 3

GENERAL OFFENCES

Use of premises

37 Use of premises

- (1) A person commits an offence if he uses premises, or causes or permits premises to be used, to—
 - (a) operate a casino,
 - (b) provide facilities for the playing of bingo,
 - (c) make a gaming machine available for use,
 - (d) provide other facilities for gaming, or
 - (e) provide facilities for betting (whether by making or accepting bets, by acting as a betting intermediary or by providing other facilities for the making or accepting of bets).
- (2) Subsection (1) does not apply in relation to the use of premises by a person if the use is authorised by a premises licence held by him.
- (3) Subsection (1) does not apply in relation to the use of premises by a person if he acts in the course of a business carried on by another person who holds a premises licence authorising the use.
- (4) Subsection (1) does not apply in relation to the use of a track by a person for accepting bets if the use is authorised by a premises licence (whether or not held by him).
- (5) Subsection (1) does not apply in relation to the use of a casino for the provision of facilities for bingo or betting in accordance with an authorisation under section 174(3).
- (6) Subsection (1) does not apply in relation to the use of premises to provide facilities which are to be used only by persons who—

Changes to legislation: There are currently no known outstanding effects for the Gambling Act 2005, Section 37. (See end of Document for details)

- (a) are acting in the course of a business, or
 - (b) are not on the premises.
- (7) Other exceptions to subsection (1) are provided in—
- (a) sections 39 and 40,
 - (b) section 214 (temporary use notice),
 - (c) sections 247, 248 and 249 (gaming machines),
 - (d) sections 269, 271 and 273 (clubs and miners' welfare institutes),
 - (e) sections 279, 282 and 283 (premises with alcohol licence),
 - (f) section 287 (travelling fairs),
 - (g) sections 289 to 292 (prize gaming),
 - (h) section 296 (private gaming and betting), and
 - (i) section 298 (non-commercial gaming).
- (8) A person guilty of an offence under this section 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.
- (9) In the application of subsection (8) to Scotland the reference to 51 weeks shall have effect as a reference to six months.

Commencement Information

- II** S. 37 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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