



Gambling Act 2005

2005 CHAPTER 19

PART 3 U.K.

GENERAL OFFENCES

Miscellaneous offences

42 Cheating E+W+S

- (1) A person commits an offence if he—
 - (a) cheats at gambling, or
 - (b) does anything for the purpose of enabling or assisting another person to cheat at gambling.
- (2) For the purposes of subsection (1) it is immaterial whether a person who cheats—
 - (a) improves his chances of winning anything, or
 - (b) wins anything.
- (3) Without prejudice to the generality of subsection (1) cheating at gambling may, in particular, consist of actual or attempted deception or interference in connection with—
 - (a) the process by which gambling is conducted, or
 - (b) a real or virtual game, race or other event or process to which gambling relates.
- (4) A person guilty of an offence under this section shall be liable—
 - (a) on conviction on indictment, to imprisonment for a term not exceeding two years, to a fine or to both, or
 - (b) on summary conviction, to imprisonment for a term not exceeding [^{F1}the general limit in a magistrates' court], to a fine not exceeding the statutory maximum or to both.
- (5) In the application of subsection (4) to Scotland the reference to [^{F2}the general limit in a magistrates' court] shall have effect as a reference to six months.

Changes to legislation: There are currently no known outstanding effects for the Gambling Act 2005, Section 42. (See end of Document for details)

(6) Section 17 of the Gaming Act 1845 (c. 109) (winning by cheating) shall cease to have effect.

Textual Amendments

- F1** Words in s. 42(4)(b) substituted (14.7.2022) by [Judicial Review and Courts Act 2022 \(c. 35\)](#), s. 51(4), [Sch. 2 para. 20\(a\)](#); [S.I. 2022/816](#), regs. 1(2), 3(d)
- F2** Words in s. 42(5) substituted (14.7.2022) by [Judicial Review and Courts Act 2022 \(c. 35\)](#), s. 51(4), [Sch. 2 para. 20\(b\)](#); [S.I. 2022/816](#), regs. 1(2), 3(d)

Commencement Information

- I1** [S. 42](#) 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, Section 42.