



# Betting and Loans (Infants) Act 1892

1892 CHAPTER 4 55 & 56 Vict

**U.K.**

An Act to render Penal the inciting Infants to Betting or Wagering or to borrowing Money. [29th March 1892.]

<sup>F1</sup>BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

**Textual Amendments**

**F1** Act repealed (E.W.) by [Minors' Contracts Act 1987 \(c. 13, SIF 30\)](#), s. 4(2)

**Modifications etc. (not altering text)**

**C1** Act: by [Minors' Contracts Act 1987 \(c. 13, SIF 30\)](#), **s. 4(2)** it is provided that the Act is repealed (E.W.) (in accordance with section 1 of the 1987 Act) and by [S.I.1988/930\(N.I. 9\)](#), art. 6(2), it is provided that the Act is repealed (in accordance with Article 3 of that S.I.)

<sup>F2</sup>1 ..... **U.K.**

**Textual Amendments**

**F2** **S. 1** repealed (E.W.S.) by [Betting, Gaming and Lotteries Act 1963 \(c. 2, SIF 12:1\)](#), s. 57(1), **Sch. 8** and by [S.I. 1988/930 \(N.I. 9\)](#), **art. 6(2)**, it is provided that the Act is repealed (N.I.) (in accordance with art. 3 of that S.I.)

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Betting and Loans (Infants) Act 1892 (repealed 25.9.1991). (See end of Document for details)

[<sup>F8</sup>1 **Persons sending documents to an infant inciting to betting guilty of a misdemeanour.** U.K.]

- (1) If anyone, for the purpose of earning commission, reward, or other profit, sends or causes to be sent to a person whom he knows to be an infant any circular, notice, advertisement, letter, telegram, or other document which invites or may reasonably be implied to invite the person receiving it to make any bet or wager, or to enter into or take any share or interest in any betting or wagering transaction, or to apply to any person or at any place, with a view to obtaining information or advice for the purpose of any bet or wager, or for information as to any race, fight, game, sport or other contingency upon which betting or wagering is generally carried on, he shall be guilty of a misdemeanor, and shall be liable, if convicted on indictment, to imprisonment, with or without hard labour, for a term not exceeding three months, or to a fine not exceeding one hundred pounds, or to both imprisonment and fine, and if convicted on summary conviction, to imprisonment, with or without hard labour, for a term not exceeding one month, or to a fine not exceeding twenty pounds, or to both imprisonment and fine.
- (2) If any such circular, notice, advertisement, letter, telegram, or other document, as in this section mentioned, names or refers to anyone as a person to whom any payment may be made, or from whom information may be obtained, for the purpose of or in relation referred to betting or wagering, the person so named or referred to shall be deemed to have sent or caused to be sent such document as aforesaid, unless he proves that he had not consented to be so named, and that he was not in any way a party to, and was wholly ignorant of, the sending of such document.]

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**Textual Amendments**

**F8** S.1 repealed (E.W.S) by [Betting, Gaming and Lotteries Act 1963 \(c.2, SIF 12:1\)](#), 57(1), Sch. 8

[<sup>F3</sup>2 ..... U.K.]

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**Textual Amendments**

**F3** Ss. 2-4 repealed (E.W.S.) by [Consumer Credit Act 1974 \(c. 39, SIF 60\)](#), s. 192(3)(b), [Sch. 5 Pt. I](#) and by [S.I. 1988/930 \(N.I. 9\)](#), [art. 6\(2\)](#), it is provided that the Act is repealed (N.I.) in accordance with art. 3 of that S.I.)

[<sup>F9</sup>2 **Persons sending to infants circulars inviting to borrow money guilty of a misdemeanour.** U.K.]

- (1) If anyone, for the purpose of earning interest, commission, reward, or other profit, sends or causes to be sent to a person whom he knows to be an infant any circular, notice, advertisement, letter, telegraph, or other document which invites or may reasonably be implied to invite the person receiving it to borrow money, or to enter into any transaction involving the borrowing of money, or to apply to any person or at any place with a view to obtaining information or advice as to borrowing money, he shall be guilty of a misdemeanor, and shall be liable, if convicted on indictment, to imprisonment, with or without hard labour, for a term not exceeding three months, or to a fine not exceeding one hundred pounds, or to both imprisonment and fine, and if

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convicted on summary conviction, to imprisonment, with or without hard labour, for a term not exceeding one month, or to a fine not exceeding twenty pounds, or to both imprisonment and fine.

- (2) If any such document as above in this section mentioned sent to an infant purports to issue from any address named therein, or indicates any address as the place at which application is to be made with reference to the subject-matter of the document, and at that place there is, carried on any business connected with loans, whether making or procuring loans or otherwise, every person who attends at such place for the purpose of taking part in or who takes part in or assists in the carrying on of such business shall be deemed to have sent or caused to be sent such document as aforesaid, unless he proves that he was not in any way a party to and was wholly ignorant of the sending of such document.]

**Textual Amendments**

**F9** Ss. 2-4 repealed (E.W.S) by [Consumer Credit Act 1974 \(c. 39, SIF 60\)](#), s. 192(3)(b), [Sch.5 Pt. I](#)

**Modifications etc. (not altering text)**

**C4** S. 2 amended by [Money-lenders Act 1900 \(c.51\)](#), s. 5

<sup>F4</sup>3 ..... **U.K.**

**Textual Amendments**

**F4** Ss. 2-4 repealed (E.W.S.) by [Consumer Credit Act 1974 \(c. 39, SIF 60\)](#), s. 192(3)(b), [Sch. 5 Pt. I](#) and by [S.I. 1988/930 \(N.I. 9\)](#), [art. 6\(2\)](#), it is provided that the Act is repealed (N.I.) (in accordance with art. 3 of that S.I.)

[<sup>F10</sup>3 **Knowledge of infancy presumed in certain cases.** **U.K.**

If any such circular, notice, advertisement, letter, telegram, or other document as in the preceding sections or either of them mentioned is sent to any person at any university, college, school, or other place of education, and such person is an infant, the person sending or causing the same to be sent shall be deemed to have known that such person was an infant, unless he proves that he had reasonable ground for believing such person to be of full age.]

**Textual Amendments**

**F10** Ss. 2-4 repealed (E.W.S) by [Consumer Credit Act 1974 \(c. 39, SIF 60\)](#), s. 192(3)(b), [Sch.5 Pt. I](#)

<sup>F5</sup>4 ..... **U.K.**

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**Textual Amendments**

**F5** Ss. 2-4 repealed (E.W.S.) by [Consumer Credit Act 1974 \(c. 39, SIF 60\)](#), s. 192(3)(b), [Sch. 5 Pt. I](#) and by [S.I. 1988/930 \(N.I. 9\)](#) art. 6(2), it is provided that the Act is repealed (N.I.) (in accordance with art. 3 of that S.I.)

[<sup>F11</sup>**4** **Soliciting infant to make affidavit in connexion with loan.** **U.K.**

If anyone, except under the authority of any court, solicits an infant to make an affidavit or statutory declaration for the purpose of or in connexion with any loan, he shall be liable, if convicted on summary conviction, to imprisonment, with or without hard labour, for a term not exceeding one month, or to a fine not exceeding twenty pounds, or to both imprisonment and fine, and if convicted on indictment, to imprisonment, with or without hard labour, for a term not exceeding three months, or to a fine not exceeding one hundred pounds.]

**Textual Amendments**

**F11** Ss. 2-4 repealed (E.W.S.) by [Consumer Credit Act 1974 \(c. 39, SIF 60\)](#), s. 192(3)(b), [Sch.5 Pt. I](#)

**5** **Avoiding contract for payment of loan advanced during infancy.** **U.K.**

If any infant, who has contracted a loan which is void in law, agrees after he comes of age to pay any money which in whole or in part represents or is agreed to be paid in respect of any such loan and is not a new advance, such agreement, and any instrument, negotiable or other, given in pursuance of or for carrying into effect such agreement, or otherwise in relation to the payment of money representing or in respect of such loan, shall, so far as it relates to money which represents or is payable. in respect of such loan, and is not a new advance, be void absolutely as against all persons whomsoever. For the purposes of this section any interest, commission, or other payment in respect of such loan shall be deemed to be a part of such loan.

**Modifications etc. (not altering text)**

- C2** S. 5 by [Minor's Contracts Act 1987 \(c. 13, SIF 30\)](#), s. 1(b), it is provided that s. 5 shall not apply to any contract made by a minor after the commencement (on 9.6. 1987) of the 1987 Act.
- C3** S. 5 by [S.I.1988/930\(N.I. 9\)](#), art. 3, it is provided that s. 5 shall not apply to any contract made by a minor after the coming into operation (on 26.7.1988) of that S.I.

[<sup>F6</sup>**6** ..... **U.K.**

**Textual Amendments**

**F6** S. 6 repealed (E.W.S.) by [Consumer Credit Act 1974 \(c. 39, SIF 60\)](#), s. 192(3)(b), [Sch. 5 Pt. I](#) and by [S.I. 1988/930 \(N.I. 9\)](#), [art. 6\(2\)](#), it is provided that the Act is repealed (N.I.) (in accordance with art. 3 of that S.I.)

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[<sup>F126</sup> **Person charged a competent witness.** **U.K.**

In any proceeding against any person for an offence under this Act such person and his wife or husband, as the case may be, may, if such person thinks fit, be called, sworn, examined, and cross-examined as an ordinary witness in the case.]

**Textual Amendments**

**F12** S. 6 repealed (E.W.S) by [Consumer Credit Act 1974 \(c. 39, SIF 60\)](#), s. 192(3)(b), [Sch. 5 Pt. I](#)

**7** **Application to Scotland.** **U.K.**

In the application of this Act to Scotland:  
The word “infant” means and includes any minor or pupil: . . . <sup>F7</sup>

**Textual Amendments**

**F7** S. 7 words repealed by [Consumer Credit Act 1974 \(c. 39, SIF 60\)](#), s.192(3)(b), [Sch. 5 Pt. I](#)

**8** **Short title.** **U.K.**

This Act may be cited as the Betting and Loans (Infants) Act, 1892.

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