



Gambling Act 2005

2005 CHAPTER 19

PART 10

GAMING MACHINES

Offences

242 Making machine available for use

- (1) A person commits an offence if he makes a gaming machine available for use by another unless—
 - (a) he makes the machine available for use in accordance with an operating licence, or
 - (b) an exception in section 247, 248, 249, 271, 273, 282, 283 or 287 applies.
- (2) A person commits an offence if he makes a gaming machine available for use in contravention of regulations under section 240.

243 Manufacture, supply, &c.

- (1) A person commits an offence if he manufactures, supplies, installs, adapts, maintains or repairs a gaming machine or part of a gaming machine unless—
 - (a) he acts in accordance with an operating licence, or
 - (b) an exception in or under section 248 or 250 applies.
- (2) A person commits an offence if he—
 - (a) supplies, installs, adapts, maintains or repairs a gaming machine or part of a gaming machine, and
 - (b) fails to comply with a provision of regulations under section 241.
- (3) Subsections (1) and (2) do not apply to the supply of a gaming machine, or part of a gaming machine—
 - (a) as scrap (without any element of salvage), or

Status: This is the original version (as it was originally enacted).

- (b) incidental to the sale or letting of property on which the machine has previously been used in reliance on a provision of this Act.

244 Linked machines

- (1) A person commits an offence if—
 - (a) he makes a gaming machine (“the first gaming machine”) available for use by another, and
 - (b) the amount or value of a prize available through use of the first gaming machine is or may be wholly or partly determined by reference to use made of another gaming machine (“the linked gaming machine”).
- (2) But subsection (1) does not apply where—
 - (a) the person who makes the first gaming machine available for use is the holder of a casino premises licence, and
 - (b) the first gaming machine and the linked gaming machine are situated on the same premises.
- (3) The Secretary of State may by order amend, or modify the effect of, subsection (2) so that subsection (1) is disappplied to the linking of machines in casinos whether or not the machines are situated on the same premises—
 - (a) to such extent as the order may specify,
 - (b) in such circumstances as the order may specify, and
 - (c) subject to such conditions as the order may specify.

245 Credit

- (1) A person commits an offence if he supplies, installs or makes available for use a gaming machine which is designed or adapted to permit money to be paid by means of a credit card.
- (2) In this section “credit card” means a card which is a credit-token within the meaning of section 14 of the Consumer Credit Act 1974 (c. 39).

246 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) In the application of subsection (1) to Scotland the reference to 51 weeks shall have effect as a reference to six months.