



# Gambling Act 2005

## 2005 CHAPTER 19

### PART 4

#### PROTECTION OF CHILDREN AND YOUNG PERSONS

##### *Miscellaneous offences*

#### **56 Invitation to participate in lottery**

- (1) A person commits an offence if he invites, causes or permits a child to participate in a lottery other than—
- (a) an incidental non-commercial lottery that is exempt for the purposes of section 258 by virtue of Part 1 of Schedule 11,
  - (b) a private lottery (whether a private society lottery, a work lottery or a residents' lottery) that is exempt for the purposes of section 258 by virtue of Part 2 of Schedule 11, or
  - (c) a lottery which forms part of the National Lottery.
- (2) Subsections (3) to (6) of section 46 shall have effect in relation to subsection (1) of this section as they have effect in relation to subsection (1) of that section; and for that purpose—
- (a) references to a child or young person shall be treated as references only to a child, and
  - (b) references to gambling shall be treated as references to participation in a lottery.

#### **57 Invitation to participate in football pools**

- (1) A person commits an offence if he invites, causes or permits a child to participate in football pools.

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*Status: This is the original version (as it was originally enacted).*

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- (2) Subsections (3) to (6) of section 46 shall have effect in relation to subsection (1) of this section as they have effect in relation to subsection (1) of that section; and for that purpose—
- (a) references to a child or young person shall be treated as references only to a child, and
  - (b) references to gambling shall be treated as references to participation in football pools.

## **58 Return of stake**

A person commits an offence if without reasonable excuse he fails to comply with a condition attached to an operating licence by virtue of section 83.

## **59 Age limit for Category D gaming machines**

- (1) The Secretary of State may by order create an offence of inviting, causing or permitting a child or young person below a specified age to use a Category D gaming machine.
- (2) An order under subsection (1) may, in particular—
- (a) apply (with modifications) or include provision similar to section 46(3) to (6);
  - (b) make consequential amendments of this Act.
- (3) Before making an order under subsection (1) the Secretary of State shall consult—
- (a) the Commission,
  - (b) one or more persons who appear to the Secretary of State to represent the interests of persons carrying on gambling businesses, and
  - (c) one or more persons who appear to the Secretary of State to have knowledge about social problems relating to gambling.
- (4) An order under subsection (1) may apply to a class of Category D gaming machine determined by reference to—
- (a) the nature of the facilities for gambling which are made available on the machine,
  - (b) the nature or value of a prize offered by the machine,
  - (c) the manner in which the machine operates, or
  - (d) any other matter.