



Gambling Act 2005

2005 CHAPTER 19

PART 18

MISCELLANEOUS AND GENERAL

Miscellaneous

341 Offence committed by body

- (1) Subsection (2) applies where an offence under this Act is committed by a body of persons corporate or unincorporate (other than a partnership) and it is proved that the offence was committed—
 - (a) with the consent or connivance of an officer of the body, or
 - (b) as a result of the negligence of an officer of the body.
- (2) The officer, as well as the body, shall be guilty of the offence.
- (3) In subsection (1) a reference to an officer of a body includes a reference to—
 - (a) a director, manager or secretary,
 - (b) a person purporting to act as a director, manager or secretary, and
 - (c) if the affairs of the body are arranged by its members, a member.
- (4) Where an offence under this Act is committed by a partnership (other than a limited partnership) each partner shall be guilty of the offence.
- (5) Where an offence under this Act is committed by a limited partnership, subsections (1) and (2) shall have effect, but as if a reference to an officer of the body were a reference to a partner.
- (6) In relation to the prosecution of a body of persons unincorporate for an offence under this Act, the body shall be treated for all procedural purposes as if it were a body corporate.

Changes to legislation: There are currently no known outstanding effects for the Gambling Act 2005, Section 341. (See end of Document for details)

- (7) The Secretary of State may by regulations make provision for the modification of a provision of this section in its application to a body of persons formed under, or in so far as the body is recognised by, law having effect outside the United Kingdom.

Commencement Information

- I1** S. 341 in force at 1.1.2007 for specified purposes by S.I. 2006/3272, art. 2(1), Sch. 1 (with arts. 7-11, 7-12, Sch. 4)
- I2** S. 341 in force at 1.9.2007 in so far as not already in force 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 341.