



# Gambling Act 2005

## 2005 CHAPTER 19

### PART 15

#### INSPECTION

##### *Inspectors*

#### **303 Enforcement officers**

- (1) The Commission—
  - (a) may designate employees of the Commission as enforcement officers for the purposes of this Act, and
  - (b) may appoint persons other than employees of the Commission as enforcement officers for the purposes of this Act.
- (2) The Commission may pay to or in respect of an enforcement officer who is not an employee of the Commission sums by way of or in respect of—
  - (a) remuneration;
  - (b) allowances;
  - (c) expenses;
  - (d) pension;
  - (e) gratuity.

#### **Commencement Information**

- II** S. 303 in force at 21.5.2007 by S.I. 2006/3272, art. 2(2), Sch. 2 (with arts. 7-11, 7-12, Sch. 4) (as amended by S.I. 2007/1157, arts. 3(3), 4)

#### **304 Authorised persons**

- (1) In this Act—

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

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- (a) “authorised person” has the meaning given by this section, and
  - (b) a reference to an authorised local authority officer is a reference to a person who is an authorised person by virtue of subsection (2).
- (2) An officer of a licensing authority is an authorised person for a purpose relating to premises if—
- (a) the premises are wholly or partly situated in the authority's area, and
  - (b) the officer is designated by the authority as an authorised person for the purposes of this section.
- (3) An officer of an authority other than a licensing authority is an authorised person for a purpose relating to premises if—
- (a) the authority has statutory functions, for an area in which the premises are wholly or partly situated, in relation to minimising or preventing the risk of pollution of the environment or of harm to human health, and
  - (b) the officer is authorised by the authority for the purpose of exercising any of those statutory functions.
- (4) The following are authorised persons for purposes relating to any premises—
- [<sup>F1</sup>(a) where Part 3 of the [Fire \(Scotland\) Act 2005 \(asp 5\)](#) applies, an enforcement officer appointed under section 61(3) of that Act,]
  - (b) an inspector appointed under section 19 of the Health and Safety at Work etc. Act 1974 (c. 37) (inspectors),
  - (c) an inspector or surveyor of ships appointed under section 256 of the Merchant Shipping Act 1995 (c. 21) (enforcement),
  - (d) a person who is within a class prescribed by the Secretary of State by regulations.

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#### Textual Amendments

- F1** S. 304(4)(a) substituted (S.) (1.10.2006) by [Fire \(Scotland\) Act 2005 \(Consequential Modifications and Savings\) Order 2006 \(S.S.I. 2006/475\)](#), art. 1, **sch. 1 para. 16(3)**

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#### Commencement Information

- I2** S. 304 in force at 21.5.2007 by [S.I. 2006/3272](#), art. 2(2), **Sch. 2** (with arts. 7-11, 7-12, Sch. 4) (as amended by S.I. 2007/1157, arts. 3(3), 4)

**Changes to legislation:**

There are currently no known outstanding effects for the Gambling Act 2005, Cross Heading: Inspectors.