



Gambling Act 2005

2005 CHAPTER 19

PART 2

THE GAMBLING COMMISSION

24 Codes of practice

- (1) The Commission shall issue one or more codes of practice about the manner in which facilities for gambling are provided (whether by the holder of a licence under this Act or by another person).
- (2) In particular, a code shall describe arrangements that should be made by a person providing facilities for gambling for the purposes of—
 - (a) ensuring that gambling is conducted in a fair and open way,
 - (b) protecting children and other vulnerable persons from being harmed or exploited by gambling, and
 - (c) making assistance available to persons who are or may be affected by problems related to gambling.
- (3) A code may include provision about how facilities for gambling are advertised or described.
- (4) A code may be revised or revoked by the Commission.
- (5) A code, and any revision, must state when it comes into force.
- (6) The Commission shall publish a code and any revision in a manner which the Commission thinks likely to bring it to the attention of those whose activities it concerns.
- (7) The Commission may make different provision under this section for different cases or circumstances (whether or not by way of separate codes of practice).
- (8) A failure to comply with a provision of a code shall not of itself make a person liable to criminal or civil proceedings; but this subsection is subject to any provision of or

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Changes to legislation: There are currently no known outstanding effects for the Gambling Act 2005, Section 24. (See end of Document for details)

by virtue of this Act making an exception to an offence dependent on compliance with a code.

- (9) But a code—
- (a) shall be admissible in evidence in criminal or civil proceedings,
 - (b) shall be taken into account by a court or tribunal in any case in which it appears to the court or tribunal to be relevant, and
 - (c) shall be taken into account by the Commission in the exercise of a function under this Act.
- (10) Before issuing or revising a code under this section the Commission shall consult—
- (a) the Secretary of State,
 - (b) Her Majesty's Commissioners of Customs and Excise,
 - (c) one or more persons who appear to the Commission to represent the interests of persons who—
 - (i) carry on gambling businesses, and
 - (ii) are likely to be affected by the code or revision,
 - (d) one or more persons who appear to the Commission to have knowledge about social problems relating to gambling, and
 - (e) in the case of a code including provision by virtue of subsection (3), one or more persons who appear to the Commission to have a relevant responsibility for regulating the advertising industry.
- (11) Before issuing or revising a code under this section the Commission shall also consult, if and to the extent that the Commission thinks appropriate having regard to the nature of the code or revision—
- (a) one or more persons who appear to the Commission to represent local authorities (including, in Scotland, licensing boards),
 - (b) one or more persons who appear to the Commission to represent chief constables of police forces,
 - [^{F1}(ba) the chief constable of the Police Service of Scotland,]
 - (c) one or more persons who appear to the Commission to represent the interests of persons carrying on gambling businesses (apart from those consulted under subsection (10)(c)), and
 - (d) in such manner as the Commission thinks appropriate, members of the public.

Textual Amendments

- F1** S. 24(11)(ba) inserted (1.4.2013) by [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Provisions and Modifications\) Order 2013 \(S.I. 2013/602\)](#), art. 1(2), **Sch. 2 para. 49(3)**

Commencement Information

- I1** S. 24(1)-(8) (10) (11) in force at 1.10.2005 by [S.I. 2005/2455](#), art. 2(1), **Sch.** (with art. 3)
- I2** S. 24(9) in force at 1.9.2007 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.**)

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