



# Gambling Act 2005

## 2005 CHAPTER 19

### PART 15

#### INSPECTION

##### *Kinds of inspection*

#### **306 Suspected offence**

- (1) A constable or enforcement officer may enter premises if he reasonably suspects that an offence under this Act may be—
  - (a) being committed on the premises, or
  - (b) about to be committed on the premises.
- (2) A justice of the peace may on the application of a constable or enforcement officer issue a warrant authorising a constable or enforcement officer to enter premises if the justice of the peace is satisfied—
  - (a) that there are reasonable grounds for suspecting that an offence under this Act has been committed on the premises,
  - (b) that there are reasonable grounds for suspecting that evidence of the commission of the offence may be found on the premises, and
  - (c) that at least one of the conditions in subsection (3) is satisfied.
- (3) Those conditions are—
  - (a) that admission to the premises has been refused,
  - (b) that admission to the premises is likely to be refused unless a warrant is produced,
  - (c) that the purpose of entry may be frustrated or seriously prejudiced unless a constable or enforcement officer arriving at the premises can secure immediate entry, and
  - (d) that there is likely to be nobody at the premises capable of granting admission.

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*Changes to legislation: There are currently no known outstanding effects for the Gambling Act 2005, Section 306. (See end of Document for details)*

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- (4) A warrant may be granted in reliance on subsection (3)(a) or (b) only if the justice of the peace is satisfied—
- (a) that notice has been given to a person occupying the premises, or having responsibility for their management, of intent to apply for a warrant, or
  - (b) that the purpose of entry may be frustrated or seriously prejudiced by the giving of notice under paragraph (a).
- (5) A warrant under subsection (2) shall cease to have effect at the end of the period of 28 days beginning with the day of issue.
- (6) In the application of this section to Scotland, any reference to a justice of the peace is to be construed as a reference to the sheriff or a justice of the peace.

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**Commencement Information**

- II** [S. 306](#) 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.)

**Changes to legislation:**

There are currently no known outstanding effects for the Gambling Act 2005, Section 306.