Status: Point in time view as at 14/05/2014. This version of this cross
heading contains provisions that are not valid for this point in time.
Changes to legislation: There are currently no known outstanding effects for the Gambling
(Licensing and Advertising) Act 2014, Cross Heading: Licensing. (See end of Document for details)

Gambling (Licensing and Advertising) Act 2014

2014 CHAPTER 17

Licensing

1   Licensing of remote gambling

(1) In section 33 of the Gambling Act 2005 (provision of facilities for gambling), after
subsection (3) insert—

"(3A) Section 36(3A) limits the application of this section in cases involving the use
in Great Britain of certain facilities for remote gambling."

(2) In section 36 of that Act (territorial application: provision of facilities for gambling),
for subsection (3) substitute—

"(3) Section 33 applies to the provision of facilities for remote gambling only if—
   (a)   at least one piece of remote gambling equipment used in the provision
         of the facilities is situated in Great Britain, or
   (b)   no such equipment is situated in Great Britain but the facilities are
         used there.

(3A) In a case within subsection (3)(b), the person providing the facilities commits
an offence under section 33 only if the person knows or should know that the
facilities are being used, or are likely to be used, in Great Britain."

(3) In section 26B of the Betting and Gaming Duties Act 1981 (remote gaming duty),
omit paragraph (a) (and the "or" at the end).

(4) The Secretary of State may by order made by statutory instrument make provision
about the making, consideration and determination of advance applications.

(5) "Advance application" means an application for, or for the variation of, a remote
operating licence (within the meaning given by the Gambling Act 2005) that is made
in anticipation of the coming into force of subsections (1) and (2).

(6) An order under subsection (4) may—

    (a)   confer a discretion on the Gambling Commission;

    (b)   include provision modifying, applying or replicating any provision made by or under the Gambling Act 2005;

    (c)   make different provision for different purposes;

    (d)   include incidental, consequential, transitory or transitional provision.

(7) A statutory instrument containing an order under subsection (4) is subject to annulment in pursuance of a resolution of either House of Parliament.

Commencement Information

I1   S. 1 partly in force; S.1(4)-(7) in force at Royal Assent, see s. 6(4)

VALID FROM 31/01/2017

2   Payment of Horserace Betting Levy by holders of remote operating licences

(1) The Secretary of State may by regulations made by statutory instrument make provision so as to secure that the bookmakers by whom the levy under section 27 of the Betting, Gaming and Lotteries Act 1963 is payable include bookmakers who are required to hold a remote operating licence (within the meaning given by the Gambling Act 2005).

(2) Regulations under subsection (1) may—

    (a)   confer a discretion on any person;

    (b)   include provision amending, repealing, revoking or otherwise modifying any provision made by or under an enactment;

    (c)   make different provision for different purposes;

    (d)   include incidental, consequential, transitory, transitional or saving provision.

(3) No regulations may be made under subsection (1) unless a draft of the statutory instrument containing them has been laid before and approved by a resolution of each House of Parliament.

(4) Nothing in this section is to be read as preventing—

    (a)   the bringing into force of Part 2 of the Horserace Betting and Olympic Lottery Act 2004, or

    (b)   the exercise of any power under that Part.

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