

GAMBLING (LICENSING AND ADVERTISING) ACT 2014

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 5: Offence of advertising unlicensed remote gambling: Northern Ireland

33. **Section 5** creates an offence of advertising unlicensed remote gambling which will only apply in Northern Ireland. The effect of this amendment is that a remote gambling operator who does not hold the required Gambling Commission licence will not be able to advertise remote gambling in Northern Ireland.
34. Section 331 of the 2005 Act also applies in Northern Ireland. The repeal of section 331 in Northern Ireland would therefore mean that remote gambling operators could advertise remote gambling in Northern Ireland, regardless of whether they were regulated in Great Britain (or in any country). The new offence will ensure that remote gambling operators will not be able to advertise remote gambling in Northern Ireland unless they hold a remote operating licence from the Gambling Commission.
35. **Section 5(3)** replicates the same protections that currently apply in relation to remote advertising in the 2005 Act (see section 333(4)). A person guilty of an offence of advertising unlicensed remote gambling is liable on summary conviction to imprisonment for a term not exceeding 6 months, a fine not exceeding level 5 on the standard scale, or both.