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- (a) responsible for the administration of races on the track, or
  - (b) an occupier of the track.
- (3) An occasional use notice must –
- (a) be given in writing to the licensing authority for any area in which the track is wholly or partly situated, and 5
  - (b) be copied to the chief officer of police for any area in which the track is wholly or partly situated.
- (4) An occasional use notice must specify a day on which it has effect.
- (5) An occasional use notice may not be given in respect of a track for a day in a calendar year if four occasional use notices have been given in respect of that track for days in that year. 10
- (6) In this section –
- (a) “chief officer of police” has the meaning given by section 101(1) of the Police Act 1996 (c. 16), and
  - (b) a reference to a chief officer’s area is a reference to the area in respect of which he has responsibility under that Act. 15
- (7) The Secretary of State may by order amend subsection (5) so as to substitute a different maximum number of occasional use notices for a calendar year.
- (8) An order under subsection (7) increasing the maximum number of occasional use notices for a calendar year may also make provision prohibiting the giving of a temporary use notice in a calendar year in respect of premises if a specified number of occasional use notices have been given in respect of the premises in that year. 20
- 29 Exception: football pools**
- (1) A person does not commit an offence under section 26 if he uses premises to receive entries or payments in accordance with an authorisation under section 76(3). 25
  - (2) The Secretary of State may make regulations disapplying subsection (1) to specified classes of premises.
- Miscellaneous offences* 30
- 30 Cheating**
- (1) A person commits an offence if he –
    - (a) cheats at gambling, or
    - (b) does anything for the purpose of enabling or assisting another person to cheat at gambling. 35
  - (2) For the purposes of subsection (1) it is immaterial whether a person who cheats –
    - (a) improves his chances of winning anything, or
    - (b) wins anything.
  - (3) Without prejudice to the generality of subsection (1) cheating at gambling may, in particular, consist of actual or attempted deception or interference in connection with – 40

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- (a) the process by which gambling is conducted, or
    - (b) a real or virtual game, race or other event or process to which gambling relates.
  - (4) For the purposes of this section –
    - (a) section 7 shall have effect as if it did not exclude spread bets, and 5
    - (b) section 220 does not exclude lotteries forming part of the National Lottery.
  - (5) A person guilty of an offence under this section shall be liable –
    - (a) on conviction on indictment, to imprisonment for a term not exceeding two years, to a fine or to both, or 10
    - (b) on summary conviction, to imprisonment for a term not exceeding six months, to a fine not exceeding the statutory maximum or to both.
  - (6) Section 17 of the Gaming Act 1845 (c. 109) (winning by cheating) shall cease to have effect.
- 31 Advertising 15**
- ...
- 32 Provision of unlawful facilities abroad**
- (1) A person commits an offence if he does anything in Great Britain, or uses remote gambling equipment situated in Great Britain, for the purpose of inviting or enabling a person in a prohibited territory to participate in remote gambling. 20
  - (2) In subsection (1) “prohibited territory” means a country or place designated for the purpose of this section by order made by the Secretary of State.
  - (3) An order under subsection (2) shall prescribe the mode of trial and maximum penalty for an offence under subsection (1). 25
- 33 Giving false information**
- (1) A person commits an offence if without reasonable excuse he gives to the Commission or a licensing authority for a purpose connected with a provision of this Act (whether or not in relation to an application under this Act) information which is – 30
    - (a) false, or
    - (b) misleading.
  - (2) A person guilty of an offence under this section shall be liable on summary conviction to –
    - (a) imprisonment for a term not exceeding six months, 35
    - (b) a fine not exceeding level 5 on the standard scale, or
    - (c) both.
- 34 Supply of alcohol, &c.**
- (1) A person commits an offence if he carries on a licensable activity within the meaning of section 1(1)(a) or (b) of the Licensing Act 2003 (c. 17) – 40
    - (a) in an adult gaming centre,

- (b) in a family entertainment centre, or
  - (c) on premises, other than a track, in respect of which a betting premises licence has effect.
- (2) For the purposes of subsection (1) it is immaterial whether the licensable activity is carried on in accordance with a licence. 5
- (3) A person guilty of an offence under this section shall be liable on summary conviction to –
- (a) imprisonment for a term not exceeding six months,
  - (b) a fine not exceeding level 5 on the standard scale, or
  - (c) both. 10

#### PART 4

##### PROTECTION OF CHILDREN AND YOUNG PERSONS

###### *Interpretation*

### 35 Meaning of “child” and “young person”

- (1) In this Act “child” means an individual who is less than 16 years old. 15
- (2) In this Act “young person” means an individual who is not a child but who is less than 18 years old.

###### *Principal offences*

### 36 Invitation to gamble

- (1) A person commits an offence if he invites, causes or permits a child or young person to gamble. 20
- (2) But subsection (1) does not apply to –
- (a) participation in private and non-commercial gaming,
  - (b) participation in private and non-commercial betting,
  - (c) participation in a lottery, 25
  - (d) participation in football pools, or
  - (e) the use of a Category D gaming machine.
- (3) In subsection (1) a reference to inviting a child or young person to gamble includes, in particular, a reference to intentionally –
- (a) sending to a child or young person any document which advertises gambling, or 30
  - (b) bringing to the attention of a child or young person information about gambling with a view to encouraging the child or young person to gamble.
- (4) If a document which is sent to a child or young person and which advertises gambling gives the name or contact details of a person to whom payment may be made or from whom information may be obtained, that person shall be treated as having committed the offence under subsection (1) unless he proves that the document was sent –
- (a) without his consent, and 40