



Gambling Act 2005

2005 CHAPTER 19

PART 4

PROTECTION OF CHILDREN AND YOUNG PERSONS

General

60 Temporary use notice

- (1) For the purposes of this Part—
 - (a) a temporary use notice in respect of the use of premises to carry on an activity shall be treated as if it were a premises licence authorising that activity, and
 - (b) an occasional use notice in respect of premises shall be treated as if it were a betting premises licence.
- (2) Sections 47(6) and 182 shall apply in relation to a notice treated as a premises licence by virtue of subsection (1) above.

61 Employment

- (1) In this Part a reference to employing a person includes a reference to—
 - (a) employing or engaging the person whether or not under a contract of employment, and
 - (b) causing or permitting the person to be employed or engaged.
- (2) Where a person commits an offence under this Part by employing a person or by being employed, he shall be treated as committing the offence on each day during any part of which the employment continues.

62 Penalty

- (1) A person guilty of an offence under this Part shall be liable on summary conviction to—

Status: This is the original version (as it was originally enacted).

- (a) imprisonment for a term not exceeding 51 weeks,
 - (b) a fine not exceeding level 5 on the standard scale, or
 - (c) both.
- (2) But in relation to an offence committed by a young person subsection (1) shall have effect as if—
- (a) paragraphs (a) and (c) were omitted, and
 - (b) in paragraph (b) the reference to level 5 were a reference to level 3.
- (3) In the application of subsection (1) to Scotland the reference to 51 weeks shall have effect as a reference to six months.

63 Reasonable belief about person's age

- (1) Where a person is charged with an offence under this Part of doing anything in relation to an individual who is a child it is a defence for the person charged to prove that—
- (a) he took all reasonable steps to determine the individual's age, and
 - (b) he reasonably believed that the individual was not a child.
- (2) Where a person is charged with an offence under this Part of doing anything in relation to an individual who is a young person it is a defence for the person charged to prove that—
- (a) he took all reasonable steps to determine the individual's age, and
 - (b) he reasonably believed that the individual was not a young person.

64 Use of children in enforcement operations

- (1) Nothing in this Part renders unlawful—
- (a) anything done, in the performance of his functions, by a constable, an enforcement officer or an authorised person, or
 - (b) anything done by a child or young person at the request of a constable, enforcement officer or authorised person acting in the performance of his functions.
- (2) Subsection (1) applies to an order under section 59 as to the provisions of this Part.