



Gambling Act 2005

2005 CHAPTER 19

PART 15

INSPECTION

Powers and procedure

317 Powers

- (1) A constable, enforcement officer or authorised person exercising a power under or by virtue of this Part to enter premises may—
 - (a) inspect any part of the premises and any machine or other thing on the premises;
 - (b) question any person on the premises;
 - (c) require access to any written or electronic record which is kept on the premises;
 - (d) require to be supplied with a copy, in such form as he directs, of an entry in a written or electronic record which is kept on the premises;
 - (e) remove and retain anything if he reasonably believes that it constitutes or contains evidence of—
 - (i) the commission of an offence under this Act, or
 - (ii) the breach of a term or condition of a licence issued under this Act;
 - (f) remove and retain anything if he reasonably believes that it is being used or has been used in the commission of an offence under this Act.
- (2) The Secretary of State may by regulations make provision about the treatment of—
 - (a) copies supplied under subsection (1)(d), and
 - (b) things removed under subsection (1)(e) or (f).
- (3) Regulations under subsection (2) may, in particular, make provision—
 - (a) about the retention, use, return, disposal or destruction of anything supplied or removed;

Changes to legislation: There are currently no known outstanding effects for the Gambling Act 2005, Section 317. (See end of Document for details)

- (b) conferring a right of appeal.
- (4) The Secretary of State may by regulations make provision about the procedure to be followed in the exercise of a power under this section.
- (5) Nothing in this Part authorises action to be taken in England and Wales in respect of anything of a kind specified in section 9(2) of the Police and Criminal Evidence Act 1984 (c. 60) (legally privileged material, &c.).
- (6) A person exercising a power under or by virtue of this Part shall have regard to any relevant provision of a code of practice under that Act (and guidance under section 25 may refer to a provision of a code).
- (7) Subsection (6) does not apply as respects the exercise of a power in relation to Scotland.

Commencement Information

- II** S. 317 in force at 21.5.2007 by S.I. 2006/3272, art. 2(2), Sch. 2 (with arts. 7-11, 7-12, Sch. 4) (as amended by S.I. 2007/1157, arts. 3(3), 4)

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