

*Status: Point in time view as at 08/01/2007.*

*Changes to legislation: There are currently no known outstanding effects for the Gambling Act 2005, Part 1. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 7

#### RELEVANT OFFENCES

##### PART 1

##### THE OFFENCES

##### *Gambling offences*

- 1 An offence under—
- (a) this Act,
  - (b) the Betting, Gaming and Lotteries Act 1963 (c. 2),
  - (c) the Gaming Act 1968 (c. 65),
  - (d) the Lotteries and Amusements Act 1976 (c. 32),
  - (e) the National Lottery etc. Act 1993 (c. 39), or
  - (f) the National Lottery Act 1998 (c. 22).

##### **Commencement Information**

**II** Sch. 7 para. 1 in force at 1.1.2007 by S.I. 2006/3272, art. 2(1), Sch. 1 (with arts. 7-11, 7-12, Sch. 4)

##### *Theft, &c.*

- 2 An offence under any of the following provisions of the Theft Act 1968 (c. 60)—
- (a) section 1 (theft),
  - (b) section 8 (robbery),
  - (c) section 9 (burglary),
  - (d) section 10 (aggravated burglary),
  - (e) section 11 (theft from exhibition, &c.),
  - (f) section 12A (aggravated vehicle-taking),
  - (g) section 13 (abstracting electricity),
  - (h) section 15 (obtaining property by deception),
  - (i) section 15A (obtaining money transfer by deception),
  - (j) section 16 (obtaining pecuniary advantage by deception),
  - (k) section 17 (false accounting),
  - (l) section 19 (false statement by director, &c.),
  - (m) section 20 (suppression of document, &c.),
  - (n) section 21 (blackmail),
  - (o) section 22 (handling stolen goods),

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- (p) section 24A (retaining wrong credit), and
- (q) section 25 (going equipped for stealing, &c.).

**Commencement Information**

**I2** Sch. 7 para. 2 in force at 1.1.2007 by S.I. 2006/3272, art. 2(1), Sch. 1 (with arts. 7-11, 7-12, Sch. 4)

- 3 An offence under section 1 or 2 of the Theft Act 1978 (c. 31) (obtaining services, or evading liability, by deception).

**Commencement Information**

**I3** Sch. 7 para. 3 in force at 1.1.2007 by S.I. 2006/3272, art. 2(1), Sch. 1 (with arts. 7-11, 7-12, Sch. 4)

- 4 An offence under section 170 or 170B of the Customs and Excise Management Act 1979 (c. 2) (evasion of duty).

**Commencement Information**

**I4** Sch. 7 para. 4 in force at 1.1.2007 by S.I. 2006/3272, art. 2(1), Sch. 1 (with arts. 7-11, 7-12, Sch. 4)

- 5 An offence under section 58(1) of the Civic Government (Scotland) Act 1982 (c. 45) (convicted thief in possession).

**Commencement Information**

**I5** Sch. 7 para. 5 in force at 1.1.2007 by S.I. 2006/3272, art. 2(1), Sch. 1 (with arts. 7-11, 7-12, Sch. 4)

- 6 Both in England and Wales and in Scotland, the offence at common law of conspiracy to defraud.

**Commencement Information**

**I6** Sch. 7 para. 6 in force at 1.1.2007 by S.I. 2006/3272, art. 2(1), Sch. 1 (with arts. 7-11, 7-12, Sch. 4)

- 7 In Scotland the offences at common law of—
- (a) theft,
  - (b) robbery,
  - (c) theft by housebreaking,
  - (d) fraud,
  - (e) extortion, and
  - (f) reset.

**Commencement Information**

**I7** Sch. 7 para. 7 in force at 1.1.2007 by S.I. 2006/3272, art. 2(1), Sch. 1 (with arts. 7-11, 7-12, Sch. 4)

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### Miscellaneous

[<sup>F1</sup> 8. An offence listed in Part 2 of Schedule 15 to the Criminal Justice Act 2003 (specified sexual offences).]

#### Textual Amendments

**F1** Sch. 7 paras. 8-9A added and Sch. 7 paras. 8, 9 removed (8.1.2007) by [Gambling Act 2005 \(Relevant Offences\) \(Amendment\) Order 2006 \(S.I. 2006/3391\)](#), arts. 1(1), 2

#### Commencement Information

**I8** Sch. 7 para. 8 in force at 1.1.2007 by [S.I. 2006/3272](#), art. 2(1), [Sch. 1](#) (with arts. 7-11, 7-12, Sch. 4)

[<sup>F1</sup>8A. An offence under any of the following provisions of the Sexual Offences Act 1956—  
(a) section 8 (intercourse with a defective);  
(b) section 12 (buggery); and  
(c) section 18 (fraudulent abduction of an heiress).]

#### Textual Amendments

**F1** Sch. 7 paras. 8-9A added and Sch. 7 paras. 8, 9 removed (8.1.2007) by [Gambling Act 2005 \(Relevant Offences\) \(Amendment\) Order 2006 \(S.I. 2006/3391\)](#), arts. 1(1), 2

[<sup>F1</sup>8B. An offence under section 3 of the Sexual Offences (Amendment) Act 2000 (abuse of trust).]

#### Textual Amendments

**F1** Sch. 7 paras. 8-9A added and Sch. 7 paras. 8, 9 removed (8.1.2007) by [Gambling Act 2005 \(Relevant Offences\) \(Amendment\) Order 2006 \(S.I. 2006/3391\)](#), arts. 1(1), 2

[<sup>F1</sup> 9. An offence under the law of England and Wales which leads, or is intended to lead, to a person's death or to physical injury to a person.]

#### Textual Amendments

**F1** Sch. 7 paras. 8-9A added and Sch. 7 paras. 8, 9 removed (8.1.2007) by [Gambling Act 2005 \(Relevant Offences\) \(Amendment\) Order 2006 \(S.I. 2006/3391\)](#), arts. 1(1), 2

#### Commencement Information

**I9** Sch. 7 para. 9 in force at 1.1.2007 by [S.I. 2006/3272](#), art. 2(1), [Sch. 1](#) (with arts. 7-11, 7-12, Sch. 4)

[<sup>F1</sup>9A. An offence of arson under section 1 of the Criminal Damage Act 1971 (destroying or damaging property).]

#### Textual Amendments

**F1** Sch. 7 paras. 8-9A added and Sch. 7 paras. 8, 9 removed (8.1.2007) by [Gambling Act 2005 \(Relevant Offences\) \(Amendment\) Order 2006 \(S.I. 2006/3391\)](#), arts. 1(1), 2

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- 10 An offence under—
- (a) the Firearms Act 1968 (c. 27), or
  - (b) the Firearms (Amendment) Act 1988 (c. 45).

**Commencement Information**

**I10** Sch. 7 para. 10 in force at 1.1.2007 by [S.I. 2006/3272](#), art. 2(1), **Sch. 1** (with arts. 7-11, 7-12, Sch. 4)

- 11 An offence under any of the following provisions of the Misuse of Drugs Act 1971 (c. 38)—
- (a) section 4(2) (production),
  - (b) section 4(3) (supply),
  - (c) section 5(3) (possession with intent to supply), and
  - (d) section 8 (permitting activity on premises).

**Commencement Information**

**I11** Sch. 7 para. 11 in force at 1.1.2007 by [S.I. 2006/3272](#), art. 2(1), **Sch. 1** (with arts. 7-11, 7-12, Sch. 4)

- 12 An offence under the Forgery and Counterfeiting Act 1981 (c. 45), except for sections 18 and 19 (reproduction and imitation notes and coins).

**Commencement Information**

**I12** Sch. 7 para. 12 in force at 1.1.2007 by [S.I. 2006/3272](#), art. 2(1), **Sch. 1** (with arts. 7-11, 7-12, Sch. 4)

- 13 An offence under section 3 of the Private Security Industry Act 2001 (c. 12) (unlicensed activity).

**Commencement Information**

**I13** Sch. 7 para. 13 in force at 1.1.2007 by [S.I. 2006/3272](#), art. 2(1), **Sch. 1** (with arts. 7-11, 7-12, Sch. 4)

- 14 An offence under section 70 of the Army Act 1955 (c. 18) in so far as it relates to an offence listed elsewhere in this Schedule.

**Commencement Information**

**I14** Sch. 7 para. 14 in force at 1.1.2007 by [S.I. 2006/3272](#), art. 2(1), **Sch. 1** (with arts. 7-11, 7-12, Sch. 4)

- 15 An offence under section 70 of the Air Force Act 1955 (c. 19) in so far as it relates to an offence listed elsewhere in this Schedule.

**Commencement Information**

**I15** Sch. 7 para. 15 in force at 1.1.2007 by [S.I. 2006/3272](#), art. 2(1), **Sch. 1** (with arts. 7-11, 7-12, Sch. 4)

- 16 An offence under section 42 of the Naval Discipline Act 1957 (c. 53) in so far as it relates to an offence listed elsewhere in this Schedule.

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#### Commencement Information

**I16** Sch. 7 para. 16 in force at 1.1.2007 by [S.I. 2006/3272](#), [art. 2\(1\)](#), [Sch. 1](#) (with [arts. 7-11](#), [7-12](#), [Sch. 4](#))

- 17 An offence under section 52 or 52A of the Civic Government (Scotland) Act 1982 (offences relating to indecent photographs of children).

#### Commencement Information

**I17** Sch. 7 para. 17 in force at 1.1.2007 by [S.I. 2006/3272](#), [art. 2\(1\)](#), [Sch. 1](#) (with [arts. 7-11](#), [7-12](#), [Sch. 4](#))

- 18 An offence under any of the following provisions of the Criminal Law (Consolidation) (Scotland) Act 1995 (c. 39)—
- (a) section 1 (incest),
  - (b) section 2 (intercourse with a stepchild),
  - (c) section 3 (intercourse with child under 16 by person in position of trust),
  - (d) section 5 (unlawful intercourse with a girl under 16),
  - (e) section 6 (indecent behaviour towards girl between 12 and 16),
  - (f) section 8 (detention of woman in brothel or other premises),
  - (g) section 10 (person having parental responsibilities causing or encouraging sexual activity in relation to a girl under 16), and
  - (h) section 13(5) (homosexual offences).

#### Commencement Information

**I18** Sch. 7 para. 18 in force at 1.1.2007 by [S.I. 2006/3272](#), [art. 2\(1\)](#), [Sch. 1](#) (with [arts. 7-11](#), [7-12](#), [Sch. 4](#))

- [<sup>F2</sup>18A. An offence under either of the following provisions of the Mental Health (Scotland) Act 1984—
- (a) section 106 (protection of mentally handicapped females), and
  - (b) section 107 (protection of patients).]

#### Textual Amendments

**F2** Sch. 7 paras. 18A-18C added (8.1.2007) by [Gambling Act 2005 \(Relevant Offences\) \(Amendment\) Order 2006 \(S.I. 2006/3391\)](#), [arts. 1\(1\)](#), [3\(1\)](#)

- [<sup>F2</sup>18B. An offence under either of the following provisions of the Mental Health (Care and Treatment) (Scotland) Act 2003—
- (a) section 311 (non-consensual sexual acts), and
  - (b) section 313 (persons providing care services: sexual offences).]

#### Textual Amendments

**F2** Sch. 7 paras. 18A-18C added (8.1.2007) by [Gambling Act 2005 \(Relevant Offences\) \(Amendment\) Order 2006 \(S.I. 2006/3391\)](#), [arts. 1\(1\)](#), [3\(1\)](#)

- [<sup>F2</sup>18C. An offence under any of the following provisions of the Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005—

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- (a) section 1 (meeting a child following certain preliminary contact),
- (b) section 9 (paying for sexual services of a child),
- (c) section 10 (causing or inciting provision by child of sexual services or child pornography), and
- (d) section 11 (controlling a child providing sexual services or involved in pornography).]

#### Textual Amendments

**F2** Sch. 7 paras. 18A-18C added (8.1.2007) by [Gambling Act 2005 \(Relevant Offences\) \(Amendment\) Order 2006 \(S.I. 2006/3391\)](#), arts. 1(1), **3(1)**

- 19 In Scotland, the offences at common law of—
- (a) rape,
  - (b) clandestine injury to women,
  - (c) abduction of a woman or girl with intent to rape or ravish,
  - (d) assault with intent to rape or ravish,
  - (e) indecent assault,
  - (f) lewd, indecent or libidinous behaviour or practices,
  - (g) shameless indecency,
  - (h) sodomy,
  - (i) murder,
  - (j) culpable homicide, <sup>F3</sup>...
  - (k) assault.
  - [<sup>F4</sup>(l) wilful fireraising,
  - (m) culpable and reckless fireraising, and
  - (n) bestiality.]

#### Textual Amendments

**F3** Word in Sch. 7 para. 19 omitted (8.1.2007) by virtue of [Gambling Act 2005 \(Relevant Offences\) \(Amendment\) Order 2006 \(S.I. 2006/3391\)](#), arts. 1(1), **3(2)(a)**

**F4** Words in Sch. 7 para. 19 added (8.1.2007) by [Gambling Act 2005 \(Relevant Offences\) \(Amendment\) Order 2006 \(S.I. 2006/3391\)](#), arts. 1(1), **3(2)(b)**

#### Commencement Information

**I19** Sch. 7 para. 19 in force at 1.1.2007 by [S.I. 2006/3272](#), art. 2(1), **Sch. 1** (with arts. 7-11, 7-12, Sch. 4)

- 20 In Scotland, the offence at common law of uttering and fraud.

#### Commencement Information

**I20** Sch. 7 para. 20 in force at 1.1.2007 by [S.I. 2006/3272](#), art. 2(1), **Sch. 1** (with arts. 7-11, 7-12, Sch. 4)

- 21 An inchoate offence relating to an offence listed elsewhere in this Schedule.

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**Commencement Information**

**I21** Sch. 7 para. 21 in force at 1.1.2007 by [S.I. 2006/3272](#), [art. 2\(1\)](#), [Sch. 1](#) (with [arts. 7-11](#), [7-12](#), [Sch. 4](#))

22 A reference in this Part of this Schedule to an offence under an Act or a provision of an Act includes a reference to an offence under subordinate legislation made under that Act or provision.

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**Commencement Information**

**I22** Sch. 7 para. 22 in force at 1.1.2007 by [S.I. 2006/3272](#), [art. 2\(1\)](#), [Sch. 1](#) (with [arts. 7-11](#), [7-12](#), [Sch. 4](#))

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