



# Gambling Act 2005

## 2005 CHAPTER 19

### PART 2

#### THE GAMBLING COMMISSION

#### 24 Codes of practice

- (1) The Commission shall issue one or more codes of practice about the manner in which facilities for gambling are provided (whether by the holder of a licence under this Act or by another person).
- (2) In particular, a code shall describe arrangements that should be made by a person providing facilities for gambling for the purposes of—
  - (a) ensuring that gambling is conducted in a fair and open way,
  - (b) protecting children and other vulnerable persons from being harmed or exploited by gambling, and
  - (c) making assistance available to persons who are or may be affected by problems related to gambling.
- (3) A code may include provision about how facilities for gambling are advertised or described.
- (4) A code may be revised or revoked by the Commission.
- (5) A code, and any revision, must state when it comes into force.
- (6) The Commission shall publish a code and any revision in a manner which the Commission thinks likely to bring it to the attention of those whose activities it concerns.
- (7) The Commission may make different provision under this section for different cases or circumstances (whether or not by way of separate codes of practice).
- (8) A failure to comply with a provision of a code shall not of itself make a person liable to criminal or civil proceedings; but this subsection is subject to any provision of or

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*Changes to legislation: There are currently no known outstanding effects for the Gambling Act 2005, Section 24. (See end of Document for details)*

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by virtue of this Act making an exception to an offence dependent on compliance with a code.

- (9) But a code—
- (a) shall be admissible in evidence in criminal or civil proceedings,
  - (b) shall be taken into account by a court or tribunal in any case in which it appears to the court or tribunal to be relevant, and
  - (c) shall be taken into account by the Commission in the exercise of a function under this Act.
- (10) Before issuing or revising a code under this section the Commission shall consult—
- (a) the Secretary of State,
  - (b) Her Majesty's Commissioners of Customs and Excise,
  - (c) one or more persons who appear to the Commission to represent the interests of persons who—
    - (i) carry on gambling businesses, and
    - (ii) are likely to be affected by the code or revision,
  - (d) one or more persons who appear to the Commission to have knowledge about social problems relating to gambling, and
  - (e) in the case of a code including provision by virtue of subsection (3), one or more persons who appear to the Commission to have a relevant responsibility for regulating the advertising industry.
- (11) Before issuing or revising a code under this section the Commission shall also consult, if and to the extent that the Commission thinks appropriate having regard to the nature of the code or revision—
- (a) one or more persons who appear to the Commission to represent local authorities (including, in Scotland, licensing boards),
  - (b) one or more persons who appear to the Commission to represent chief constables of police forces,
  - [<sup>F1</sup>(ba) the chief constable of the Police Service of Scotland,]
  - (c) one or more persons who appear to the Commission to represent the interests of persons carrying on gambling businesses (apart from those consulted under subsection (10)(c)), and
  - (d) in such manner as the Commission thinks appropriate, members of the public.

#### Textual Amendments

- F1** S. 24(11)(ba) inserted (1.4.2013) by [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Provisions and Modifications\) Order 2013 \(S.I. 2013/602\)](#), art. 1(2), **Sch. 2 para. 49(3)**

#### Commencement Information

- I1** S. 24(1)-(8) (10) (11) in force at 1.10.2005 by [S.I. 2005/2455](#), art. 2(1), **Sch.** (with art. 3)
- I2** S. 24(9) in force at 1.9.2007 by [S.I. 2006/3272](#), art. 2(4)(5), **Sch. 3B** (with arts. 7-11, 7-12, **Sch. 4**) (as inserted by [S.I. 2007/2169](#), arts. 3, 6, **Sch.**)

**Changes to legislation:**

There are currently no known outstanding effects for the Gambling Act 2005, Section 24.