



# Gambling Act 2005

## 2005 CHAPTER 19

### PART 16

#### ADVERTISING

#### **331 Foreign gambling**

- (1) A person commits an offence if he advertises foreign gambling other than a lottery.
- (2) In this section “foreign gambling” means—
  - (a) non-remote gambling which is to take place in a non-EEA State, and
  - (b) remote gambling none of the arrangements for which are subject to the law about gambling of an EEA State (whether by being regulated, exempted, prohibited or otherwise).
- (3) Subsection (2) shall apply to Gibraltar as it applies to EEA States.
- (4) The Secretary of State may by regulations provide that a specified country or place is to be treated for the purposes of subsection (2) as if it were an EEA State.
- (5) A person guilty of an offence under subsection (1) shall be liable on summary conviction to—
  - (a) imprisonment for a term not exceeding 51 weeks,
  - (b) a fine not exceeding level 5 on the standard scale, or
  - (c) both.
- (6) In the application of subsection (5) to Scotland or Northern Ireland the reference to 51 weeks shall have effect as a reference to six months.