



Gambling Act 2005

2005 CHAPTER 19

PART 17

LEGALITY AND ENFORCEABILITY OF GAMBLING CONTRACTS

336 Power of Gambling Commission to void bet

- (1) The Commission may make an order under this subsection in relation to a bet accepted by or through the holder of—
 - (a) a general betting operating licence,
 - (b) a pool betting operating licence, or
 - (c) a betting intermediary operating licence.
- (2) Where the Commission makes an order under subsection (1) in relation to a bet—
 - (a) any contract or other arrangement in relation to the bet is void, and
 - (b) any money paid in relation to the bet (whether by way of stake, winnings, commission or otherwise) shall be repaid to the person who paid it, and repayment may be enforced as a debt due to that person.
- (3) The Commission may make an order under subsection (1) in relation to a bet only if satisfied that the bet was substantially unfair.
- (4) In considering whether a bet was unfair the Commission shall, in particular, take account of any of the following that applies—
 - (a) the fact that either party to the bet supplied insufficient, false or misleading information in connection with it,
 - (b) the fact that either party to the bet believed or ought to have believed that a race, competition or other event or process to which the bet related was or would be conducted in contravention of industry rules,
 - (c) the fact that either party to the bet believed or ought to have believed that an offence under section 42 had been or was likely to be committed in respect of anything to which the bet related, and
 - (d) the fact that either party to the bet was convicted of an offence under section 42 in relation to the bet.

Changes to legislation: There are currently no known outstanding effects for the Gambling Act 2005, Section 336. (See end of Document for details)

- (5) An order under subsection (1) may be made in relation to a bet only during the period of six months beginning with the day on which the result of the bet is determined.
- (6) But subsection (5) shall not apply to an order made taking account of the fact that a party to the bet was convicted of an offence under section 42 in relation to it.

Modifications etc. (not altering text)

- C1** Ss. 336-338 modified (1.9.2007) by [Gambling Act 2005 \(Horserace Totalisator Board\) Order 2007 \(S.I. 2007/2102\)](#), arts. 1, 5

Commencement Information

- I1** [S. 336](#) 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 336.