



# Gambling Act 2005

## 2005 CHAPTER 19

### PART 18

#### MISCELLANEOUS AND GENERAL

##### *Miscellaneous*

#### **345 Forfeiture**

- (1) A court by or before which a person is convicted of an offence under this Act may make an order for the forfeiture of an article that appears to the court to relate to the offence.
- (2) A forfeiture order—
  - (a) may include such provision about the treatment of the article forfeited as the court thinks appropriate, and
  - (b) subject to any provision made under paragraph (a), shall be treated as requiring any person in possession of the article to surrender it to a constable as soon as is reasonably practicable.
- (3) Where—
  - (a) a court proposes to make a forfeiture order in respect of an article, and
  - (b) a person notifies the court that he has an interest in the article,the court may not make the order without first giving the person an opportunity to make representations.
- (4) The court which made a forfeiture order may order that the forfeited article be given up to a person who claims to have an interest in it.
- (5) A person commits an offence if he fails to—
  - (a) comply with a forfeiture order, or
  - (b) co-operate with a step taken for the purpose of giving effect to a forfeiture order.

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*Changes to legislation: There are currently no known outstanding effects for the Gambling Act 2005, Section 345. (See end of Document for details)*

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- (6) A person guilty of an offence under subsection (5) 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.
- (7) In the application of subsection (6) to Scotland the reference to 51 weeks shall have effect as a reference to six months.

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**Commencement Information**

- I1** S. 345 in force at 1.1.2007 for specified purposes by S.I. 2006/3272, art. 2(1), **Sch. 1** (with arts. 7-11, 7-12, Sch. 4)
- I2** S. 345 in force at 1.9.2007 in so far as not already in force 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 345.