



# Gambling Act 2005

## 2005 CHAPTER 19

### PART 3

#### GENERAL OFFENCES

##### *Miscellaneous offences*

#### **41 Gambling software**

- (1) A person commits an offence if in the course of a business he manufactures, supplies, installs or adapts gambling software unless he acts in accordance with an operating licence.
- (2) In this Act “gambling software”—
  - (a) means computer software for use in connection with remote gambling, but
  - (b) does not include anything for use solely in connection with a gaming machine.
- (3) A person does not supply or install gambling software for the purposes of subsection (1) by reason only of the facts that—
  - (a) he makes facilities for remote communication or non-remote communication available to another person, and
  - (b) the facilities are used by the other person to supply or install gambling software.
- (4) A person guilty of an offence under this section 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.
- (5) In the application of subsection (4) to Scotland the reference to 51 weeks shall have effect as a reference to six months.

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*Changes to legislation: There are currently no known outstanding effects for the Gambling Act 2005, Section 41. (See end of Document for details)*

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**Commencement Information**

- II** S. 41 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.)

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