



# Gambling (Licensing and Advertising) Act 2014

## 2014 CHAPTER 17

### *Advertising*

#### **3 Repeal of existing offence of advertising foreign gambling**

- (1) Section 331 of the Gambling Act 2005 (offence of advertising foreign gambling) is repealed.
- (2) In consequence of the provision made by subsection (1), in that Act—
  - (a) omit the following provisions—
    - (i) section 332(3),
    - (ii) section 333(3), and
    - (iii) section 361(1)(b) (but not the “and” at the end), and
  - (b) in section 333(4), for “(1)(a), (2)(a) and (3)” substitute “(1)(a) and (2)(a)”.

#### **4 Advertising of gambling by way of remote communication: Great Britain**

- (1) Section 333 of the Gambling Act 2005 (territorial application: remote advertising) is amended as follows.
- (2) In subsection (2), omit paragraph (b) (but not the “and” at the end).
- (3) For subsection (9)(b) substitute—
  - “(b) in the case of remote gambling, that—
    - (i) at least one piece of remote gambling equipment to be used in providing facilities for the gambling is or will be situated in Great Britain, or
    - (ii) no such equipment is or will be situated in Great Britain, but the facilities are or will be capable of being used there.”

## **5 Offence of advertising unlicensed remote gambling: Northern Ireland**

- (1) A person who advertises unlicensed remote gambling commits an offence.
- (2) The prohibition in subsection (1) applies to anything in the way of advertising which is done—
  - (a) wholly or partly in Northern Ireland, and
  - (b) otherwise than by way of remote communication.
- (3) The prohibition in subsection (1) applies to advertising by way of remote communication only if the advertising involves—
  - (a) providing information by whatever means (and whether or not using remote communication), intended to come to the attention of one or more persons in Northern Ireland,
  - (b) sending a communication intended to come to the attention of one or more persons in Northern Ireland,
  - (c) making data available with a view to its being accessed by one or more persons in Northern Ireland, or
  - (d) making data available in circumstances such that it is likely to be accessed by one or more persons in Northern Ireland.
- (4) A person guilty of an offence under subsection (1) is liable on summary conviction to—
  - (a) imprisonment for a term not exceeding 6 months,
  - (b) a fine not exceeding level 5 on the standard scale, or
  - (c) both.
- (5) In this section “unlicensed remote gambling” means remote gambling the facilities in respect of which are not provided in reliance on a licence issued under Part 5 of the Gambling Act 2005, but does not include a lottery.
- (6) Expressions used in this section and in the Gambling Act 2005 have the same meanings in this section as in that Act.