

# Offshore Gambling Bill

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TO

Amend the Gambling Act 2005 to regulate remote gambling on a point of consumption basis; to require all operators selling into the British market, whether in the United Kingdom or overseas, to hold a Gambling Commission licence to enable them to undertake transactions with British consumers and to advertise in the United Kingdom; to provide that all relevant operators contribute to the Horserace Betting Levy; and for connected purposes.

**B**E IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

**1 Licensing of remote gambling**

In section 36 of the Gambling Act 2005 (territorial application: provision of facilities for gambling), for subsection (3) substitute—

- “(3) Section 33 applies to the provision of facilities for remote gambling only if—
- (a) at least one piece of remote gambling equipment used in the provision of the facilities is situated in Great Britain, or
  - (b) no such equipment is situated in Great Britain but the facilities are capable of being used there.”

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**2 Advertising of foreign gambling**

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- (1) Section 331 of the Gambling Act 2005 (offence of advertising foreign gambling) is repealed.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)—
  - (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)”.

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### 3 Advertising of gambling by way of remote communication

- (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 paragraph (b) of subsection (9) substitute— 5
  - “(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.” 10

### 4 The Horseracing Levy

- In Section 27 of the Betting, Gaming and Lotteries Act 1963, for paragraph (a) of subsection (2) substitute— 15
- “(a) Any company holding a gambling commission license who carries on on his own account a business which includes the effecting of betting transactions on horse races, and only in respect of so much of the business of the bookmaker as relates to such betting transactions.” 20

### 5 Short title, commencement and extent

- (1) This Act may be cited as the Offshore Gambling Act 2013.
- (2) This section comes into force on the day on which this Act is passed.
- (3) The remaining provisions of this Act come into force on such day as the Secretary of State may by order made by statutory instrument appoint (and different days may be appointed for different purposes). 25
- (4) The Secretary of State may by order made by statutory instrument make such transitory, transitional or saving provision as the Secretary of State considers necessary or appropriate in connection with the commencement of any provision made by this Act. 30
- (5) This Act extends to England and Wales, and Scotland.
- (6) Section 2(1) and this section extend also to Northern Ireland.

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## B I L L

To amend the Gambling Act 2005 to regulate remote gambling on a point of consumption basis; to require all operators selling into the British market, whether in the United Kingdom or overseas, to hold a Gambling Commission licence to enable them to undertake transactions with British consumers and to advertise in the United Kingdom; to provide that all relevant operators contribute to the Horserace Betting Levy; and for connected purposes.

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*Ordered, by The House of Commons,  
to be Printed, 25 June 2012.*

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