



Gambling Act 2005

2005 CHAPTER 19

PART 5

OPERATING LICENCES

Duration

114 Lapse

- (1) In the case of an operating licence issued to an individual, the licence shall lapse if—
- the licensee dies,
 - the licensee becomes, in the opinion of the Commission as notified to the licensee, incapable of carrying on the licensed activities by reason of mental or physical incapacity,
 - the licensee becomes bankrupt (within the meaning of section 381 of the Insolvency Act 1986 (c. 45)), [^{F1}or a debt relief order is made in respect of the licensee (under Part 7A of the Insolvency Act 1986),] or
 - sequestration of the licensee's estate is awarded under section [^{F2}22(1) of the Bankruptcy (Scotland) Act 2016] .
- (2) In any other case an operating licence shall lapse if the licensee—
- ceases to exist, or
 - goes into liquidation (within the meaning of section 247(2) of the Insolvency Act 1986).

Annotations:

Amendments (Textual)

- F1** Words in s. 114(1)(c) inserted (1.10.2012) by [The Tribunals, Courts and Enforcement Act 2007 \(Consequential Amendments\) Order 2012 \(S.I. 2012/2404\)](#), art. 1, **Sch. 2 para. 55(2)** (with art. 5)
- F2** Words in s. 114(1)(d) substituted (30.11.2016) by [The Bankruptcy \(Scotland\) Act 2016 \(Consequential Provisions and Modifications\) Order 2016 \(S.I. 2016/1034\)](#), art. 1, **Sch. 1 para. 28(2)**

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Gambling Act 2005. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

Modifications etc. (not altering text)

- C1** Pt. 5 modified (1.1.2007) by [The Gambling Act 2005 \(Commencement No. 6 and Transitional Provisions\) Order 2006 \(S.I. 2006/3272\)](#), art. 1(1), **Sch. 4 para. 72**
- C2** Pt. 5 modified (1.1.2007) by [The Gambling Act 2005 \(Commencement No. 6 and Transitional Provisions\) Order 2006 \(S.I. 2006/3272\)](#), art. 1(1), **Sch. 4 para. 50**
- C3** S. 114 applied (with modifications) (1.1.2007) by [Gambling \(Personal Licences\) \(Modification of Part 5 of the Gambling Act 2005\) Regulations 2006 \(S.I. 2006/3267\)](#), regs. 1(1), 2(2), **Sch. Table 2**
- C4** S. 114 modified (1.1.2007) by [The Gambling Act 2005 \(Commencement No. 6 and Transitional Provisions\) Order 2006 \(S.I. 2006/3272\)](#), art. 1(1), **Sch. 4 paras. 44, 47**

Commencement Information

- I1** S. 114 in force at 1.1.2007 by [S.I. 2006/3272](#), art. 2(1), **Sch. 1** (with arts. 7-11, 7-12, Sch. 4)

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 172(12)(aa) inserted by [2017 c. 4 s. 58\(1\)](#)
- s. 355(8A) inserted by [2017 c. 4 s. 58\(2\)\(c\)](#)