



Gambling Act 2005

2005 CHAPTER 19

PART 5

OPERATING LICENCES

Regulation

116 Review

- (1) The Commission may in relation to operating licences of a particular description review—
 - (a) the manner in which licensees carry on licensed activities, and
 - (b) in particular, arrangements made by licensees to ensure compliance with conditions attached under section 75, 77 or 78.
- (2) The Commission may review any matter connected with the provision of facilities for gambling as authorised by an operating licence if the Commission—
 - (a) has reason to suspect that activities may have been carried on in purported reliance on the licence but not in accordance with a condition of the licence,
 - (b) believes that the licensee, or a person who exercises a function in connection with or is interested in the licensed activities, has acquired a conviction of a kind mentioned in section 71(1), or
 - (c) for any reason—
 - (i) suspects that the licensee may be unsuitable to carry on the licensed activities, or
 - (ii) thinks that a review would be appropriate.
- (3) For the purposes of subsection (2)(c) a reason—
 - (a) may, in particular, relate to the receipt of a complaint about the licensee's activities;
 - (b) need not relate to any suspicion or belief about the licensee's activities.

Changes to legislation: There are currently no known outstanding effects for the Gambling Act 2005, Section 116. (See end of Document for details)

- (4) Before commencing a review of an operating licence under subsection (2) the Commission shall—
- (a) notify the licensee, and
 - (b) inform him of the procedure to be followed in the conduct of the review.
- (5) In conducting a review of an operating licence under subsection (2) the Commission—
- (a) shall give the licensee an opportunity to make representations, and
 - (b) may give other persons an opportunity to make representations.

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. 116 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** Ss. 116-122 applied (with modifications) (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. 48**
- C5** Ss. 116-120 modified (1.9.2007) by [Gambling Act 2005 \(Horserace Betting Levy\) Order 2007 \(S.I. 2007/2159\)](#), arts. 1(1), **3**

Commencement Information

- I1** S. 116(1)(2)(a) 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.)
- I2** S. 116(2)(b) (c) (3)-(5) 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:

There are currently no known outstanding effects for the Gambling Act 2005, Section 116.