

SCHEDULE 4

Transitional provisions

PART 1

General

Interpretation

1.—(1) In this Schedule—

“amusement machine premises” has the meaning given by section 34(7A) of the 1968 Act⁽¹⁾;

“bingo club licence” means a licence under the 1968 Act granted in respect of any premises, where the licence, as it has effect immediately before 1st September 2007, is subject to restrictions under paragraph 25 of Schedule 2 to that Act under which gaming on those premises to which Part 2 of that Act applies is limited to the playing of bingo;

“casino licence” means a licence under the 1968 Act other than a bingo club licence.

(2) For the purposes of this Schedule (and unless the contrary intention appears) where—

(a) the licensing authority under the 2005 Act is to be determined by reference to which authority’s area premises are situated in, and

(b) the premises are situated in the area of more than one authority,

the licensing authority is the authority in whose area the greater or greatest part of the premises is situated.

(3) The following provisions of this paragraph are to have effect for the purposes of determining, where an application for an operating or personal licence is rejected, when that application is to be treated as having been finally determined for the purposes of this Schedule.

(4) If there is no appeal to the Gambling Appeals Tribunal the application is to be treated as having been finally determined on the expiry of the period for appealing.

(5) Where such an appeal is made and—

(a) the appeal is withdrawn, or

(b) the appeal is allowed,

then (subject to sub-paragraph (8)) the application is to be treated as having been finally determined when the appeal is withdrawn or, as the case may be, determined.

(6) Where the appeal to the Gambling Appeals Tribunal is refused and no appeal is made under section 143 of the 2005 Act, the application is to be treated as having been finally determined on the expiry of the period for appealing against the decision of the Gambling Appeals Tribunal.

(7) Where an appeal is made under section 143 of the 2005 Act, then (subject to sub-paragraph (8)) the application is to be treated as having been finally determined on the date on which the appeal is determined or withdrawn.

(8) Where the result of an appeal is that the matter is remitted to the body against whose decision the appeal is made, the application is to be treated as having been finally determined when any subsequent proceedings relating to the decision to reject the application are finally determined (as determined in accordance with sub-paragraphs (4) to (7)).

(1) Subsection (7A) was inserted by [S.I. 1996/1359](#). That subsection defines “amusement machine premises” to mean premises used wholly or mainly for the provision of amusements by means of machines to which Part 3 of the 1968 Act applies.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.