

SCHEDULE 4

Transitional provisions

PART 7

Conversion of licences etc. issued under enactments to be repealed into premises licences under the Gambling Act 2005

Special provisions where the application for the premises licence and the application under the existing legislation are being made to the same authority

61.—(1) Sub-paragraph (4) applies to a conversion application for an adult gaming centre premises licence or a family entertainment centre premises licence where—

- (a) the person making the application qualifies as the existing premises operator by reason of the fact that on the date on which he makes the application he is also applying for a permit under section 34 of the 1968 Act in respect of amusement machine premises, and
- (b) both the application for the premises licence and the application for the permit are being made to the same local authority in England or Wales.

(2) Sub-paragraph (4) also applies to any of the applications specified in sub-paragraph (3) where—

- (a) the person making the application qualifies as the existing premises operator by reason of the fact that on the date on which he makes the application he is also making an application of one of the types referred to in paragraph (a), (d) or (e) of paragraph 59(1), and
- (b) both the application for the premises licence and the application under the 1963 Act or the 1968 Act are being made to the same licensing board in Scotland.

(3) The applications referred to in sub-paragraph (2) are—

- (a) a conversion application for a casino premises licence,
- (b) a conversion application for a bingo premises licence, and
- (c) a conversion application for a betting premises licence.

(4) Where this sub-paragraph applies, paragraph 59 is to have effect as if in sub-paragraph (4) (b), the words “and the applicant has sent them a copy of the relevant licence, permit or certificate” were omitted.

(5) Where in a case to which paragraph 60 applies—

- (a) the person referred to in sub-paragraph (1)(a) of that paragraph is applying for a casino premises licence or a bingo premises licence and qualifies as an existing operator for the purposes of the application for the premises licence by reason of the fact that he holds a casino or bingo club licence, and
- (b) both the application for the premises licence and the application for the transfer of the casino or bingo club licence are being made to the same licensing board in Scotland,

that paragraph is to have effect as if in sub-paragraph (2)(a) the words “being notified in writing by the applicant that” were omitted.