

SCHEDULE 4

Transitional provisions

PART 7

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 issued under enactments to be repealed into premises licences under the Gambling Act 2005

Application of the Gambling Act 2005 to casino premises licences granted on a conversion application

65.—(1) This paragraph applies to—

- (a) a conversion application for a casino premises licence, and
- (b) a casino premises licence issued on the grant of such an application in pursuance of paragraph 54(4).

(2) This paragraph is without prejudice to paragraphs 54 to 61.

(3) Part 8 of the 2005 Act is to have effect subject to the modifications specified in the following provisions of this paragraph.

(4) Section 150(2) (which describes the kinds of casino premises licences) is not to apply to a casino premises licence to which this paragraph applies and instead such a licence is to be referred to as a converted casino premises licence.

(5) A converted casino premises licence is a licence which states that it authorises premises to be used for the operation of a casino or for providing other facilities for gaming (apart from bingo); and section 150(1)(a) is to be modified accordingly.

(6) Section 172 (which makes provision as to the effect of a premises licence in authorising the making available of gaming machines) is to be modified so as to provide for a converted casino premises licence to authorise the holder of the licence either—

- (a) to make 20 gaming machines available for use on the premises where at least one of the machines is of Category B and provided that each machine is of Category B, C or D⁽¹⁾; or
- (b) to make available for use on the premises any number of Category C or D gaming machines.

(7) Section 174(1) (which makes provision as to the kinds of premises in respect of which a casino premises licence may be granted) is not to apply where the application is for a converted casino premises licence.

(8) Section 174(2) (which provides for casino premises licences to authorise the holder to make available any number of games of chance other than casino games)—

- (a) is not to have effect to authorise the playing of bingo in premises in respect of which a converted casino premises licence has effect;
- (b) is to have effect to authorise the holder of a converted casino premises licence to make available other games of chance which are not casino games, irrespective of whether or not casino games are also made available on the premises.

(9) Section 174(3) (which provides for casino premises licences to authorise the holder to use the premises for the provision of bingo, betting or both) is not to apply to a converted casino premises licence to which this paragraph applies.

(1) See section 236 of the 2005 Act.

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

(10) A converted casino premises licence is not to count for the purposes of any of the limits in section 175(1) to (3) (which limit the overall numbers of specified kinds of casino premises licences).

(11) Subsections (5) and (7) of section 175 and Schedule 9 (which make provision about applications for casino premises licences) are not to apply to an application for a converted casino premises licence.

(12) The licence holder may apply under section 187 to vary a converted casino premises licence so that it relates to premises which are different from those to which it previously related, and subsection (2) of that section (which prohibits a premises licence from being varied so as to relate to premises to which it did not previously relate) is accordingly not to have effect in relation to a converted casino premises licence.

(13) Where a converted casino premises licence is varied to relate to premises to which it did not previously relate, those premises must be wholly or partly situated in the area of the licensing authority which issued the licence.