
STATUTORY INSTRUMENTS

2007 No. 1157

**The Gambling Act 2005 (Commencement and
Transitional Provisions) (Amendment) Order 2007**

Amendment of Part 3 of Schedule 4 to the Principal Commencement Order

8.—(1) Part 3 of Schedule 4 to the Principal Commencement Order (transitional provisions relating to the continuation of certificates and permits issued under the Gaming Act 1968) is amended as follows.

(2) In paragraph 24(3) leave out “at least two months”.

(3) In paragraph 27—

(a) in sub-paragraph (1)—

(i) for paragraph (a) substitute—

“(a) the holder of a permit under section 34 of the 1968 Act—

(i) granted by the authority mentioned in sub-paragraph (a) or (c) of paragraph 1 of Schedule 9 to the 1968 Act, or

(ii) granted by the authority mentioned in sub-paragraph (d) of that paragraph in respect of premises in respect of which a relevant Scottish licence has effect,

applies for a licensed premises gaming machine permit;”

(ii) in paragraph (c), after “paragraph 24(1) or (2)” insert “, or (as the case may be) paragraph 31(5) or (5A),”;

(iii) after paragraph (c) insert—

“(cc) the application for the licensed premises gaming machine permit relates to the same or substantially the same premises as those in respect of which the permit under section 34 of the 1968 Act has effect;”;

(iv) in paragraph (d), leave out “at least two months”, and after “paragraph 24(1) or (2)” insert “or (as the case may be) paragraph 31(5) or (5A)”;

(b) in sub-paragraph (6), for “authorised number” substitute “relevant number”; and

(c) after sub-paragraph (6) insert—

“(6A) In sub-paragraph (6), the relevant number is the authorised number unless the authorised number is less than two, in which case the relevant number is two.”.

(4) In paragraph 29—

(a) in sub-paragraph (1) for “1st June” substitute “1st August”;

(b) in sub-paragraph (2)(b)—

(i) for “paragraph 24(1)” substitute “paragraph 24(1) or 31(5)”, and

(ii) for “3 months” substitute “one month”;

(c) for sub-paragraph (3) substitute—

- “(3) Paragraph (d) of paragraph 27(1) is to have effect as if it required the application for the licensed premises gaming machine permit to be made on or before the date which is one month after the date on which the provisions referred to in paragraph (1) come into force.”; and
- (d) in sub-paragraph (4)—
- (i) for “paragraph 24(1)”, in each place where it occurs, substitute “paragraph 24(1) or 31(5)”, and
 - (ii) for “paragraph (3)(a)”, in each place where it occurs, substitute “paragraph (3)”.
- (5) In paragraph 31—
- (a) after sub-paragraph (5) insert—
- “(5A) Where in a case falling within sub-paragraph (5)(a)—
- (a) the permit has effect immediately before 1st September 2007 by virtue of paragraph 19 of Schedule 9 to the 1968 Act; and
 - (b) the application under that Schedule for the renewal of the permit is granted on or after that date,
- the permit is to have effect until 31st July 2009.”; and
- (b) in sub-paragraph (6), for “Sub-paragraph (5) is” substitute “Sub-paragraphs (5) and (5A) are”.
- (6) In paragraph 33(8), for “paragraph 31(5)” substitute “paragraphs 31(5) and (5A)”.