



# Gambling Act 2005

## 2005 CHAPTER 19

### PART 5

#### OPERATING LICENCES

##### *Maintenance*

#### **104 Application to vary licence**

- (1) The holder of an operating licence may apply to the Commission to vary the licence by—
  - (a) adding, amending or removing a licensed activity,
  - (b) amending another detail of the licence, or
  - (c) adding, amending or removing a condition attached to the licence under section 77.
- (2) A licence may not be varied under this section so as to authorise anyone other than the person to whom it was issued to provide facilities for gambling.
- (3) The provisions of this Part shall apply in relation to an application for variation as they apply in relation to an application for a licence—
  - (a) subject to the provisions of this section, and
  - (b) with any other necessary modifications.
- (4) Regulations under this Part which relate to an application for an operating licence may make—
  - (a) provision which applies only in the case of an application for variation;
  - (b) provision which does not apply in the case of an application for variation;
  - (c) different provision in relation to an application for variation from that made in relation to an application for an operating licence;
  - (d) different provision in relation to applications for variations of different kinds.

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*Changes to legislation: There are currently no known outstanding effects for the Gambling Act 2005, Section 104. (See end of Document for details)*

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- (5) An application for variation must (in addition to anything required by section 69) be accompanied by—
- (a) a statement of the variation sought, and
  - (b) either—
    - (i) the licence to be varied, or
    - (ii) a statement explaining why it is not reasonably practicable to produce the licence.
- (6) In granting an application for variation the Commission—
- (a) shall specify a time when the variation shall begin to have effect, and
  - (b) may make transitional provision.

**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** Ss. 104-107 excluded (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. 42(7)(b)**

**Commencement Information**

- I1** S. 104 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 104.