

2007 No. 332

BETTING, GAMING AND LOTTERIES

The Gambling Act 2005 (Premises Licences and Provisional Statements) (Scotland) Amendment Regulations 2007

<i>Made</i> - - - -	<i>20th June 2007</i>
<i>Laid before the Scottish Parliament</i>	<i>21st June 2007</i>
<i>Coming into force</i> - -	<i>28th June 2007</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 159(6) to (8), 160, 187(3) and (4), 204(2) and 355(1) of the Gambling Act 2005(a) and all other powers enabling them to do so.

Citation and commencement

1. These Regulations may be cited as the Gambling Act 2005 (Premises Licences and Provisional Statements) (Scotland) Amendment Regulations 2007 and shall come into force on 28th June 2007.

Amendment of Regulations

2.—(1) The Gambling Act 2005 (Premises Licences and Provisional Statements) (Scotland) Regulations 2007(b) are amended as follows.

(2) In regulation 4—

(a) in paragraph (3), after “premises licence” insert “(other than a converted casino premises licence)”; and

(b) after paragraph (4), insert—

“(4A) Subject to paragraph (4B), where the application is for a converted casino premises licence, the plan must show—

(a) the principal entrance to the premises of those identified in accordance with paragraph (2)(e);

(b) the location and extent of any part of the premises which will be used for providing facilities for gambling in reliance on the licence; and

(c) the location and extent of any part of the premises which will be a non-gambling area.

(4B) The requirement in sub-paragraph (c) of paragraph (4A) only applies where the combined floor area of those parts of the casino identified in accordance with sub-paragraph (b) of that paragraph is no less than 200m².”.

(a) 2005 c.19.
(b) S.S.I. 2007/196.

(3) The amendments made by paragraph (2) to regulation 4 of the Gambling Act 2005 (Premises Licences and Provisional Statements) (Scotland) Regulations 2007 shall not affect the validity of anything done under those Regulations before the date on which these Regulations come into force.

(4) In regulation 13(6), for “regulation 12(2)” substitute “regulation 12(1)”.

St Andrew’s House,
Edinburgh
20th June 2007

KENNY MACASKILL
A member of the Scottish Executive

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Gambling Act 2005 (Premises Licences and Provisional Statements) (Scotland) Regulations 2007 (“the principal Regulations”).

The Regulations amend regulation 4 of the principal Regulations which specifies the matters to be included in plans accompanying applications for premises licences under section 159 of the Gambling Act 2005 (“the 2005 Act”). In particular, regulation 4 is amended to change the requirements which apply to the plan accompanying an application for a converted casino premises licence. The Regulations remove the requirement to identify table gaming areas in the casino separately from other parts used to provide facilities for gambling. The Regulations also remove the requirement to show non-gambling areas where the combined floor area of those parts of the casino used for providing facilities for gambling is less than 200m². The changes made to regulation 4 are also relevant to the matters to be included in the plans accompanying applications to vary premises licences under section 187 of the 2005 Act. Regulation 7(3) of the principal Regulations, which makes provision about the matters to be shown in a plan accompanying an application to vary a premises licence, does so by reference to regulation 4.

These Regulations also correct a mistaken cross-reference in regulation 13(6) of the principal Regulations.

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