

Status: Point in time view as at 21/05/2007.

Changes to legislation: There are currently no known outstanding effects for the Gambling Act 2005, SCHEDULE 18. (See end of Document for details)

SCHEDULES

SCHEDULE 18 **E+W+S**

Section 358

TRANSITIONAL

PART 1 E+W+S

TRANSITIONAL CONTINUATION OF OLD LICENCES, &C.

Introduction

- 1 (1) In this Part a reference to a commencement order is a reference to an order under section 358(1).
- (2) This Part is without prejudice to the generality of section 355(1)(c).

Transitional continuation of licences, &c.

- 2 A commencement order may—
 - (a) provide for a licence or other document issued under an enactment repealed by this Act to have such effect as the order may specify after the commencement of the repeal until a time specified by or determined in accordance with the order;
 - (b) provide for the application of this Act, with any specified modifications, in relation to a licence or document to which paragraph (a) applies;
 - (c) disapply, or modify the application of, a provision of this Act in relation to specified things done in reliance on a licence or document to which paragraph (a) applies.

Transitional protection for casinos below minimum licensable size

- 3 A commencement order may—
 - (a) disapply section 174(1) in respect of premises that are in use, or could lawfully be used, for the operation of a casino (within the meaning of section 7(1) to (3)) when Part 8 of this Act comes into force;
 - (b) provide for the application of this Act, with any specified modifications, in relation to premises of that kind;
 - (c) disapply, or modify the application of, a provision of this Act in relation to specified things done on or in relation to premises of that kind.

References to procedures under this Act

- 4 A commencement order may include provision for a reference in this Act or in another enactment to anything done under or by virtue of this Act to be taken, for

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such transitional purposes as may be specified, as including a reference to a thing done under or by virtue of an enactment repealed by this Act.

PART 2 E+W+S

ADVANCE AND INTERIM APPLICATIONS, AND CONVERSION

Advance applications

- 5 In this Schedule a reference to an advance application for a licence or permit is a reference to an application made in advance of the commencement of the offence or other provision of this Act in connection with which the licence or permit is required.
- 6 The Secretary of State may by order—
- (a) make provision about the making, consideration or determination of an advance application for a licence or permit;
 - (b) make provision about the effect of a licence or permit issued in response to an advance application;
 - (c) require the person to whom an advance application for a licence or permit under this Act is made to determine the application within a specified period;
 - (d) make provision for an advance application for a licence or permit under this Act to be treated as granted (for such purposes, with such effect and for such period as the order may specify) if not determined in accordance with a requirement imposed under paragraph (c).
- 7 An order under paragraph 6—
- (a) may make provision about advance applications generally or only if made before a specified date or during a specified period, and
 - (b) may make different provision in relation to different classes of advance application or different classes of activity.

Interim applications

- 8 The Secretary of State may by order make provision for or about the grant or renewal of a licence or other document, or a registration, under an enactment to be repealed by this Act during a specified period between the passing of this Act and the commencement of the repeal.

Conversion of existing licences, &c.

- 9 The Secretary of State may by order—
- (a) make provision for the conversion of a licence or other document under an enactment to be repealed by this Act into a licence or permit under this Act (which may, in particular, include provision requiring a person to whom an advance application is made to grant it in specified circumstances or to a specified extent);
 - (b) make provision for the conversion of registration under an enactment to be repealed by this Act into registration under this Act or into possession of a licence or permit under this Act (which may, in particular, include provision

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requiring a person to whom an advance application is made to grant it in specified circumstances or to a specified extent).

- 10 An order under paragraph 9 may provide for conversion of licences, other documents or registrations generally or by reference to—
- (a) the use made of a licence, document or registration,
 - (b) the age or duration of a licence, document or registration, or
 - (c) any other matter.

Orders: general

- 11 An order under this Part—
- (a) may include provision modifying the effect of a provision of this Act or the effect of a provision to be repealed by this Act, and
 - (b) may apply or replicate a provision of this Act with or without modification (including a provision conferring a discretion or providing for the payment of a fee).

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