



# Gambling Act 2005

## 2005 CHAPTER 19

### PART 7

#### OPERATING AND PERSONAL LICENCES: APPEALS

#### 148 Legal assistance

- (1) The Lord Chancellor may by regulations establish a scheme for the provision of legal assistance to appellants to the Tribunal.
- (2) Regulations under subsection (1) may, in particular—
  - (a) specify the kinds of assistance that may be provided;
  - (b) specify the classes of person by whom assistance may be provided;
  - (c) make provision about applications to the Tribunal for assistance;
  - (d) require, or enable the Tribunal to require, the provision of information by an applicant for assistance;
  - (e) enable the Tribunal to determine eligibility for assistance by reference to criteria specified in the regulations;
  - (f) make provision for an appeal against refusal of assistance;
  - (g) enable assistance to be granted subject to conditions or restrictions imposed by the Tribunal (which may, in particular, include conditions requiring—
    - (i) a person receiving assistance to contribute towards its cost;
    - (ii) a person who received assistance to defray all or part of its cost in specified circumstances);
  - (h) enable the Tribunal to vary or revoke a decision that assistance should be provided;
  - (i) include provision for enforcement of a duty of payment arising under the regulations (which may, in particular, confer jurisdiction on a court).
- (3) Regulations under subsection (1) may, in particular, apply generally or only—
  - (a) in relation to specified kinds of appeal;
  - (b) in specified circumstances.

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*Status: This is the original version (as it was originally enacted).*

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- (4) The Lord Chancellor shall defray the costs of assistance provided under the scheme (subject to subsection (2)(g)).
- (5) Regulations under this section shall have no effect in relation to proceedings heard or to be heard by the Tribunal sitting in Scotland.