



# Gambling Act 2005

## 2005 CHAPTER 19

### <sup>F1</sup>PART 8

#### PREMISES LICENCES

##### *Licensing authorities' functions*

#### **155 Delegation of functions under Part 8: Scotland**

- <sup>F1</sup>(1) Subject to subsection (2), a licensing authority in Scotland may arrange for the discharge of any of its functions under this Part by—
- (a) any member of the authority,
  - (b) any committee established by the authority,
  - (c) the clerk of the authority, or
  - (d) any member of staff provided under paragraph 8(1)(b) of schedule 1 to the Licensing (Scotland) Act 2005 (asp 16).]
- (2) A licensing authority are not to make any arrangements under subsection (1)—
- (a) in relation to their power under section 166 or their function under section 349, or
  - (b) for the discharge by the clerk of the authority or any <sup>F2</sup>member of staff provided under paragraph 8(1)(b) of schedule 1 to the Licensing (Scotland) Act 2005] of any of the authority's functions mentioned in paragraphs (a) to (e) of section 154(4).
- (3) The procedures applicable to the proceedings of licensing boards in the exercise or their functions under the Licensing (Scotland) Act <sup>F3</sup>2005] apply to the proceedings of those boards in the exercise of their functions under this Part: and for that purpose regulations made by the Scottish Ministers may, in particular, make provision which applies—
- (a) only in relation to functions under that Act,
  - (b) only in relation to functions under this Part, or
  - (c) differently in relation to functions under that Act and functions under this Part.

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*Changes to legislation: There are currently no known outstanding effects for the Gambling Act 2005, Section 155. (See end of Document for details)*

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#### Textual Amendments

- F1** S. 155(1) substituted (1.9.2009 at 5.00 a.m.) by [The Licensing \(Scotland\) Act 2005 \(Consequential Provisions\) Order 2009 \(S.S.I. 2009/248\)](#), **sch. 1 para. 12(4)(a)** (with art. 3)
- F2** Words in s. 155(2)(b) substituted (1.9.2009 at 5.00 a.m.) by [The Licensing \(Scotland\) Act 2005 \(Consequential Provisions\) Order 2009 \(S.S.I. 2009/248\)](#), **sch. 1 para. 12(4)(b)** (with art. 3)
- F3** Word in s. 155(3) substituted (1.9.2009 at 5.00 a.m.) by [The Licensing \(Scotland\) Act 2005 \(Consequential Provisions\) Order 2009 \(S.S.I. 2009/248\)](#), **sch. 1 para. 12(4)(c)** (with art. 3)

#### Modifications etc. (not altering text)

- C1** S. 155 applied (S.) (2.11.2007) by [Licensed Premises Gaming Machine Permits \(Scotland\) Regulations 2007 \(S.S.I. 2007/505\)](#), regs. 1(1), **5**
- C2** S. 155 applied (S.) (2.11.2007) by [Club Gaming and Club Machine Permits \(Scotland\) Regulations 2007 \(S.S.I. 2007/504\)](#), regs. 1(1), **23(2)**

#### Commencement Information

- I1** S. 155 in force at 21.5.2007 by [S.I. 2006/3272](#), art. 2(2), **Sch. 2** (with arts. 7-11, 7-12, Sch. 4) (as amended by [S.I. 2007/1157](#), arts. 3(3), 4)

**Changes to legislation:**

There are currently no known outstanding effects for the Gambling Act 2005, Section 155.