

SCHEDULE 4

Transitional provisions

PART 3

Continuation of certificates and permits issued under the Gaming Act 1968

Application of the Gambling Act 2005 to alcohol licensed premises gaming machine permits

25.—(1) The 2005 Act is to apply to an alcohol licensed premises gaming machine permit having effect on or after 1st September 2007 with the modifications specified in the following provisions of this paragraph.

(2) Subsections (1), (3) and (4) of section 283 of the Act (which enables Category C and D gaming machines to be made available under the authority of a licensed premises gaming machine permit) are to have effect as if the reference to a licensed premises gaming machine permit included a reference to an alcohol licensed premises gaming machine permit.

(3) In sections 37(7)(e) and 242(1) (which make it an offence respectively to use premises for providing facilities for gambling and to make gaming machines available for use), the reference to section 283 is to have effect as a reference to that section as modified by sub-paragraph (2).

(4) The provisions of Schedule 13 to the 2005 Act (which relates to licensed premises gaming machine permits) specified in sub-paragraph (5) are to apply to an alcohol licensed premises gaming machine permit as they apply to a licensed premises gaming machine permit.

(5) The provisions of Schedule 13 referred to in sub-paragraph (4) are paragraphs 7(2), 8, 10 to 14, 16, 18 to 20 and 21 (as that last paragraph has effect for the purposes of appeals under sub-paragraph (1)(c) of that paragraph).

(6) In paragraphs 7(2), 11, 16, 18(4), 19(4) and (5), and 21(3) of Schedule 13, any reference to the licensing authority is to have effect as a reference to the licensing authority which in its capacity as a licensing authority under the Licensing Act 2003 granted the premises licence under Part 3 of the Licensing Act 2003 in respect of the premises to which the permit relates.

(7) Sub-paragraph (6) is subject to paragraph 26(4).

(8) Paragraph 12 of Schedule 13 is to have effect as if it provided for a permit to continue to have effect until the date determined in accordance with paragraph 24 above, unless and until it ceases to have effect before that time in accordance with any of the provisions of that Schedule specified in sub-paragraph (5).