

SCHEDULE 4

Transitional provisions

PART 5

Advance applications for operating licences by existing operators

Premises restriction applying to certain dog racing interim pool betting operating licences

43.—(1) This paragraph applies where—

- (a) a person holds a non-remote interim pool betting operating licence which authorises the provision of facilities for pool betting in connection with dog-racing, and
- (b) he holds that licence by reason of the fact that, on the date on which he made the advance application for the relevant operating licence, he was authorised in writing under section 16 of the 1963 Act by the occupier of a track to operate a totalisator on the track.

(2) Subject to the following provisions of this paragraph, section 84 of the 2005 Act (which makes provision about the conditions attached to operating licences about the provision of the licensed activities on specified premises) is to have effect in relation to the interim operating licence as if it provided for the licence to have effect subject to a condition requiring the holder to carry on the activities authorised by the licence only at the track referred to in sub-paragraph (1)(b).

(3) Sub-paragraph (4) applies where, on the date on which the holder of the interim operating licence made the advance application for the relevant operating licence, he was authorised under section 16 of the 1963 Act to operate a totalisator at more than one track.

(4) Where this sub-paragraph applies, section 84 of the 2005 Act is to have effect in relation to the interim operating licence as if it provided for the licence to have effect subject to a condition requiring the holder to carrying on the activities authorised by the licence only at those tracks where he was authorised under section 16 of the 1963 Act to operate a totalisator on the date on which he made the advance application for the relevant operating licence.