

SCHEDULE 4

Transitional provisions

PART 6

Transitional arrangements with respect to personal licences

Application of the Gambling Act 2005 to section 19 certificates

47.—(1) This paragraph applies where an operating licence is subject to a condition that a specified function is to be performed—

- (a) by an individual who holds a personal licence authorising the performance of that function, and
- (b) in accordance with the terms and conditions of the personal licence.

(2) The condition referred to in sub-paragraph (1) is to be treated as having been complied with if—

- (a) the function is performed by an individual who holds a section 19 certificate authorising the performance of the function, and
- (b) it is performed in accordance with any relevant personal licence conditions having effect in relation to the certificate.

(3) The following provisions of the 2005 Act are to have effect in relation to a section 19 certificate as if any reference in those provisions to a personal licence included a reference to the certificate—

- (a) in Part 5, section 107 (which enables the Gambling Commission to issue copies of personal licences where lost, stolen or damaged), 113, 114 and 115, and
- (b) in Part 6—

- (i) section 134 (which requires a personal licence holder to produce the licence to a constable or enforcement officer),
- (ii) section 138 (which specifies actions to be taken by an operating licence holder where the holder of a personal licence is convicted of a relevant offence), and
- (iii) section 139 (which makes it an offence for the holder of a personal licence to act outside the terms and conditions of his licence in relation to activities authorised by an operating licence).

(4) In this paragraph, “relevant personal licence conditions” has the meaning given by paragraph 45(8).