

SCHEDULE 1

PART 1

Amendment of Public General Acts

The Gambling Act 2005

12.—(1) The Gambling Act 2005(1) is amended in accordance with this paragraph.

(2) In subsection (1)(c) of section 2 (licensing authorities) for “constituted under section 1 of the Licensing (Scotland) Act 1976 (c. 66)” substitute “continued in existence by or established under section 5 of the Licensing (Scotland) Act 2005 (asp 16)”.

(3) In subsection (6)(c) of section 25 (guidance to local authorities) for “constituted under section 1 of the Licensing (Scotland) Act 1976 (c. 66)” substitute “continued in existence by or established under section 5 of the Licensing (Scotland) Act 2005 (asp 16)”.

(4) In section 155 (delegation of functions under Part 8: Scotland)—

(a) for subsection (1) substitute—

“(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).”;

(b) in subsection (2)(b) for “person appointed to assist the clerk” substitute “member of staff provided under paragraph 8(1)(b) of schedule 1 to the Licensing (Scotland) Act 2005”;

(c) in subsection (3) for “1976” substitute “2005”.

(5) In section 233 (delegation of functions under Part 9: Scotland)—

(a) for subsection (1) substitute—

“(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).”;

(b) in subsection (2) for “person appointed to assist the clerk” substitute “member of staff provided under paragraph 8(1)(b) of schedule 1 to the Licensing (Scotland) Act 2005”;

(c) in subsection (3) for “1976” substitute “2005”.

(6) For subsection (c) of section 277 (alcohol licence) substitute—

- “(c) “relevant Scottish licence” means a premises licence issued under the Licensing (Scotland) Act 2005, except where such a licence only applies to the sale of alcohol for consumption off the premises.”.
- (7) in section 285 (permits)–
- (a) in subsection (1)(a)–
- (i) omit “a certificate of registration under section 105 of the Licensing (Scotland) Act 1976 (certificate of registration in respect of a club) or”;
- (ii) after “licence” insert “and the premises are premises to which section 125(1) of the Licensing (Scotland) Act 2005 applies”;
- (b) in subsection (1)(b) after “licence” insert “and the premises are premises to which section 125(1) of the Licensing (Scotland) Act 2005 does not apply”.
- (8) In paragraph 41(c) of Schedule 11 (exempt lotteries) for “constituted under section 1 of the Licensing (Scotland) Act 1976 (c. 66)” substitute “continued in existence by or established under section 5 of the Licensing (Scotland) Act 2005 (asp 16)”.