

2007 No. 309

BETTING, GAMING AND LOTTERIES

The Gambling Act 2005 (Fees) (Scotland) Regulations 2007

Made - - - - - *6th June 2007*

Laid before the Scottish Parliament *7th June 2007*

Coming into force - - - *30th June 2007*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 355(1) of, and paragraphs 1, 5(d), 18(3) and 21(2) of Schedule 10 and paragraphs 1, 6(e), 18(3) and 21(2) of Schedule 14 to, the Gambling Act 2005(a) and all other powers enabling them to do so.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Gambling Act 2005 (Fees) (Scotland) Regulations 2007 and shall come into force on 30th June 2007.

(2) These Regulations extend to Scotland only.

Interpretation

2. In these Regulations, “the Act” means the Gambling Act 2005.

Family entertainment centre gaming machine permits

3.—(1) Subject to paragraph (2), the fee to accompany—

- (a) an application for a permit in terms of paragraph 5(d) of Schedule 10 to the Act, or
- (b) an application for renewal of a permit under paragraph 18(1) of that Schedule,

is £300.

(2) The fee to accompany an application for a permit in terms of paragraph 5(d) of Schedule 10 to the Act is £100 where—

- (a) the application is made before 1st September 2007 by a person who, on the date on which the application is made—
 - (i) holds a permit issued under section 34 of the Gaming Act 1968(b) (a “section 34 permit”), or

(a) 2005 c.19.

(b) 1968 c.65; section 34 was amended by the Lotteries and Amusements Act 1976 (c.32), Schedule 4, paragraph 2 and by S.I. 1996/1359 and 2002/460; the 1968 Act is wholly repealed by Schedule 17 to the Act.

- (ii) is applying to the appropriate authority (within the meaning of paragraph 1 of Schedule 9 to that Act^(a)) for a section 34 permit, and the application (including any appeal) has not been finally determined, and
 - (b) the application relates to the same or substantially the same premises as those to which the section 34 permit, or the application for a section 34 permit, relates.
- (3) The fee to accompany an application for a copy of a permit under paragraph 21(1) of Schedule 10 to the Act is £15.

Prize gaming permits

- 4.—(1) Subject to paragraph (2), the fee to accompany—
- (a) an application for a permit in terms of paragraph 6(e) of Schedule 14 to the Act, or
 - (b) an application for renewal of a permit under paragraph 18(1) of that Schedule,
- is £300.
- (2) The fee to accompany an application for a permit in terms of paragraph 6(e) of Schedule 14 to the Act is £100 where—
- (a) the application is made before 1st September 2007 by a person who, on the date on which the application is made—
 - (i) holds a permit issued under section 16 of the Lotteries and Amusements Act 1976^(b) (a “section 16 permit”), or
 - (ii) is applying to the appropriate authority (within the meaning of paragraph 1(1) of Schedule 3 to that Act^(c)) for a section 16 permit, and the application (including any appeal) has not been finally determined, and
 - (b) the application relates to the same or substantially the same premises as those to which the section 16 permit, or the application for a section 16 permit, relates.
- (3) The fee to accompany an application for a copy of a permit under paragraph 21(1) of Schedule 14 to the Act is £15.

KENNY MACASKILL
A member of the Scottish Executive

St Andrew’s House,
Edinburgh
6th June 2007

(a) Paragraph 1 of Schedule 9 was relevantly amended by the Local Government (Scotland) Act 1973 (c.65), Schedule 24, paragraph 32, the Licensing (Scotland) Act 1976 (c.66), section 133(3) and the Local Government etc. (Scotland) Act 1994 (c.39), Schedule 13, paragraph 78(4).

(b) 1976 c.32.

(c) Paragraph 1(1) of Schedule 3 was amended by the Law Reform (Miscellaneous Provisions) (Scotland) Act 1980 (c.55), Schedule 2, paragraph 8(a).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations concern the fees payable in relation to family entertainment centre gaming machine permits and prize gaming permits under the Gambling Act 2005. In the case of both types of permit, the fee payable for an application or a renewal application is £300. There is a reduced fee of £100 where an application is made before 1st September 2007 by a person who already holds an equivalent gambling permission. Where a new copy of either type of permit is required, the fee payable is £15.

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