



Gambling Act 2005

2005 CHAPTER 19

^{F1}PART 8 **E+W+S**

PREMISES LICENCES

Conditions

167 Mandatory conditions **E+W+S**

- (1) The Secretary of State may by regulations provide for a specified condition to be attached to premises licences.
- (2) Regulations under this section may, in particular—
 - (a) make provision which applies generally, only to premises licences in a specified class or only in specified circumstances;
 - (b) make different provision for different classes of licence or for different circumstances.
- (3) In relation to premises licences issued in Scotland subsection (1) shall have effect as if the reference to the Secretary of State were a reference to the Scottish Ministers.

Commencement Information

- II** S. 167 in force at 21.5.2007 by [S.I. 2006/3272](#), art. 2(2), [Sch. 2](#) (with [arts. 7-11](#), [7-12](#), [Sch. 4](#)) (as amended by [S.I. 2007/1157](#), arts. 3(3), 4)

168 Default conditions **E+W+S**

- (1) The Secretary of State may by regulations prescribe for a specified condition to be attached to any premises licence unless excluded by the authority who issue the licence.
- (2) Regulations under this section may, in particular—

Changes to legislation: There are currently no known outstanding effects for the Gambling Act 2005, Cross Heading: Conditions. (See end of Document for details)

- (a) make provision which applies generally, only to premises licences in a specified class or only in specified circumstances;
 - (b) make different provision for different classes of licence or for different circumstances.
- (3) In relation to a premises licence issued by an authority in Scotland subsection (1) shall have effect as if the reference to the Secretary of State were a reference to the Scottish Ministers.

Commencement Information

- I2** S. 168 in force at 21.5.2007 by [S.I. 2006/3272](#), art. 2(2), [Sch. 2](#) (with arts. 7-11, 7-12, [Sch. 4](#)) (as amended by [S.I. 2007/1157](#), arts. 3(3), 4)

169 Conditions imposed or excluded by licensing authority E+W+S

- (1) Where a licensing authority issue a premises licence they may—
- (a) attach a condition to the licence;
 - (b) exclude a condition that would otherwise be attached to the licence by virtue of section 168.
- (2) A condition attached to the licence under subsection (1)(a) may, in particular, address a matter addressed by a condition excluded under subsection (1)(b).
- (3) A condition attached to the licence under subsection (1)(a) may apply in relation to the premises generally or only in relation to a specified part of the premises.
- (4) A licensing authority may not attach a condition to a premises licence which prevents compliance with a condition of the operating licence which authorises the holder to carry out the activity in respect of which the premises licence is granted.

Commencement Information

- I3** S. 169 in force at 21.5.2007 by [S.I. 2006/3272](#), art. 2(2), [Sch. 2](#) (with arts. 7-11, 7-12, [Sch. 4](#)) (as amended by [S.I. 2007/1157](#), arts. 3(3), 4)

170 Membership E+W+S

A premises licence may not be subject to a condition (whether imposed by virtue of section 167, 168 or 169)—

- (a) requiring all or part of the premises, or any activity taking place on the premises, to be operated or carried on as a club or other body with membership, or
- (b) restricting use of any part of the premises wholly or partly by reference to membership of a club or other body.

Commencement Information

- I4** S. 170 in force at 21.5.2007 by [S.I. 2006/3272](#), art. 2(2), [Sch. 2](#) (with arts. 7-11, 7-12, [Sch. 4](#)) (as amended by [S.I. 2007/1157](#), arts. 3(3), 4)

Changes to legislation: There are currently no known outstanding effects for the Gambling Act 2005, Cross Heading: Conditions. (See end of Document for details)

171 Stakes, &c. E+W+S

- (1) A premises licence may not be subject to a condition (whether imposed by virtue of section 167, 168 or 169) imposing limits on—
- (a) stakes,
 - (b) fees,
 - (c) winnings, or
 - (d) prizes.
- (2) The prohibition in subsection (1)(b) shall not prevent the imposition by virtue of section 167 of a condition about fees for admission to a track.

Commencement Information

I5 S. 171 in force at 21.5.2007 by [S.I. 2006/3272](#), art. 2(2), [Sch. 2](#) (with arts. 7-11, 7-12, [Sch. 4](#)) (as amended by [S.I. 2007/1157](#), arts. 3(3), 4)

Changes to legislation:

There are currently no known outstanding effects for the Gambling Act 2005, Cross Heading: Conditions.