

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

## SCHEDULES

### SCHEDULE 11 **E+W+S**

#### EXEMPT LOTTERIES

##### **Modifications etc. (not altering text)**

- C1** Sch. 11 applied (with modifications) (1.1.2007) by [The Gambling Act 2005 \(Commencement No. 6 and Transitional Provisions\) Order 2006 \(S.I. 2006/3272\)](#), art. 1(1), [Sch. 4 para. 77](#)

### **PART 5** **E+W+S**

#### REGISTRATION WITH LOCAL AUTHORITY

##### *Appeal*

- 51 (1) If a local authority refuse or revoke registration under this Part—
- (a) the authority shall notify the applicant society or the formerly registered society as soon as is reasonably practicable, and
  - (b) the society may appeal to a magistrates' court.
- (2) An appeal under this paragraph must be instituted—
- (a) in a magistrates' court for a local justice area which is wholly or partly within the area of the local authority against whose decision the appeal is brought,
  - (b) by notice of appeal given to the designated officer, and
  - (c) in the period of 21 days beginning with the day on which the society is notified of the refusal or revocation of registration, and
- (3) On an appeal under this paragraph a magistrates' court may—
- (a) affirm the local authority's decision;
  - (b) reverse the local authority's decision;
  - (c) make any other order (which may include transitional provision).
- (4) In relation to registration in Scotland—
- (a) sub-paragraph (1)(b) shall have effect as if the reference to a magistrate's court were a reference to a sheriff whose sheriffdom is wholly or partly within the area of the local authority against whose decision the appeal is brought,
  - (b) sub-paragraph (2)(a) and (b) shall not have effect, and
  - (c) sub-paragraph (3) shall have effect as if the reference to a magistrate's court were a reference to the sheriff.

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#### Commencement Information

- II** Sch. 11 para. 51 in force at 1.9.2007 by [S.I. 2006/3272](#), art. 2(4)(5), **Sch. 3B** (with arts. 7-11, 7-12, Sch. 4) (as inserted by [S.I. 2007/2169](#), arts. 3, 6, Sch.)

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