



Gambling Act 2005

2005 CHAPTER 19

PART 5

OPERATING LICENCES

Duration

114 Lapse

- (1) In the case of an operating licence issued to an individual, the licence shall lapse if—
- the licensee dies,
 - the licensee becomes, in the opinion of the Commission as notified to the licensee, incapable of carrying on the licensed activities by reason of mental or physical incapacity,
 - the licensee becomes bankrupt (within the meaning of section 381 of the Insolvency Act 1986 (c. 45)), [^{F1}or a debt relief order is made in respect of the licensee (under Part 7A of the Insolvency Act 1986),] or
 - sequestration of the licensee's estate is awarded under section [^{F2}22(1) of the Bankruptcy (Scotland) Act 2016] .
- (2) In any other case an operating licence shall lapse if the licensee—
- ceases to exist, or
 - goes into liquidation (within the meaning of section 247(2) of the Insolvency Act 1986).

Textual Amendments

- F1** Words in s. 114(1)(c) inserted (1.10.2012) by [The Tribunals, Courts and Enforcement Act 2007 \(Consequential Amendments\) Order 2012 \(S.I. 2012/2404\)](#), art. 1, **Sch. 2 para. 55(2)** (with art. 5)
- F2** Words in s. 114(1)(d) substituted (30.11.2016) by [The Bankruptcy \(Scotland\) Act 2016 \(Consequential Provisions and Modifications\) Order 2016 \(S.I. 2016/1034\)](#), art. 1, **Sch. 1 para. 28(2)**

Changes to legislation: There are currently no known outstanding effects for the Gambling Act 2005, Section 114. (See end of Document for details)

Modifications etc. (not altering text)

- C1** Pt. 5 modified (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. 72**
- C2** Pt. 5 modified (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. 50**
- C3** S. 114 applied (with modifications) (1.1.2007) by [Gambling \(Personal Licences\) \(Modification of Part 5 of the Gambling Act 2005\) Regulations 2006 \(S.I. 2006/3267\)](#), regs. 1(1), 2(2), **Sch. Table 2**
- C4** S. 114 modified (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 paras. 44, 47**

Commencement Information

- I1** S. 114 in force at 1.1.2007 by [S.I. 2006/3272](#), art. 2(1), **Sch. 1** (with arts. 7-11, 7-12, Sch. 4)

Changes to legislation:

There are currently no known outstanding effects for the Gambling Act 2005, Section 114.