
STATUTORY INSTRUMENTS

2006 No. 3272

**The Gambling Act 2005 (Commencement
No. 6 and Transitional Provisions) Order 2006**

Repeal of the Lotteries and Amusements Act 1976

5.—(1) The repeal of the 1976 Act by section 356(3)(i), (4) and (5) of, and Schedule 17 to, the 2005 Act shall, to the extent that it is not already in force, come into force on 1st September 2007—

- (a) for all purposes in relation to—
 - (i) any certificate or permit issued under the 1976 Act, or
 - (ii) any registration under that Act,which has effect immediately before that date; and

(b) for all other purposes except as provided in the following provisions of this article.

(2) The 1976 Act is to continue to have effect on and after 1st September 2007 for the purposes of enabling any of the following applications to be determined (including by way of appeal), where the application is made but not determined before that date—

- (a) an application for the registration of a society under Schedule 1 or 1A to that Act(1);
- (b) an application for the registration of a scheme submitted by a local authority under Schedule 2 to that Act(2);
- (c) an application for the grant of a lottery manager's certificate under paragraph 1 of Schedule 2A to that Act(3); and
- (d) an application under paragraph 4 of Schedule 3 for the grant or renewal of a permit under section 16 of that Act.

(3) The 1976 Act is to continue to have effect on and after 1 September 2007 for the purposes of enabling a society to be registered under Schedule 1 or 1A to the 1976 Act, where the application for its registration is one falling within paragraph (2)(a).

(4) The 1976 Act is to continue to have effect on and after 1st September 2007 for the purposes of enabling a scheme submitted by a local authority under Schedule 2 to the 1976 Act to be registered, where the application for its registration is one falling within paragraph (2)(b).

(5) The 1976 Act is to continue to have effect on and after 1st September 2007 for the purposes of enabling a permit under section 16 of that Act to be granted or renewed, where the application for its grant or renewal is one falling within paragraph (2)(d).

(6) For the purposes of this article, where an application is refused, the application is not to be treated as having been determined until any period for appealing against the refusal of the application has elapsed; or, if an appeal is made, until the appeal is determined or abandoned.

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- (1) Schedule 1 to the 1976 Act was amended by the National Lottery etc. Act 1993 (c. 39), paragraphs 2 and 3 of Schedule 7, and Schedule 10; by the Local Government (Wales) Act 1994 (c. 19), paragraph 50(2) of Schedule 16; and by Local Government (Scotland) Act 1994 (c. 39), paragraph 104(3) of Schedule 13. Other amendments were made to Schedule 1 which are not relevant. Schedule 1A was inserted by the National Lottery etc. Act 1993, section 48(5) and Part 2 of Schedule 7.
 - (2) Amendments have been made to Schedule 2 which are not relevant to this Order.
 - (3) Schedule 2A was inserted by the National Lottery etc. Act 1993, section 50(2) and Schedule 9.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
