

SCHEDULE 4

Transitional provisions

PART 3

Continuation of certificates and permits issued under the Gaming Act 1968

Duration of alcohol licensed premises gaming machine permits

24.—(1) Subject to the following provisions of this paragraph, an alcohol licensed premises gaming machine permit is to have effect until—

- (a) in a case falling within paragraph 23(1)(a), whichever is the earlier of—
 - (i) 31st August 2010, or
 - (ii) the date on which the permit, as it had effect immediately before 1st September 2007, was due to expire in accordance with paragraph 18 of Schedule 9 to the 1968 Act; or
- (b) in a case falling within paragraph 23(1)(b), for a period of 3 years beginning on the date on which the permit is granted or renewed.

(2) Where in a case falling within paragraph 23(1)(a)—

- (a) the permit has effect immediately before 1st September 2007 by virtue of paragraph 19 of Schedule 9 to the 1968 Act; and
- (b) the application under Schedule 9 to that Act for the renewal of the permit is granted on or after that date,

the permit is to have effect until 31st August 2010.

(3) Where the holder of a permit under section 34 of the 1968 Act granted by the authority mentioned in sub-paragraph (a) or (c) of paragraph 1 of Schedule 9 to the 1968 Act applies for a licensed premises gaming machine permit at least two months before the date on which the permit under section 34 of the 1968 Act is due to expire, the permit is not to cease to have effect by virtue of sub-paragraph (1) or (2) until the application for the licensed premises gaming machine permit is determined or is withdrawn.

(4) An alcohol licensed premises gaming machine permit is to cease to have effect before the date referred to in sub-paragraph (1) if before that date—

- (a) the holder of the permit is granted a licensed premises gaming machine permit; or
- (b) section 282 of the 2005 Act (which enables up to 2 Category C or D gaming machines to be made available in alcohol licensed premises) applies to the premises specified in the permit.

(5) Where sub-paragraph (4) applies, the permit is to cease to have effect immediately before the licensed premises gaming machine permit or section 282 of the 2005 Act has effect in relation to the premises specified in the permit.

(6) This paragraph is subject to paragraphs 25(8), 28(5) and 29(4) and (5).