

SCHEDULE 4

Transitional provisions

PART 9

Conversion of club registrations under the Gaming Act 1968 into club gaming and machine permits under the Gambling Act 2005

Duty of licensing authority to convert a registration under Part 2 of the Gaming Act 1968 into a club gaming permit

80.—(1) Subject to paragraphs 81 to 85, where—

- (a) a members' club or miners' welfare institute applies to the relevant licensing authority for the grant of a club gaming permit in respect of the same or substantially the same premises as those to which the registration under Part 2 of the 1968 Act relates;
- (b) the application complies with sub-paragraphs (b) and (e) of paragraph 2 and (where applicable) paragraph 3 of Schedule 12 to the 2005 Act; and
- (c) the application is made not less than two months before the relevant date,

the licensing authority must grant that application.

(2) Paragraphs 4, 5(b), 6, 7 and 10 of Schedule 12 to the 2005 Act are not to apply to an application falling within sub-paragraph (1), and paragraph 8 is to apply with the omission of any reference to objections.

(3) Subject to sub-paragraphs (4) and (5), in sub-paragraph (1)(c) “the relevant date” means the date on which the club or institute's registration, as it had effect immediately before 1st September 2007, was due to expire in accordance with (as the case may be) paragraph 19 of Schedule 3 or paragraph 17 of Schedule 4 to the 1968 Act (both of which provide for the duration of registrations under Part 2 of that Act).

(4) Where the club or institute's registration has effect immediately before 1st September 2007 by virtue of paragraph 22 of Schedule 3, or paragraph 20 of Schedule 4, to the 1968 Act, the relevant date is the last day of the period of 10 years beginning on the date on which the registration is renewed.

(5) Where the club or institute is registered on or after 1st September 2007, the relevant date is the last day of the period of one year beginning on the date on which it is registered.