

## 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 3 of the Gaming Act 1968 into a club machine permit**

**88.**—(1) Subject to the following provisions of this Part, where—

- (a) a members' club, commercial club or miners' welfare institute applies to the relevant licensing authority for the grant of a club machine permit in respect of the same or substantially the same premises as those to which the registration under Part 3 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 relevant 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 immediately before 1st September 2007, was due to expire in accordance with paragraph 22 of Schedule 7 to the 1968 Act (which provides for the duration of registrations under Part 2 of that Act) including as that paragraph has effect in relation to Scotland by virtue of paragraph 3 of Schedule 8 to that Act.

(4) Where the club or institute's registration has effect immediately before 1st September 2007 by virtue of paragraph 23 of Schedule 7 to the 1968 Act (including as that paragraph has effect in relation to Scotland by virtue of paragraph 3 of Schedule 8 to that Act), the relevant date is the last day of the period of 5 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 5 years beginning on the date on which it is registered.