



Gambling Act 2005

2005 CHAPTER 19

PART 5

OPERATING LICENCES

Conditions

76 General conditions: procedure

- (1) The Commission may amend or revoke a condition specified under section 75; and a reference in this section to the specification of a condition includes a reference to the amendment or revocation of a condition.
- (2) Before specifying a condition the Commission shall consult—
 - (a) one or more persons who in the Commission's opinion represent the interests of operating licensees who may be affected by the condition, and
 - (b) such of the persons specified in section 23(5) as the Commission thinks appropriate (if any).
- (3) The Commission shall publish any specification as soon as is reasonably practicable.
- (4) Where the Commission proposes to specify a condition—
 - (a) at least three months before making the specification the Commission shall give notice of it to the holder of each licence which—
 - (i) has effect at that time, and
 - (ii) is within a class affected by the specification,
 - (b) if the Commission issues, after that time but before the specification is made, an operating licence of a class affected by the specification, the Commission shall give the licensee notice of the proposed specification, and
 - (c) on the making of the specification an existing licence shall by virtue of this paragraph be subject to the condition specified.
- (5) If the Commission thinks it necessary by reason of urgency to make a specification without giving the notice required by subsection (4)(a)—

Changes to legislation: There are currently no known outstanding effects for the Gambling Act 2005, Section 76. (See end of Document for details)

- (a) the Commission shall give as much notice as it thinks possible in the circumstances to the persons mentioned in that provision,
 - (b) subsection (4)(b) shall have effect after the time when notice is given under paragraph (a) above, and
 - (c) subsection (4)(c) shall have effect.
- (6) Subsection (4)(c), in its application to the amendment or revocation of a condition (by virtue of subsection (1)), shall be treated as—
- (a) making existing licences subject to the condition as amended, or
 - (b) relieving existing licences from the condition revoked.

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**

Commencement Information

- I1** S. 76(1)-(3) in force at 1.10.2005 by [S.I. 2005/2455](#), art. 2(1), **Sch.** (with art. 3)
- I2** S. 76(4)-(6) 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:

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