
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2007 No.

**The Licensed Premises Gaming Machine
Permits (Scotland) Regulations 2007**

Appeal

- 21.**—(1) The applicant for or holder of a permit may appeal if the Licensing Board—
- (a) rejects an application for a permit;
 - (b) grants an application for a permit in respect of a smaller number of machines than that specified in the application or a different category of machines from that specified in the application (or both); or
 - (c) gives a notice under regulation 16(3).
- (2) An appeal under this regulation must be instituted—
- (a) before a sheriff within whose sheriffdom the premises are wholly or partly situated; and
 - (b) within the period of 21 days beginning with the day on which the applicant or holder receives notice of the decision against which the appeal is brought.
- (3) On an appeal the sheriff may—
- (a) dismiss the appeal;
 - (b) substitute for the decision appealed against any decision that the Licensing Board could have made (with effect from such date and on such transitional or other terms as the sheriff may specify);
 - (c) restore a permit (with effect from such date and on such transitional and other terms as the sheriff may specify);
 - (d) remit the case to the Licensing Board to decide in accordance with a direction of the sheriff;
 - (e) make an order about expenses.
- (4) Paragraph (1) applies to a decision of a Licensing Board following remittal under paragraph (3)(d).