
SCOTTISH STATUTORY INSTRUMENTS

2007 No. 505

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

Cancellation and variation of permit

16.—(1) The Licensing Board which issued a permit may cancel it, or may vary the number or category (or both) of gaming machines authorised by it, if the Board thinks that—

- (a) it would not be reasonably consistent with pursuit of the licensing objectives for the permit to continue to have effect;
- (b) gaming has taken place on the premises in purported reliance on the permit but otherwise than in accordance with the permit or a condition of the permit;
- (c) the premises are mainly used or to be used for making gaming machines available; or
- (d) an offence under the Act has been committed on the premises.

(2) Before cancelling or varying a permit under this regulation, a Licensing Board must—

- (a) give the permit holder at least 21 days' notice of the Board's intention to consider cancelling or varying the permit,
- (b) consider any representations made by the holder; and
- (c) hold a hearing if the holder requests one.

(3) If a Licensing Board cancels or varies a permit under this regulation, it shall as soon as is reasonably practicable give notice of the cancellation or variation and the reasons for it to—

- (a) the permit holder; and
- (b) the Commission.

(4) A cancellation or variation under this regulation is not to take effect until—

- (a) the period specified in regulation 21(2)(b) has expired without an appeal being brought; or
- (b) any appeal brought has been determined.