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SCOTTISH STATUTORY INSTRUMENTS

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**2007 No. 505**

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

**Interpretation**

2. In these Regulations, except where the context otherwise requires—

“the Act” means the Gambling Act 2005;

“the 1976 Act” means the Licensing (Scotland) Act 1976(1);

“existing operator” means a person who makes a relevant application for a permit under regulation 3(1) and who, on the date on which the application is made, holds a permit which—

(a) has been issued under section 34 of the Gaming Act 1968(2) by an authority mentioned in sub paragraph (c) or (d) of paragraph 1 of Schedule 9 to that Act;

(b) authorises the applicant to make available 3 or more gaming machines; and

(c) is due to expire in accordance with paragraph 24(1) or (2) of Schedule 4 to the Order;

“Licensing Board” means a Board continued in existence by or established under section 5 of the Licensing (Scotland) Act 2005(3);

“the Order” means the Gambling Act 2005 (Commencement No. 6 and Transitional Provisions) Order 2006(4);

“permit” means a licensed premises gaming machine permit;

“relevant alcohol licence” means any licence granted under section 9(1) of the 1976 Act provided it is not an off sale licence;

“relevant application” means an application for a permit in respect of premises made before the date on which the section 34 permit for the same or substantially the same premises is due to expire in accordance with paragraph 24(1) or (2) of Schedule 4 to the Order; and

“section 34 permit” means a permit such as is referred to in paragraph (a) of the definition of “existing operator” above.

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(1) 1976 c. 66; this Act is wholly repealed by the [Licensing \(Scotland\) Act 2005 \(asp 16\)](#), schedule 7 but as yet only the repeal of certain sections from the 1976 Act is in force.

(2) 1968 c. 65; this Act was wholly repealed (subject to savings made by order) by the Gambling Act 2005, Schedule 17.

(3) 2005 asp 16.

(4) S.I.2006/3272, amended by S.I. 2007/1157 and 1527.