

SCHEDULES

SCHEDULE 4

REGISTRATION OF MEMBERS' CLUBS UNDER PART II IN SCOTLAND

Cancellation of registration

- 14 Paragraphs 36 to 38 and 41 to 43 of Schedule 2 to this Act shall have effect in relation to cancellation of the registration of a club or institute in Scotland under Part II of this Act as they have effect in relation to cancellation of a licence under this Act, but as if—
- (a) any reference to the holder of the licence were a reference to the chairman or secretary of the club or institute ;
 - (b) in paragraph 36 of that Schedule, sub-paragraphs (3), (4) and (5) were omitted ;
 - (c) in paragraph 38 thereof, for the words from the beginning to " application " there were substituted the words " On the consideration of the application by the sheriff ";
 - (d) in paragraph 42 thereof, the reference to the grounds specified in paragraphs 20 and 21 thereof were a reference to the grounds specified in paragraph 11 of this Schedule.
- 15 (1) Where a person is convicted of an offence under Schedule 3 to the Finance Act 1966 in respect of a contravention of section 13 or section 14 of that Act in relation to premises in respect of which a club or institute in Scotland is for the time being registered under Part II of this Act, and the Commissioners of Customs and Excise—
- (a) certify to the court by or before which he is so convicted that the conviction is a second or subsequent conviction for such an offence committed (whether by the same or by some other person) in relation to gaming on those premises while that club or institute has been so registered, and
 - (b) apply to the court for effect to be given to this sub-paragraph,
- that court shall order that the registration of the club or institute under Part II of this Act shall be cancelled.
- (2) An order made under this paragraph—
- (a) shall not have effect until the end of the period within which notice of appeal against the conviction which gave rise to the order may be given ;
 - (b) if notice of appeal against that conviction is duly given, shall not have effect until the appeal has been determined or abandoned; and
 - (c) shall not have effect if, on such an appeal, the appeal is allowed.
- (3) Where the registration of a club or institute is cancelled by virtue of an order made under this paragraph, the sheriff shall, notwithstanding anything in the preceding provisions of this Schedule, refuse any application for the registration of that club or institute under Part II of this Act in respect of the same or any other premises if it is made less than twelve months after the date of the order.