

Status: Point in time view as at 01/05/1994.

Changes to legislation: There are currently no known outstanding effects for the Betting and Gaming Duties Act 1981, Paragraph 9. (See end of Document for details)

SCHEDULES

SCHEDULE 2

GAMING LICENCE DUTY

Modification of agreements

- 9 (1) Where before 1st October 1980 a person who is granted a gaming licence in respect of any premises entered into an agreement with any other person whereby that other person is entitled to use those premises after that date for the purpose of gaming, and the consideration for that other person under that agreement does not take account of the additional duty payable under section 6 of the ^{M1}Finance Act 1980 or this Act, as compared with section 14 of the ^{M2}Betting and Gaming Duties Act 1972, the first-mentioned person shall be entitled to recover from that other person such amount, if any, nor exceeding that additional amount of duty, in such manner as may be agreed between them (or, in default of such agreement, as may be determined by the appropriate court) to be fair in all the circumstances, having regard in particular to the extent, if any, to which while the licence is in force the premises will be or are likely to be used otherwise than by that person for the purpose of gaming.
- (2) In this paragraph “the appropriate court” means—
- (a) where the premises in question are in England or Wales and the amount of the duty on the licence in question exceeds £5,000, the High Court,
 - (b) in any other case, the county court or, if the premises in question are situated in Scotland, the sheriff.

Marginal Citations

- M1** 1980 c. 48(12:2).
M2 1972 c. 25.

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