

*These notes refer to the Gambling Act 2005 (c.19)
which received Royal Assent on 7 April 2005*

GAMBLING ACT 2005

EXPLANATORY NOTES

TERRITORIAL EXTENT

Territorial limits – vessels and aircraft

Part 1: Interpretation of Key Concepts

Section 2: Licensing authorities

31. This section defines the term “licensing authority” and therefore determines who is to discharge the licensing authority’s functions under the Act. These functions include the licensing of gambling premises under Parts 8 and 9; the issue of permits authorising gaming and gaming machines in other premises under Parts 10, 12 and 13; and the registration of certain lotteries under Part 11. In England and Wales, local authorities are to act as the licensing authority for the purposes of the Act. In Scotland, licensing authorities are to be licensing boards constituted under section 1 of the [Licensing \(Scotland\) Act 1976 \(c.66\)](#).
32. The definition of “licensing authority” mirrors that in the [Licensing Act 2003 \(c.17\)](#), omitting (except in relation to the provisions of Part 12 governing gaming and gaming machines in alcohol-licensed premises) certain bodies who should have functions only in relation to the subject matter of that Act. This will allow licensing authorities in England and Wales to coordinate their functions in relation to alcohol licensing and the licensing of gambling premises, as is already possible in Scotland. Part 8 makes further provision to achieve this.
33. Although there is no specific reference to a “metropolitan council” or a “unitary council” in the list of licensing authorities, these councils are types of district or county council and are therefore already covered in the list.