



# Gambling Act 2005

## 2005 CHAPTER 19

### PART 7

#### OPERATING AND PERSONAL LICENCES: APPEALS

#### **144 Powers of Tribunal**

- (1) On an appeal under section 141 against a decision or action taken by the Commission the Tribunal may—
  - (a) affirm the Commission's decision or action;
  - (b) quash the Commission's decision or action in whole or in part;
  - (c) substitute for all or part of the Commission's decision or action another decision or action of a kind that the Commission could have taken;
  - (d) add to the Commission's decision or action a decision or action of a kind that the Commission could have taken;
  - (e) remit a matter to the Commission (generally, or for determination in accordance with a finding made or direction given by the Tribunal);
  - (f) reinstate a lapsed or revoked licence.
- (2) In determining an appeal instituted out of time under section 142(2) or following a direction under section 145(2) the Tribunal may, in addition to the matters specified in subsection (1) above, make any order that it thinks appropriate.
- (3) In determining an appeal the Tribunal shall have regard to any relevant provision of a code of practice issued by the Commission under section 24.
- (4) In determining an appeal the Tribunal may take account of evidence which was not available to the Commission.
- (5) Section 141 applies to a decision or action of the Commission following remittal under subsection (1)(e) above.