



# Gambling Act 2005

## 2005 CHAPTER 19

### <sup>F1</sup>PART 8 **E+W+S**

#### PREMISES LICENCES

##### *Maintenance*

### **188** Transfer **E+W+S**

- (1) A person may apply to a licensing authority for a premises licence to be transferred to him.
- (2) The provisions of this Part shall apply in relation to an application for transfer as they apply in relation to an application for a premises licence—
  - (a) subject to the provisions of this section and section 189, and
  - (b) with any other necessary modifications.
- (3) An application for transfer must (in addition to anything required by section 159)—
  - (a) specify the time when the transfer is to take effect, and
  - (b) be accompanied by a written statement by the licensee consenting to the transfer.
- (4) A licensing authority shall grant an application for transfer unless they think it would be wrong to do so having regard to representations made under section 161 (as applied by subsection (2) above).
- (5) On the grant of an application for the transfer of a premises licence the licensing authority—
  - (a) shall alter the licence so that the applicant for the transfer becomes the licensee,
  - (b) shall specify in the licence the time when the transfer takes effect (being either the time specified in the application under subsection (3) above or, if later, the time when the application is granted), and

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*Changes to legislation: There are currently no known outstanding effects for the Gambling Act 2005, Section 188. (See end of Document for details)*

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- (c) shall make such other alteration of the licence as appears to them to be required (which may, in particular, include an alteration to reflect a decision of the authority under section 169 as applied by subsection (2) above to make new or varied provision for the attachment or exclusion of conditions).
- (6) A licence to which a condition is attached under section 169 for the purpose of giving effect to an agreement entered into under paragraph 5(3)(b) of Schedule 9 (“the original agreement”) shall not be transferred unless—
- (a) the transferee enters into an agreement (“the new agreement”) which appears to the licensing authority to have substantially the same effect as the original agreement, and
  - (b) the condition is altered so as to give effect to the new agreement.

**Modifications etc. (not altering text)**

- C1** Pt. 8 modified (1.1.2007) by [The Gambling Act 2005 \(Commencement No. 6 and Transitional Provisions\) Order 2006 \(S.I. 2006/3272\)](#), art. 1(1), [Sch. 4 paras. 54-66](#) (as amended (16.8.2007) by [S.I. 2007/2169](#), art. 11)

**Commencement Information**

- I1** S. 188 in force at 21.5.2007 by [S.I. 2006/3272](#), art. 2(2), [Sch. 2](#) (with [arts. 7-11, 7-12, Sch. 4](#)) (as amended by [S.I. 2007/1157](#), arts. 3(3), 4)

**Changes to legislation:**

There are currently no known outstanding effects for the Gambling Act 2005, Section 188.