

SCHEDULE 4

Transitional provisions

PART 9

Conversion of club registrations under the Gaming Act 1968 into club gaming and machine permits under the Gambling Act 2005

Special provisions applying to clubs etc. in Scotland

93.—(1) This paragraph modifies paragraphs 88, 90, 91 and 92 in their application to members' clubs, commercial clubs or miners' welfare institutes in respect of which a certificate of registration under section 105 of the Licensing (Scotland) Act 1976 has effect (referred to in this paragraph as a "certificate of registration").

(2) The following are not to apply where an application for a club machine permit is made in relation to a club or miners' welfare institute in respect of which a certificate of registration has effect—

- (a) the condition in paragraph (b) of paragraph 88(1),
- (b) paragraph 80(2),
- (c) the condition in paragraph (d) of paragraph 90, and
- (d) paragraph 91.

(3) The following provisions of this paragraph are only to apply if on 1st June 2007 regulations under section 285(1)(a) of the 2005 Act are not in force setting out the provisions which are to have effect in place of Schedule 12 to that Act in relation to an application for a club machine permit where the applicant is the holder of a certificate of registration.

(4) Paragraph (c) of paragraph 88(1) is to have effect as if it required such an application to be made on or before the date which is the later of—

- (a) one month after the date on which the provisions referred to in sub-paragraph (3) come into force, or
- (b) two months before the relevant date (within the meaning of paragraph 88(3)).

(5) Paragraph 92(3) is not to apply in any case where the effect of paragraph 88(1) (as modified by sub-paragraph (4)) is to require the application to be made on or before the date which is one month after the date on which the provisions referred to in sub-paragraph (3) come into force.

(6) In such a case sub-paragraph (7) is to have effect in place of paragraph 92(3).

(7) Where the holder of the certificate of registration fails to apply for a club machine permit on or before the date referred to in sub-paragraph (4)(a), paragraph 92(1) is to have effect as if it provided for the club or institute to be treated as holding such a permit until that date.