STATUTORY INSTRUMENTS

1969 No. 1115 (S.88)

BETTING AND GAMING

The Gaming Clubs (Licensing) (Scotland) Regulations 1969

Made - - - -	31*st July* 1969
Laid before Parliament	11*th August* 1969
Coming into Operation	1*st October* 1969

In exercise of the powers conferred upon me by sections 22(3) and 51 of the Gaming Act 1968(a), and of all other powers enabling me in that behalf, and after consultation with the Gaming Board for Great Britain, I hereby make the following regulations:—

PART I

Introductory

1.—(1) These regulations may be cited as the Gaming Clubs (Licensing) (Scotland) Regulations 1969.

(2) The Interpretation Act 1889(b) applies for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

(3) In these regulations, "the Act" means the Gaming Act 1968.

(4) These regulations shall come into operation on 1st October 1969.

PART II

Grounds of refusal of licence additional to those in Schedule 2 to the Act

2. This Part of these regulations does not apply to licenses to be granted or renewed subject to restrictions imposed under paragraph 25(1) of Schedule 2 to the Act limiting gaming (to which Part II of the Act applies) to bingo, bridge or whist or to both bridge and whist but, subject to that, it applies to all licences under the Act proposed to be granted or renewed.

3. A licensing authority shall refuse to grant or renew a licence to which this Part of these regulations applies where the licence is to be in respect of premises situated, wholly or in part, outside the areas specified in Schedule 1 to these regulations.

4.—(1) A licensing authority may refuse to grant or renew a licence to which this Part of these regulations applies where the licence is to be in respect of premises to which a person might, otherwise than in an emergency, gain access directly from private premises not to be included in the licence.

(2) In this regulation, a reference to premises includes a reference to any part of any premises, and in particular to any courtyard, lobby, passage or stairway; and the reference to private premises includes a reference to any premises to which the public have access (whether on payment or otherwise) only by permission of the owner, lessee or occupier.

(a) 1968 c. 65. (b) 1889 c. 63.

Restrictions to be imposed in licences

5. A licensing authority shall, in the case of a licence to which this Part of these regulations applies, impose a restriction under paragraph 25(1) of Schedule 2 to the Act limiting gaming (to which Part II of the Act applies) to the playing of games other than bingo.

6. A licensing authority shall, in the case of a licence to which this Part of these regulations applies, impose a restriction under paragraph 25(2) of Schedule 2 to the Act limiting the purposes for which the relevant premises may at any time be used to purposes other than dancing and the provision of music or entertainment by persons actually present and performing.

PART III

Forms and other administrative matters

7.—(1) An application for the grant, renewal, transfer or cancellation of a licence under the Act shall be made in writing, in the appropriate form set out in Schedule 2 to these regulations, by lodging the application with the clerk to the licensing authority for the licensing area in which the relevant premises are situated.

(2) A licence under the Act, as granted or renewed, shall be in the appropriate form set out in Schedule 3 to these regulations.

(3) The register to be kept under paragraph 1 of Schedule 10 to the Act shall be in the form set out in Schedule 4 to these regulations.

(4) The prescribed fee for the purposes of paragraph 3 of Schedule 10 to the Act shall be five shillings.

(5) A reference in this regulation to a form includes a reference to a form to the like effect with any variation which the circumstances may require.

8. The particulars to be sent to the Board by the clerk to a licensing authority under paragraph 5(1) of Schedule 10 to the Act in relation to the grant, renewal, transfer or cancellation of a licence under the Act shall be as follows:—

(*a*) the name of the club;

(*b*) the address of the relevant premises;

(*c*) the name of the licensee or, in the case of a transfer, of the old and new licensees;

(*d*) a statement or indication of any restriction under paragraph 25 of Schedule 2 to the Act as to the kinds of games which may be played;

(*e*) in the case of cancellation, a brief statement of the grounds or, in the case of cancellation on relinquishment under paragraph 65 of Schedule 2 to the Act, an indication of that fact.

William Ross,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh.
31st July 1969.

Regulation 3 SCHEDULE 1

Areas where licensed clubs playing games not confined to bingo, bridge, whist or bridge and whist are permitted

The counties of the cities of Aberdeen, Edinburgh and Glasgow.

Regulation 7(1) SCHEDULE 2

Application for grant of a licence under the Gaming Act 1968

To the Clerk to the Licensing Court for the [county] [licensing district] [burgh] of

.....*name of applicant*, of.....

.....*address or registered office* hereby applies for a licence under the Gaming Act 1968 in respect of the premises shown on the plan attached hereto and consisting of:—

(*give description sufficient to identify the premises precisely*)

situated at the following address:—

(a)Delete in the case of a bingo or bridge and/or whist club application. In any other case, delete if inappropriate and give particulars of access on separate sheet to be attached.

(a)There are no means by which access can be obtained to the premises (except in an emergency) directly from any private premises not included in this application.

The premises are used, or intended to be used, for the purpose of the club named as follows:—

whose principal purpose is, or is intended to be:—

It is intended that the licence should be granted subject to the following restrictions under paragraphs 24 and 25 of Schedule 2 to the Act:—

as to hours of gaming:

as to parts of the premises to be used for gaming:

as to the kinds of games to be played (apart from slot-machines and gaming for small prizes):

[Bingo only]

[Bridge] [and] [Whist] only]

[Games other than Bingo]

(*or as the case may be*)

(b)Delete if not required.

(b)If this application is granted it is desired that a direction should be given under section 32 of the Act that the maximum number of machines (to which Part III of the Act applies) to be available for gaming shall be—

(*a number more than two*)

(c)Delete where inapplicable.

(c)The names and addresses of the directors and secretary of the applicant company and of the persons in accordance with whose directions or instructions the directors are accustomed to act are as follows:— (*indicate who are directors and who is the secretary*)

A copy of the relevant certificate of consent issued by the Gaming Board for Great Britain dated.....and numbered..... is attached. [It is limited to a bingo club licence] [It is not limited to a bingo club licence].

Signature.....
(*Insert description if signing on behalf of a company*)

Dated the of 19 .

Notes

A copy of the application (including the plan) must be sent to the secretary of the Gaming Board for Great Britain, the chief constable, the appropriate local authorities and fire authority and the Collector of Customs and Excise for the area not later than 7 days after it is sent to the licensing authority.

Notice of the application must be advertised and displayed and a copy of the advertisement must be sent to the clerk to the licensing authority—see Schedule 2 to the Gaming Act 1968.

Application for the renewal of a licence under the Gaming Act 1968

To the Clerk to the Licensing Court for the [county] [licensing district] [burgh] of

.....*name of applicant*, of.....
.....*address or registered office* hereby applies for the renewal of the licence under the Gaming Act 1968 which was granted or, as the case may be, last renewed, on the 19 , in respect of the premises consisting of:—

situated at the following address:—

[a]There has been no change in the premises or their layout or in the means of access to the premises since the licence was granted or, as the case may be, last renewed.

The premises are used for the purposes of the club named as follows:—

[a]Where there has been any change, delete and give particulars and a plan.

whose principal purpose is:—

The licence was granted or, as the case may be, last renewed subject to the following restrictions:—

[b]and it is proposed that they should be reimposed

[b]Delete if inappropriate and state what is proposed on a sheet to be attached.

[c]If this application is granted it is desired that a direction should be given under section 32 of the Act that the maximum number of machines (to which Part III of the Act applies) to be available for gaming shall be—

(*a number more than two*)

[c]Delete if not required.

[d]The names and addresses of the directors and secretary of the applicant company and of the persons in accordance with whose directions or instructions the directors are accustomed to act are as follows:—

(*indicate who are directors and who is the secretary*)

[d]Delete if inapplicable.

The relevant certificate of consent issued by the Gaming Board for Great Britain which is dated.....and numbered..... [is limited to a bingo club licence] [is not limited to a bingo club licence].

Signature.....
(*Insert description if signing on behalf of a company*)

Dated the of 19 .

Application for the transfer of a licence under the Gaming Act 1968

To the Clerk to the Licensing Court for the [county] [licensing district] [burgh] of

Application is hereby made by.....

name of proposed transferee, of.....
address or registered office for the transfer to him of the licence under the Gaming Act 1968 granted to.....

name of present licensee, of.....
address or registered office and granted or, as the case may be, last renewed on:—

in respect of premises situated at the following address:—

for the purposes of the club named as follows:

(a)Delete if inapplicable.

(a)The names and addresses of the directors and secretary of company to which it is desired the licence should be transferred and the persons in accordance with whose directions the directors are accustomed to act are as follows:—(*indicate who are directors and who is the secretary*)

A copy of the relevant certificate of consent issued by the Gaming Board for Great Britain dated.....and numbered.....is attached.

Signature.....
(*Insert description if signing on behalf of a company*)

Dated the of 19 .

Notes

A copy of the application must be sent to the secretary of the Gaming Board for Great Britain, the chief constable, the appropriate local authorities and fire authority and the Collector of Customs and Excise for the area not later than 7 days after it is sent to the licensing authority.

Notice of the application must be advertised and displayed and a copy of the advertisement must be sent to the clerk to the licensing authority—see Schedule 2 to the Gaming Act 1968.

Application for cancellation of a licence under the Gaming Act 1968

To the Clerk to the Licensing Court for the [county] [licensing district] [burgh] of

I,.....*name*, of.....
address hereby apply for the cancellation of the licence under the Gaming Act

1968 at present held by.....
in respect of premises situated at the following address:—

This application is made on the grounds specified in the statement of which two copies are attached.

Signature.....

Dated the of 19 .

SCHEDULE 3 Regulation 7(2)

Licence under the Gaming Act 1968

In the [county] [licensing district] [burgh] of
Before the Licensing Court,

THIS LICENCE is granted [by way of renewal] to:—

.....*name of licensee*, of.....

.....*address or registered office* in respect of the premises consisting of:—

and situated at the following address:—

for the purposes of the club named as follows:—

whose principal purpose is:—

This licence is subject to the following restrictions imposed under paragraphs 24 and 25 of Schedule 2 to the Act:—

as to hours of gaming:—

as to parts of the premises to be used for gaming:—

as to the kinds of games which may be played (apart from gaming by means of slot-machines under Part III and gaming for small prizes under section 21 of the Act):—

[Bingo only]
[[Bridge] [and] [Whist] only]
[Games other than Bingo]

(*or as the case may be*)

(a)As to the purposes other than gaming for which the premises may be used:— The premises may not be used at any time for dancing or for the provision of music or entertainment by persons actually present and performing.

(a)Delete in the case of a bingo club licence. Not obligatory in the case of a licence limited to bridge and whist.

(b)IT IS HEREBY DIRECTED under section 32 of the Act that the maximum number of machines (to which Part III of the Act applies) which may be available for gaming on the premises shall be—

(b)Delete if not applied for.

The relevant certificate of consent issued by the Gaming Board for Great Britain is dated the.....19 and numbered.....

Unless renewed, this licence expires (subject to Schedule 2(§§53 & 54) to the Act) at the end of May 19 .

Signature.....
Clerk to the Licensing Court

Dated the of 19 .

Regulation 7(3)

SCHEDULE 4

Register of Premises licensed under the Gaming Act 1968

Name of licence holder:—

Name of Club:—

Principal purpose of the club:—

Description of premises:—

Address of premises:—

Date of certificate of consent:— No.

Restrictions imposed as to hours:—

Restrictions imposed as to parts of premises to be used for gaming:—

Restrictions imposed as to games:—

Restrictions imposed as to use otherwise than for gaming:—

SCHEDULE 4 (*continued*)

Year of expiry unless renewed	Restrictions applicable (see above)	Maximum number of machines where section 32 direction given	Remarks (including details of refusal of renewal, cancellation, relinquishment or transfer)	
			Date	Details

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations relate to the licensing of club premises in Scotland for the purposes of the Gaming Act 1968.

Regulation 3 prevents licences from being granted in respect of premises outside the areas specified in Schedule 1 to the Regulations, except for the purposes of bingo or bridge and whist.

Regulation 4 enables the licensing authority to refuse a licence (not restricted to bingo or bridge and whist) where there is direct access to the licensed premises from other private premises not included in the licence.

Regulation 5 prevents a licence from being granted for both bingo and other gaming.

Regulation 6 prevents premises licensed for gaming, other than bingo, bridge and whist, from being used for dancing or music or for entertainments by persons actually present and performing.

The remaining provisions of the Regulations relate to the forms to be used and other administrative matters. The Regulations come into operation on 1st October 1969, in anticipation of the coming into force on 1st July 1970 of the substantive provisions of the Act relating to premises licensed for gaming.