



Air Weapons and Licensing (Scotland) Act 2015

2015 asp 10

PART 2

ALCOHOL LICENSING

Fit and proper person test

VALID FROM 15/05/2017

44 Application to transfer premises licence: ground for refusal

(1) The 2005 Act is amended as follows.

(2) In section 33 (transfer on application of licence holder)—

(a) after subsection (7) insert—

“(7A) On giving a notice under subsection (6)(a) or (b), the chief constable may also provide to the Licensing Board any information in relation to—

- (a) the transferee,
- (b) where the transferee is neither an individual nor a council, a connected person, or
- (c) any person who would be an interested party in relation to the licensed premises if the application for the transfer of the licence to the transferee were to be granted,

that the chief constable considers may be relevant to consideration by the Board of the application.”,

(b) in subsection (8)—

- (i) the word “and” immediately following paragraph (a) is repealed,
- (ii) after paragraph (b) insert “, and
- (c) no information has been provided under subsection (7A),”

Status: Point in time view as at 01/12/2015. This version of this provision is not valid for this point in time.

Changes to legislation: There are currently no known outstanding effects for the Air Weapons and Licensing (Scotland) Act 2015, Section 44. (See end of Document for details)

- (c) in subsection (10)—
 - (i) after “notice” insert “ and any information provided under subsection (7A) ”,
 - (ii) in paragraph (a), for the words from “it” to “objectives” substitute “ a ground for refusal applies ”,
- (d) after subsection (10) insert—
 - “(11) The grounds for refusal are—
 - (a) that, having regard to the licensing objectives, the transferee is not a fit and proper person to be the holder of a premises licence,
 - (b) that it is otherwise necessary to refuse the application for the purposes of any of the licensing objectives.”.

Status:

Point in time view as at 01/12/2015. This version of this provision is not valid for this point in time.

Changes to legislation:

There are currently no known outstanding effects for the Air Weapons and Licensing (Scotland) Act 2015, Section 44.