



Criminal Justice and Licensing (Scotland) Act 2010

2010 asp 13

PART 9

ALCOHOL LICENSING

184 Premises licences: connected persons and interested parties

- (1) The 2005 Act is amended as follows.
- (2) After section 40 insert—

“Connected persons and interested parties

40A Connected persons and interested parties: licence holder’s duty to notify changes

- (1) A premises licence holder must, not later than one month after a person becomes or ceases to be—
 - (a) a connected person in relation to the licence holder, or
 - (b) an interested party in relation to the licensed premises,give the appropriate Licensing Board notice of that fact.
- (2) A notice under subsection (1) that a person has become a connected person or an interested party must specify—
 - (a) the name and address of the person, and
 - (b) if the person is an individual, the person’s date of birth.
- (3) Where a Licensing Board receives a notice under subsection (1), the Board must give a copy of the notice to the appropriate chief constable.
- (4) A premises licence holder who fails, without reasonable excuse, to comply with subsection (1) commits an offence.

Status: This is the original version (as it was originally enacted).

- (5) A person guilty of an offence under subsection (4) is liable on summary conviction to a fine not exceeding level 2 on the standard scale.”.
- (3) In section 48 (notification of change of name or address)—
- (a) in subsection (1)—
- (i) the word “or” immediately following paragraph (a) is repealed, and
- (ii) after paragraph (b) insert “, or
- (c) the name or address of any person who is—
- (i) a connected person in relation to the licence holder, or
- (ii) an interested party in relation to the licensed premises,”
- (b) after subsection (2) insert—
- “(2A) Where a Licensing Board receives a notice under subsection (1), the Board must give a copy of the notice to the appropriate chief constable.”.
- (4) In section 147 (interpretation), after subsection (4) insert—
- “(5) For the purposes of this Act, a person is an interested party in relation to licensed premises if the person is not the holder of the premises licence nor the premises manager in respect of the premises but—
- (a) has an interest in the premises as an owner or tenant, or
- (b) has management and control over the premises or the business carried on on the premises.”.
- (5) In section 148 (index of defined expressions), in the table, insert at the appropriate place—

“interested party	section 147(5).”.
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