

SCHEDULES

SCHEDULE 5

Section 19.

PROCEDURE FOR APPROVAL BY BOARD

PART I

ISSUE AND REVOCATION OF CERTIFICATES OF APPROVAL

Issue of certificate

- 1 Any person may apply to the Board for the issue in respect of him of a certificate under section 19 of this Act, certifying that, in relation to premises specified in the certificate, he has been approved by the Board under that section—
 - (a) in respect of the performance on those premises of a function to which subsection (1) of that section applies which is specified in the certificate, or
 - (b) for acting in relation to those premises in a capacity such as is mentioned in subsection (3) of that section which is so specified.
- 2 Any such application shall specify the premises, and the function to which subsection (1) of section 19 applies, or (as the case may be) the capacity such as is mentioned in subsection (3) of that section, in respect of which the certificate is required.
- 3 In determining whether to issue a certificate on any such application, the Board shall have regard only to the question whether, in relation to the premises specified in the application, the applicant is a fit and proper person to perform the function or act in the capacity so specified.
- 4 Where on an application under this Schedule it appears to the Board that the applicant requires their approval in respect of performing the function in question on, or acting in the capacity in question in relation to, all or any of a number of premises specified in the application, and the Board determine to give that approval, the Board may, if they think fit, issue to him a single certificate specifying all those premises.
- 5 Where the Board issue a certificate under that section, it shall continue in force until it is revoked by the Board and that revocation takes effect in accordance with the following provisions of this Schedule.

Revocation of certificate

- 6 The Board may at any time revoke any such certificate if it appears to the Board that, in relation to the premises specified in the certificate, the person to whom the certificate relates is not a fit and proper person to perform the function or act in the capacity so specified.

Status: This is the original version (as it was originally enacted).

- 7 Where the Board determine to revoke any such certificate, they shall serve a notice on the person to whom it relates stating that the certificate is revoked as from the end of the period of twenty-one days from the date of service of the notice ; and the revocation shall take effect at the end of that period.

Payment of fees

- 8 Notwithstanding anything in the preceding provisions of this Schedule, the Board shall not issue a certificate of approval under section 19 of this Act except on payment by the applicant to the Board of the fee chargeable in accordance with section 48 of this Act.

PART II

PENDING APPLICATIONS

- 9 Where a person applies to the Board for a certificate under section 19 of this Act, and either—
- (a) at the time of that application a certificate issued by the Board in respect of him (whether in relation to the same premises or not) is in force, or
 - (b) the certificate is required by reason that a notice has been served on him under subsection (3) of that section and the application is made before the end of the period specified in that notice,
- the application shall, until it is determined by the Board, have the same effect for the purposes of that section as if it were a certificate issued by the Board, and for the time being in force, certifying that, in relation to the premises specified in the application, he has been approved by the Board in respect of the performance of the function, or for acting in the capacity, specified in the application.