

Status: Point in time view as at 06/04/2017.

Changes to legislation: Immigration Act 2016, Paragraph 10 is up to date with all changes known to be in force on or before 05 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 4 U.K.

LICENSING ACT 2003: AMENDMENTS RELATING TO ILLEGAL WORKING

PART 2 U.K.

PREMISES LICENCES

- 10 (1) Section 48 (cancellation of interim authority notice following police objections) is amended as follows.
- (2) In the heading, omit “police”.
- (3) In subsection (1), for “This section” substitute “ Subsection (2) ”.
- (4) After subsection (2) insert—
- “(2A) Subsection (2B) applies where—
- (a) an interim authority notice by a person (“the relevant person”) is given in accordance with section 47,
- (b) the Secretary of State is given a copy of the interim authority notice before the end of the initial 28 day period (within the meaning of that section), and
- (c) the Secretary of State is satisfied that the exceptional circumstances of the case are such that a failure to cancel the interim authority notice would be prejudicial to the prevention of illegal working in licensed premises.
- (2B) The Secretary of State must before the end of the second working day following receipt of the copy of the interim authority notice give the relevant licensing authority a notice stating why the Secretary of State is so satisfied.”
- (5) In subsection (3)—
- (a) in the words before paragraph (a), for “by the chief officer of police” substitute “ under subsection (2) or (2B) ”;
- (b) in paragraph (a), for “chief officer of police” substitute “ person who gave the notice ”;
- (c) for paragraph (b) substitute—
- “(b) having regard to the notice—
- (i) where the notice is given under subsection (2), cancel the interim authority notice if it considers it appropriate for the promotion of the crime prevention objective to do so, or
- (ii) where the notice is given under subsection (2B), cancel the interim authority notice if it considers it

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appropriate for the prevention of illegal working in licensed premises to do so.”

(6) After subsection (5) insert—

“(5A) Where an interim authority notice is cancelled under subsection (3)(b) (ii), the licensing authority must also give a copy of the notice under subsection (4) to the Secretary of State.”

Commencement Information

II Sch. 4 para. 10 in force at 6.4.2017 by S.I. 2017/380, reg. 2(b)

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