

STATUTORY INSTRUMENTS

2005 No. 41

The Licensing Act 2003 (Personal licences) Regulations 2005

7.—(1) An application made under regulation 6(1) ^{F1}... shall be accompanied by the following documents—

- (a) two photographs of the applicant, which shall be—
 - (i) taken against a light background so that the applicant's features are distinguishable and contrast against the background,
 - (ii) 45 millimetres by 35 millimetres,
 - (iii) full face uncovered and without sunglasses and, unless the applicant wears a head covering due to his religious beliefs, without a head covering,
 - (iv) on photographic paper, and
 - (v) one of which is endorsed with a statement verifying the likeness of the photograph to the applicant by a solicitor, notary, a person of standing in the community or any individual with a professional qualification; and
- (b) either—
 - (i) a criminal conviction certificate issued under section 112 of the Police Act 1997 ^{M1},
 - (ii) a criminal record certificate issued under section 113A of the Police Act 1997, or
 - ^{F2}(iii) the results of a request made under Article 15 of the [^{F3}UK GDPR] or section 45 of the Data Protection Act 2018 (rights of access by the data subject) to the National Identification Service for information contained in the Police National Computer], and

in any case such certificate or ^{F4}... results shall be issued no earlier than one calendar month before the giving of the application to the relevant licensing authority, and

- ^{F5}(c) a declaration by the applicant, in the form set out in Schedule 3, that the applicant—
 - (i) has not been convicted of a relevant offence or a foreign offence,
 - (ii) has not been required to pay an immigration penalty, or
 - (iii) has been convicted of such an offence or required to pay such a penalty, accompanied by details of the nature and date of the conviction or penalty and any sentence in respect of such conviction.]

(2) Except in the case of a person prescribed under regulation 4, an application under regulation 6(1) shall be accompanied by the licensing qualification of the applicant.

^{F6}(3) In this regulation, “the UK GDPR” has the same meaning as in Parts 5 to 7 of the Data Protection Act 2018 (see section 3(10) and (14) of that Act).]

Textual Amendments

- F1** Words in reg. 7(1) omitted (5.1.2015) by virtue of [The Licensing Act 2003 \(Personal licences\) \(Amendment\) Regulations 2014 \(S.I. 2014/3284\)](#), regs. 1, **2(3)**

Changes to legislation: There are currently no known outstanding effects for the The Licensing Act 2003 (Personal licences) Regulations 2005, Section 7. (See end of Document for details)

- F2** Reg. 7(1)(b)(iii) substituted (25.5.2018) by Data Protection Act 2018 (c. 12), s. 212(1), **Sch. 19 para. 313(2)(a)** (with ss. 117, 209, 210); S.I. 2018/625, reg. 2(1)(g)
- F3** Words in reg. 7(1)(b)(iii) substituted (31.12.2020) by The Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019 (S.I. 2019/419), reg. 1(2), **Sch. 3 para. 58(2)** (with Sch. 3 para. 112); 2020 c. 1, Sch. 5 para. 1(1)
- F4** Word in reg. 7(1)(b) omitted (25.5.2018) by virtue of Data Protection Act 2018 (c. 12), s. 212(1), **Sch. 19 para. 313(2)(b)** (with ss. 117, 209, 210); S.I. 2018/625, reg. 2(1)(g)
- F5** Reg. 7(1)(c) substituted (6.4.2017) by The Licensing Act 2003 (Miscellaneous Amendments) Regulations 2017 (S.I. 2017/411), regs. 1, **2(4)**
- F6** Reg. 7(3) substituted (31.12.2020) by The Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019 (S.I. 2019/419), reg. 1(2), **Sch. 3 para. 58(3)** (with Sch. 3 para. 112); 2020 c. 1, Sch. 5 para. 1(1)

Marginal Citations

- M1** 1997 c. 50.

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