

---

STATUTORY INSTRUMENTS

---

**2021 No. 689**

**IMMIGRATION  
LICENCES AND LICENSING**

**The Immigration (Restrictions on Employment and Residential Accommodation) (Prescribed Requirements and Codes of Practice) and Licensing Act 2003 (Personal and Premises Licences) (Forms) Order 2021**

<i>Made</i>	- - - -	<i>9th June 2021</i>
<i>Laid before Parliament</i>		<i>10th June 2021</i>
<i>Coming into force</i>	- -	<i>1st July 2021</i>

The Secretary of State makes the following Order in exercise of the powers conferred by sections 54 and 133(1) of the Licensing Act 2003<sup>(1)</sup>, sections 15(3) and (7), 19(2) and (3) and 25(d) of the Immigration, Asylum and Nationality Act 2006<sup>(2)</sup>, sections 24(2)(a), (7)(a) and (8), 26(2), (7)(a) and (8), 32(6)(b), 34(1) and 37(1) of the Immigration Act 2014<sup>(3)</sup> and paragraph 5(6)(b) and (c) of Schedule 6 to the Immigration Act 2016<sup>(4)</sup>.

In accordance with section 19(2)(a) of the Immigration, Asylum and Nationality Act 2006, a draft revised code of practice specifying factors to be considered by the Secretary of State in determining the amount of a penalty imposed under section 15 of that Act has been laid before Parliament.

In accordance with section 32(6)(a) of the Immigration Act 2014, a draft revised code of practice for the purposes of Chapter 1 of Part 3 of that Act has been laid before Parliament.

**Citation, commencement and extent**

1.—(1) This Order may be cited as the Immigration (Restrictions on Employment and Residential Accommodation) (Prescribed Requirements and Codes of Practice) and Licensing Act 2003 (Personal and Premises Licences) (Forms) Order 2021 and comes into force on 1st July 2021.

(2) This article and articles 4, 5, 6, 7 and 8 extend to the United Kingdom.

(3) Articles 2 and 3 extend to England and Wales.

---

(1) 2003 c. 17.  
(2) 2006 c. 13.  
(3) 2014 c. 22.  
(4) 2016 c. 19.

### **Amendments to the Licensing Act 2003 (Personal licences) Regulations 2005**

- 2.—(1) The Licensing Act 2003 (Personal licences) Regulations 2005(5) are amended as follows.
- (2) For the form in Schedule 1, substitute the form in Schedule 1 to this Order.

### **Amendments to the Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005**

- 3.—(1) The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005(6) are amended as follows.
- (2) For the form in Schedule 2, substitute the form in Schedule 2 to this Order.
- (3) For the form in Schedule 6, substitute the form in Schedule 3 to this Order.
- (4) For the form in Schedule 7, substitute the form in Schedule 4 to this Order.

### **Amendments to the Immigration (Restrictions on Employment) Order 2007**

- 4.—(1) The Immigration (Restrictions on Employment Order) 2007(7) is amended as follows.
- (2) In article 2, at the appropriate places, insert—
- ““Home Office online right to work checking service” means the electronic system allowing employers to check whether a person is allowed to work in the United Kingdom and, if so, the nature of any restrictions on that person’s right to do so;”;
- ““online right to work check” means the response generated by the Home Office online right to work checking service in relation to a person.”.
- (3) In article 4A(1)(a)(i), for “paragraph 1” substitute “paragraph 1A, 1B”.
- (4) In article 4B, omit paragraph (4).
- (5) In List A in the Schedule—
- (a) omit paragraphs 2 to 4;
- (b) before paragraph 5, insert—
- “**4A.** A document issued by the Home Office to a family member of an EEA or Swiss national, which has not expired, and which indicates that the holder is permitted to stay in the United Kingdom indefinitely.
- “**4B.** A passport or passport card showing that the holder is a national of the Republic of Ireland.
- “**4C.** A document issued by the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man, which has been verified as valid by the Home Office Employer Checking Service, showing that the holder has been granted unlimited leave to enter or remain under Appendix EU(J) to the Jersey Immigration Rules(8), Appendix EU to the Immigration (Bailiwick of Guernsey) Rules 2008(9) or Appendix EU to the Isle of Man Immigration Rules(10) (as the case may be).”.

---

(5) [S.I. 2005/41](#), amended by [S.I. 2018/1381](#); there are other amendments which are not relevant to this Order.

(6) [S.I. 2005/42](#), amended by [S.I. 2018/1381](#); there are other amendments which are not relevant to this Order.

(7) [S.I. 2007/3290](#), amended by [S.I. 2009/2908](#), [2014/1183](#) and [2018/1340](#); there are other amendments which are not relevant to this Order.

(8) The Jersey Immigration Rules are contained in directions made pursuant to section 1(4A) of the Immigration Act 1971 (c. 77) as extended to Jersey.

(9) Guernsey Statutory Instrument 2008/26, as amended by G.S.I.2011/18, 2013/33, 2015/27, 2019/17 and the Same-Sex Marriage (Consequential and Miscellaneous Amendments and Contrary Provisions) (Guernsey) Ordinance 2017.

(10) The Isle of Man Immigration Rules are made under section 3(2) of the Immigration Act 1971 as extended to the Isle of Man by the Immigration (Isle of Man) Order 2008 ([S.I. 2008/680](#)).

(6) In Part 1 of List B in the Schedule—

- (a) omit paragraph 3;
- (b) before paragraph 4, insert—

“**3A.** A document issued by the Home Office to a family member of an EEA or Swiss national, which has not expired, and which indicates that the holder is permitted to stay in the United Kingdom for a time limited period and to do the type of work in question.

**3B.** A document issued by the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man, which has been verified as valid by the Home Office Employer Checking Service, showing that the holder has been granted limited leave to enter or remain, under Appendix EU(J) to the Jersey Immigration Rules, Appendix EU to the Immigration (Bailiwick of Guernsey) Rules 2008 or Appendix EU to the Isle of Man Immigration Rules (as the case may be).

**3C.** A frontier worker permit issued under regulation 8 of the Citizens’ Rights (Frontier Workers) (EU Exit) Regulations 2020(11).”.

(7) In Part 2 of List B in the Schedule—

- (a) omit paragraph 1;
- (b) before paragraph 2, insert—

“**1A.** A document issued by the Home Office showing that the holder has made an application for leave to enter or remain under Appendix EU to the immigration rules(12) on or before 30th June 2021.

**1B.** A document issued by the Bailiwick of Jersey or the Bailiwick of Guernsey showing that the holder has made an application for leave to enter or remain under Appendix EU(J) to the Jersey Immigration Rules or Appendix EU to the Immigration (Bailiwick of Guernsey) Rules 2008 (as the case may be), on or before 30th June 2021.”.

**Amendments to the Immigration (Residential Accommodation) (Prescribed Requirements and Codes of Practice) Order 2014**

**5.—(1)** The Immigration (Residential Accommodation) (Prescribed Requirements and Codes of Practice) Order 2014(13) is amended as follows.

- (2) For article 4(b)(i)(cc), substitute—

“(cc) they have made an application for leave to enter or remain under Appendix EU to the immigration rules on or before 30th June 2021, or”.

(3) In article 5A(1)(a)(i), for the words “Australia, Canada, Japan, New Zealand, Singapore, South Korea or the United States of America”, substitute “a country listed in the Schedule to the Immigration (Leave to Enter and Remain) Order 2000(14)”.

- (4) In List A(1) in the Schedule—

- (a) after paragraph 1 insert—

“**1A.** A passport or passport card showing that the holder is a national of the Republic of Ireland.

**1B.** A document issued by the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man, which has been verified as valid by the Landlord Checking Service, showing that

---

(11) S.I. 2020/1213.

(12) Appendix EU was laid before Parliament on 20th July 2018 (CM 9675).

(13) S.I. 2014/2874, amended by S.I. 2016/9 and 2020/1047.

(14) S.I. 2000/1161 amended by S.I. 2020/1353; there are other amendments which are not relevant to this Order.

the holder has been granted unlimited leave to enter or remain under Appendix EU(J) to the Jersey Immigration Rules, Appendix EU to the Immigration (Bailiwick of Guernsey) Rules 2008 or Appendix EU to the Isle of Man Immigration Rules (as the case may be).”;

- (b) omit paragraphs 2 to 4;
  - (c) in paragraph 5, for “permanent residence card (current or expired)” substitute, “current permanent residence card”.
- (5) In List B in the Schedule, after paragraph 5, insert—

“**6.** A document issued by the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man, which has been verified as valid by the Landlord Checking Service, showing that the holder has been granted limited leave to enter or remain under Appendix EU(J) to the Jersey Immigration Rules, Appendix EU to the Immigration (Bailiwick of Guernsey) Rules 2008 or Appendix EU to the Isle of Man Immigration Rules (as the case may be).

**7.** A document issued by the Bailiwick of Jersey or the Bailiwick of Guernsey, which has been verified as valid by the Landlord Checking Service, showing that the holder has made an application for limited leave to enter or remain under Appendix EU(J) to the Jersey Immigration Rules or Appendix EU to the Immigration (Bailiwick of Guernsey) Rules 2008 (as the case may be), on or before 30th June 2021.

**8.** A frontier worker permit issued under regulation 8 of the Citizens’ Rights (Frontier Workers) (EU Exit) Regulations 2020.”.

### **Amendments to the Illegal Working Compliance Orders Regulations 2016**

**6.—(1)** The Illegal Working Compliance Orders Regulations 2016(**15**) are amended as follows.

(2) In Schedule 1—

(a) after paragraph 1, insert—

“**1A.** A current or expired passport or passport card showing that the holder is a national of the Republic of Ireland.

**1B.** A document issued by the Home Office to a family member of an EEA or Swiss national, which has not expired, and which indicates that the holder is permitted to stay in the United Kingdom indefinitely.

**1C.** A document issued by the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man, which has been verified as valid by the Home Office Employer Checking Service, showing that the holder has been granted unlimited leave to enter or remain under Appendix EU(J) to the Jersey Immigration Rules, Appendix EU to the Immigration (Bailiwick of Guernsey) Rules 2008 or Appendix EU to the Isle of Man Immigration Rules (as the case may be).”;

(b) omit paragraphs 2 to 4.

(3) In Schedule 2—

(a) omit paragraph 3;

(b) before paragraph 4, insert—

“**3A**

A document issued by the Home Office to a family member of an EEA or Swiss national, which has not expired, and which indicates that the holder is permitted to stay in the United Kingdom for a time limited period and to do the type of work in question.

**3B.** A document issued by the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man, which has been verified as valid by the Home Office Employer Checking Service, showing that the holder has been granted limited leave to enter or remain under Appendix EU(J) to the Jersey Immigration Rules, Appendix EU to the Immigration (Bailiwick of Guernsey) Rules 2008 or Appendix EU to the Isle of Man Immigration Rules (as the case may be).

**3C.** A document issued by the Bailiwick of Jersey or the Bailiwick of Guernsey, which has been verified as valid by the Home Office Employer Checking Service, showing that the holder has made an application for leave to enter or remain under Appendix EU(J) to the Jersey Immigration Rules or Appendix EU to the Immigration (Bailiwick of Guernsey) Rules 2008 (as the case may be), on or before 30th June 2021.

**3D.** A frontier worker permit issued under regulation 8 of the Citizens' Rights (Frontier Workers) (EU Exit) Regulations 2020.”.

### Codes of Practice

7. The revised code of practice entitled “Code of practice on preventing illegal working: Civil penalty scheme for employers”(16), issued by the Secretary of State under section 19(1) of the Immigration, Asylum and Nationality Act 2006 and laid in draft before Parliament on 10th June 2021, comes into force on 1st July 2021.

8. The revised code of practice entitled “Code of practice on right to rent: civil penalty scheme for landlords and their agents”(17) issued by the Secretary of State under section 32(5) of the Immigration Act 2014 and laid in draft before Parliament on 10th June 2021, comes into force on 1st July 2021.

9th June 2021

*Chris Philp*  
Parliamentary Under Secretary of State  
Home Office

---

(16) A copy of this Code can be obtained from Home Office, Civil Penalty Compliance Team, PO BOX 665, Salford, M5 0LY 4DF and online at <https://www.gov.uk/government/publications/illegal-working-penalties-codes-of-practice-for-employers-2018>.

(17) A copy of this Code can be obtained from Home Office, Civil Penalty Compliance Team, PO BOX 665, Salford, M5 0LY 4DF and online at <https://www.gov.uk/government/publications/right-to-rent-landlords-code-of-practice>.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE 1

Article 2

**Application for a personal licence**

Before completing this form, please read the guidance notes at the end of the form. If you are completing this form by hand, please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

<b>1. Your personal details</b>		
<b>TITLE Please tick</b>		
Mr Mrs Miss Ms Other (please state)		
Surname		
Forenames		
<b>PREVIOUS NAMES (if relevant) please enter details of any previous names or maiden names. Please continue on a separate sheet if necessary.</b>		
<b>TITLE Please tick</b>		
Mr Mrs Miss Ms Other (please state)		
Surname		
Forenames		
Date of Birth		
Nationality		
<b>I am 18 years old or over. Please tick</b>		
		Yes No
<b>ADDRESS WHERE ORDINARILY RESIDENT (We will use this address to correspond with you unless you complete the separate correspondence box below).</b>		
<b>Post town</b>		<b>Post code</b>
<b>TELEPHONE NUMBERS</b>		
Daytime		
Evening		
Mobile		
<b>FAX NUMBER</b>		

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<b>E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail)</b>
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 2 for information)

<b>Address for correspondence associated with this application (if different to the address above)</b>	
<b>Post town</b>	<b>Post code</b>

<b>TELEPHONE NUMBERS</b>	
Daytime	
Evening	
Mobile	

<b>E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail)</b>

<b>2. Your licensing qualifications</b>	
Read Note 1	<b>Please tick yes</b>
Please indicate below which one of these statements applies to you:	
1. I hold an accredited licensing qualification	
2. I hold a certified qualification	
3. I hold an equivalent qualification	
4. I am a person of prescribed description	
If you have ticked either of statements 1, 2 or 3 please provide details of your qualification in the box below (name of qualification, date of issue, issuing body) and please enclose your qualification with your application.	
If you have ticked statement 4, please provide evidence that you are a person of prescribed description.	





**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SIGNATURE		DATE	
-----------	--	------	--

**NOTES**

Information on the Licensing Act 2003 is available on [legislation.gov.uk](http://legislation.gov.uk) or from your local licensing authority.

**1. Licensing qualifications**

Licensing qualifications are dealt with in section 120(8) and (9) of the Licensing Act 2003.

**2. Right to work/immigration status**

A personal licence may not be issued to an individual or an individual in a partnership which is not a limited liability partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any personal licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have the right to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways:

- 1) by providing with this application copies or scanned copies of the documents which an applicant may provide to demonstrate their entitlement to work in the UK (which do not need to be certified) that are published on GOV.UK and in [guidance issued under section 182 of the Licensing Act 2003](#).
- 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

**Home Office online right to work checking service.**

As an alternative to providing a copy of original documents, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be shared digitally. The Home Office online right to work checking service sets out what information and/or documentation

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

---

applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copies of documents as set out above.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

## SCHEDULE 2

Article 3

### Application for a premises licence to be granted under the Licensing Act 2003

#### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We \_\_\_\_\_  
*(Insert name(s) of applicant)*  
 apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

#### Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
Post town		Postcode	
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£	

#### Part 2 - Applicant details

Please state whether you are applying for a premises licence as      Please tick as appropriate

- |  |                             |
|--|-----------------------------|
| a) an individual or individuals *                    | please complete section (A) |
| b) a person other than an individual *               |                             |
| i as a limited company/limited liability partnership | please complete section (B) |
| ii as a partnership (other than limited liability)   | please complete section (B) |
| iii as an unincorporated association or              | please complete section (B) |
| iv other (for example a statutory corporation)       | please complete section (B) |
| c) a recognised club                                 | please complete section (B) |
| d) a charity   | please complete section (B) |

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- e) the proprietor of an educational establishment                      please complete section (B)
- f) a health service body    please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales                      please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England                      please complete section (B)
- h) the chief officer of police of a police force in England and Wales                      please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or  
 I am making the application pursuant to a  
     statutory function or  
     a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS (fill in as applicable)**

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**SECOND INDIVIDUAL APPLICANT (if applicable)**

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		Please tick yes	
Nationality					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

**(B) OTHER APPLICANTS**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)



**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Provision of late night refreshment (if ticking yes, fill in box J)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**A**

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors
Day	Start	Finish		Outdoors
				Both
Mon			Please give further details here (please read guidance note 4)	
Tue				
Wed			State any seasonal variations for performing plays (please read guidance note 5)	
Thur				
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)	
Sat				
Sun				



**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**B**

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place <u>indoors or outdoors or both</u> – please tick (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Tue			
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Fri			
Sat			
Sun			

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**D**

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**E**

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place <u>indoors or outdoors or both</u> – please tick (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**F**

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**G**

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors
Day	Start	Finish		Outdoors
Mon			Please give further details here (please read guidance note 4)	Both
Tue				
Wed			State any seasonal variations for the performance of dance (please read guidance note 5)	
Thur				
Fri			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6)	
Sat				
Sun				

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**H**

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
Mon				Outdoors	
				Both	
Tue			Please give further details here (please read guidance note 4)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sun					

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**I**

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					



**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**J**

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for <u>consumption – please tick</u> (please read guidance note 8)	On the premises	
Day	Start	Finish		Off the premises	
Mon			State any seasonal variations for the supply of alcohol (please read guidance note 5)	Both	
Tue					
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	
Date of birth	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**K**

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

**L**

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri			Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)
Sat			
Sun			

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**M**

Describe the steps you intend to take to promote the four licensing objectives:

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)**

**b) The prevention of crime and disorder**

**c) Public safety**

**d) The prevention of public nuisance**

**e) The protection of children from harm**

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). If signing on behalf of the applicant, please state in what capacity.

<b>Declaration</b>	<ul style="list-style-type: none"> <li>• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the</li> </ul>
--------------------	---

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

	<p>entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</p> <ul style="list-style-type: none"> <li>The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)</li> </ul>
Signature	
Date	
Capacity	

For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

#### Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
  - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
  - Live music: no licence permission is required for:
    - a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
    - a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
  - Recorded Music: no licence permission is required for:

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
  - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
  - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
    - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
    - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
    - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
    - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
  4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
  5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
  6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
  7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
  8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
14. This is the address which we shall use to correspond with you about this application.

#### **Right to work/immigration status**

A licence may not be issued to an individual or an individual in a partnership which is not a limited liability partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have the right to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways:

- 1) by providing with this application copies or scanned copies of the documents which an applicant may provide to demonstrate their entitlement to work in the UK (which do not need to be certified) that are published on GOV.UK and in [guidance issued under section 182 of the Licensing Act 2003](#).
- 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

#### **Home Office online right to work checking service.**

As an alternative to providing a copy of original documents, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.



**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be shared digitally. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copies of documents as set out above.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE 3

Article 3

**Application to transfer premises licence to be granted under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I/We \_\_\_\_\_  
(Insert name of applicant)

apply to transfer the premises licence described below under section 42 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number

**Part 1 – Premises details**

Postal address of premises or, if none, ordnance survey map reference or description	
Post town	Post code
Telephone number at premises (if any)	

Please give a brief description of the premises

Name of current premises licence holder

**Part 2 - Applicant details**

In what capacity are you applying for the premises licence to be transferred to you?

- |   |  |
|---|--|
|   | <b>Please tick yes</b>                               |
| a) an individual or individuals*                | <input type="checkbox"/> please complete section (A) |
| b) a person other than an individual *          |  |
| i. as a limited company                         | <input type="checkbox"/> please complete section (B) |
| ii. as a partnership                            | <input type="checkbox"/> please complete section (B) |
| iii. as an unincorporated association or        | <input type="checkbox"/> please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> please complete section (B) |
| c) a recognised club                            | <input type="checkbox"/> please complete section (B) |

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) an individual who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- h) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- i) the chief officer of police of a police force in England and Wales  please complete section (B)

\*If you are applying as a person described in (a) or (b) please confirm:

**Please tick yes**

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
  - statutory function or
  - a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr  Mrs  Miss  Ms  Other title   
(for example, Rev)

**Surname**  **First names**

I am 18 years old or over  **Please tick yes**

**Current postal address if different from premises address**

**Post town**  **Post code**

**Daytime contact telephone number**

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

E-mail address (optional)

**SECOND INDIVIDUAL APPLICANT** (fill in as applicable)

Mr  Mrs  Miss  Ms  Other title   
(for example, Rev)

Surname  First names

I am 18 years old or over  Please tick yes

Current postal address if different from premises address

Post town  Post code

Daytime contact telephone number

E-mail address (optional)

**(B) OTHER APPLICANTS**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Description of applicant (for example partnership, company, unincorporated association etc)
Telephone number (if any)
E-mail address (optional)

**Part 3**

**Please tick yes**

Are you the holder of the premises licence under an interim authority notice?

Do you wish the transfer to have immediate effect?

If not when would you like the transfer to take effect?

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

**Please tick yes**

I have enclosed the consent form signed by the existing premises licence holder

If you have not enclosed the consent form referred to above please give the reasons why not. What steps have you taken to try and obtain the consent?
---

**Please tick yes**

If this application is granted I would be in a position to use the premises during the application period for the licensable activity or activities authorised by the licence (see section 43 of the Licensing Act 2003)

**Please tick yes**

I have enclosed the premises licence

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

If you have not enclosed premises licence referred to above please give the reasons why not.



*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

#### **Notes for Guidance**

1. Describe the premises. For example, the type of premises it is, its general situation and layout and any other information which would be relevant to the licensing objectives.
2. The application form must be signed.
3. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
4. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
5. This is the address which we shall use to correspond with you about this application.

#### **Right to work/immigration status**

A licence may not be issued to an individual or an individual in a partnership which is not a limited liability partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have the right to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways:

- 1) by providing with this application copies or scanned copies of the documents which an applicant may provide to demonstrate their entitlement to work in the UK (which do not need to be certified) that are published on GOV.UK and in [guidance issued under section 182 of the Licensing Act 2003](#).
- 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

#### **Home Office online right to work checking service.**

As an alternative to providing a copy of original documents, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be shared digitally. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to



**Status:** *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

obtain a share code from the service should submit copies of documents as set out above.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE 4

Article 3

**Interim authority notice under the Licensing Act 2003  
PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form.  
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.  
You may wish to keep a copy of the completed form for your records.

I/We \_\_\_\_\_  
(Insert name of applicant)  
give this interim authority notice under section 47 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number (if known)
------------------------------------

**Part 1 – Premises details**

Postal address of premises or, if none, ordnance survey map reference or description			
Post town		Post code	
Telephone number (if any)			
E-mail address (optional)			

**Part 2 – Notice giver details**

In what capacity are you giving the interim authority notice?  
See section 47 of licensing Act 2003

Please tick yes

- a) I am an individual with a legal interest in the premises as freeholder or leaseholder  please complete section (A)
- b) I am a person other than an individual with a legal interest in the premises as freeholder or leaseholder
  - i. a limited company  please complete section (B)
  - ii. a partnership  please complete section (B)
  - iii. an unincorporated association or  please complete section (B)
  - iv. other  please complete section (B)
- c) I am a personal representative for the former premises licence holder who has died  please complete section (B)

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- d) I have power of attorney which is registered for the former premises licence holder who has become mentally incapable  please complete section (B)
- e) I am the insolvency practitioner for the former premises licence holder who is insolvent  please complete section (B)

**Date of lapsing of licence**

On what date (as applicable)

Day Month Year

- did the former premises licence holder die?
- was the power of attorney registered under section 6 of the Enduring Powers of Attorney Act 1985 or the lasting power of attorney registered under the Mental Capacity Act 2005?
- did the former holder become insolvent?

**(A) DETAILS OF INDIVIDUAL NOTICE GIVERS (fill in as applicable)**

<input type="checkbox"/> Mr	<input type="checkbox"/> Mrs	<input type="checkbox"/> Miss	<input type="checkbox"/> Ms	<input type="checkbox"/> Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

**DETAILS OF SECOND INDIVIDUAL NOTICE GIVER (IF APPLICABLE)**

<input type="checkbox"/> Mr	<input type="checkbox"/> Mrs	<input type="checkbox"/> Miss	<input type="checkbox"/> Ms	<input type="checkbox"/> Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Current postal address if different from premises address			
Post Town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

**(B) NON-INDIVIDUAL NOTICE GIVER**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

**PART 3**

Has an interim authority notice previously been given relating to this premises and the former premises licence holder?  Yes (please tick)

If not when do you want the variation to take effect from 

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Has there been an application to transfer the premises licence under section 50 of the Licensing Act 2003?

**Please tick yes**

- I have made or enclosed payment of the fee
- I have sent a copy of this form to the chief officer of police for the area in which the premises is situated
- I have notified the designated premises supervisor (if different from the premises licence holder), if any
- I understand that if I do not comply with the above requirements my application will be rejected

**THIS NOTICE WILL LAPSE AT THE END OF THE 28 PERIOD AFTER THE LAPSING OF THE PREMISES LICENCE UNLESS A COPY OF THE NOTICE HAS BEEN GIVEN TO THE CHIEF OFFICER OF POLICE FOR THE POLICE AREA OR EACH POLICE AREA IN WHICH THE PREMISES IS SITUATED**

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part 4 – Signatures** (please read guidance note1)

Signature of notice giver or notice giver's solicitor or other duly authorised agent (please read guidance note 2). If signing on behalf of the notice giver please state in what capacity.

Signature	
Date	
Capacity	

For joint notices signature of 2<sup>nd</sup> notice giver or 2<sup>nd</sup> notice giver's solicitor or other authorised agent (please read guidance note 3). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	
Capacity	

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<b>Contact name (where not previously given) and address for correspondence associated with this notice (please read guidance note 4)</b>			
<b>Post town</b>		<b>Post code</b>	
<b>Telephone number (if any)</b>			
<b>If you would prefer us to correspond with you by e-mail your e-mail address (optional)</b>			

**Notes for Guidance**

1. The notice must be signed.
2. A notice giver’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
3. Where there is more than one notice giver, both notice givers or their respective agents must sign the application form.
4. This is the address which we shall use to correspond with you about this application.

**Right to work/immigration status**

A licence may not be issued to an individual or an individual in a partnership which is not a limited liability partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have the right to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways:

- 1) by providing with this application copies or scanned copies of the documents which an applicant may provide to demonstrate their entitlement to work in the UK (which do not need to be certified) that are published on GOV.UK and in [guidance issued under section 182 of the Licensing Act 2003](#).
- 2) by providing their ‘share code’ to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

**Home Office online right to work checking service.**

As an alternative to providing a copy of original documents, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be shared digitally. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copies of documents as set out above.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

---

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order makes a number of changes to the documents which can be produced in order to evidence an individual's right to work in the United Kingdom or enter into a tenancy agreement in England.

Articles 2 and 3 amend several of the Schedules to both the Licensing Act 2003 (Personal licences) Regulations 2005 (S.I. 2005/41) and the Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005 (S.I. 2005/42). The forms prescribed in those Schedules set out the detailed requirements relating to applications and notices given or made under Part 3 and Part 6 of the Licensing Act 2003 (c. 17). Articles 2 and 3 substitute new forms for those applications and notices, with updated references to documents to evidence an individual's entitlement to work in the United Kingdom.

An employer is excused from paying a penalty under section 15 of the Immigration, Asylum and Nationality Act 2006 (c. 13) if the employee produces to the employer any of the documents described in the Schedule to the Immigration (Restrictions on Employment) Order 2007 (S.I. 2007/3290) ("the 2007 Order) and if the employer complies with the requirements prescribed under article 6 of that Order. Additionally, paragraph 5 of Schedule 6 to the Immigration Act 2016 (c. 19) empowers a court to make an illegal working compliance order to prevent an employer from employing an illegal worker. The Illegal Working Compliance Orders Regulations 2016 (S.I. 2016/1058) ("the 2016 Regulations") prescribe the right to work checks which a court may require a person specified in an illegal working compliance order to carry out, and the documents which a court may require a person specified in an illegal working compliance order to produce to an immigration officer.

Articles 4 and 6 amend the 2007 Order and the 2016 Regulations to amend the list of documents which can give rise to a statutory excuse or which a court may require a person to produce to an immigration officer under the 2007 Order and the 2016 Regulations, respectively.

Chapter 1 of Part 3 of the Immigration Act 2014 ("the Act") provides a statutory excuse for landlords and their agents from being required to pay a civil penalty if they conduct prescribed eligibility checks on prospective occupiers and those occupiers who are renewing their tenancy agreements. The Immigration (Residential Accommodation) Prescribed Requirements and Codes of Practice) Order 2014 (S.I. 2014/2874) ("the 2014 Order") sets out the prescribed requirements for eligibility checks which must be complied with by landlords and agents when entering into a residential tenancy agreement.

Article 5 amends the 2014 Order to amend the list of documents which can give rise to a statutory excuse.

Article 7 provides for a revised code of practice to come into force on the same day as this Order comes into force, reflecting the changes made to the 2007 Order and the 2016 Regulations by this Order.

Article 8 provides for a revised code of practice to come into force on the same day as this Order comes into force, reflecting the changes made to the 2014 Order by this Order.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.