



Fire (Scotland) Act 2005

2005 asp 5

PART 3 **S**

FIRE SAFETY

CHAPTER 3 **S**

MISCELLANEOUS

71 **Suspension of terms and conditions of licences dealing with same matters as this Part **S****

- (1) This section applies where—
 - (a) an enactment provides for the licensing of—
 - (i) premises; or
 - (ii) a person in respect of premises;
 - (b) the authority responsible for issuing licences under such an enactment (the “licensing authority”) is required or authorised to impose terms, conditions or restrictions in connection with the issue of such licences; and
 - (c) such a licence is required in respect of relevant premises.
- (2) A term, condition or restriction imposed in connection with the issue under such an enactment of the licence shall be of no effect in so far as it relates to any matter in relation to which requirements or prohibitions are or could be imposed by virtue of this Part.
- (3) References in this section to the issue of licences include references to their renewal, transfer or variation.
- (4) References in this section to licensing include references to certifying and registering; and “licence” shall be construed accordingly.
- (5) This section does not apply where the licensing authority is also (other than by virtue of paragraph (c) of subsection (9) of section 61) the enforcing authority.

Changes to legislation:

There are currently no known outstanding effects for the Fire (Scotland) Act 2005, Section 71.