

# **CRIMINAL JUSTICE AND LICENSING (SCOTLAND) ACT 2010**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### **Part 9 - Alcohol Licensing**

##### ***Section 184 – Premises licences: connected persons and interested parties***

759. **Section 184** inserts a new section 40A into the Licensing (Scotland) Act 2005. Section 40A(1) imposes a duty on a premises licence holder to notify the appropriate Licensing Board if a person becomes or ceases to be a connected person or interested party. The Licensing Board is required to give a copy of the notice to the chief constable.
760. The notification must set out the interested party or connected person's name, address and date of birth. The notification must be made within one month of the person becoming or ceasing to be an interested party or connected person.
761. Failure by a premises licence holder to supply this notice to the Licensing Board is an offence which may incur a fine not exceeding level 2 on the standard scale.
762. Subsection (3) amends section 48 of the 2005 Act to require a premises licence holder to inform the appropriate Licensing Board of changes in the names and addresses of connected persons or interested parties. Subsection (3) also provides that these details, together with any changes to the name and address of the premises licence holder or premises manager, are forwarded to the chief constable.
763. The meaning of "connected person" is set out in section 147(3) of the 2005 Act. Section 184 amends section 147 of the 2005 Act to insert the meaning given to "interested parties". A person is an interested party in relation to licensed premises if they are neither the premises licence holder or premises manager but has an interest in the premises either as owner or tenant or have managerial control over the premises or the business taking place on the premises.