



Criminal Justice and Licensing (Scotland) Act 2010

2010 asp 13

PART 8

LICENSING UNDER CIVIC GOVERNMENT (SCOTLAND) ACT 1982

173 Licensing: powers of entry and inspection for civilian employees

- (1) The 1982 Act is amended as follows.
- (2) In section 5 (rights of entry and inspection)—
 - (a) in subsection (1), after “licensing authority” insert “, an authorised civilian employee ”,
 - (b) in subsection (3)(a) and (b)—
 - (i) after “constable” where it first occurs insert “, an authorised civilian employee ”, and
 - (ii) after “such an” insert “ employee or ”,
 - (c) in subsection (3)(c), after “constable” insert “, an authorised civilian employee ”,
 - (d) in subsection (4)—
 - (i) after “licensing authority” insert “, an authorised civilian employee ”, and
 - (ii) after “the officer” insert “, employee ”, and
 - (e) in subsection (6), after “licensing authority” insert “ or authorised civilian employee ”.
- (3) In section 8 (interpretation of Parts 1 and 2), after the definition of “appropriate relevant authority” insert—

““authorised civilian employee” means a person—

 - (a) employed by a police authority under section 9(1)(a) of the Police (Scotland) Act 1967 (c.77), and
 - (b) authorised by the chief constable for the purposes of sections 5 and 11 of this Act;”.

Changes to legislation: There are currently no known outstanding effects for the Criminal Justice and Licensing (Scotland) Act 2010, Section 173. (See end of Document for details)

- (4) In section 11 (inspection and testing of vehicles), in subsection (2)—
 - (a) after “the authority” insert “, an authorised civilian employee ”,
 - (b) in paragraph (b), after “licensing authority” insert “, an authorised civilian employee ”, and
 - (c) after “authorised officer” where it last occurs, insert “, employee ”.
- (5) In paragraph 3 (miscellaneous definitions) of Schedule 2 (control of sex shops), after the definition of “appropriate relevant authority” insert—
 - ““authorised civilian employee” means a person—
 - (a) employed by a police authority under section 9(1)(a) of the Police (Scotland) Act 1967 (c.77), and
 - (b) authorised by the chief constable for the purposes of paragraph 20 of this Schedule;”.
- (6) In paragraph 20 of that Schedule (rights of entry and inspection)—
 - (a) in sub-paragraph (1), after “local authority” insert “, an authorised civilian employee ”,
 - (b) in sub-paragraph (3), after “local authority” insert “ or an authorised civilian employee ”, and
 - (c) in sub-paragraph (5)—
 - (i) after “constable” where it first occurs insert “, an authorised civilian employee ”, and
 - (ii) after “such” insert “ employee or ”.

Commencement Information

II [S. 173](#) in force at 13.12.2010 by [S.S.I. 2010/413](#), art. 2, [Sch.](#)

Changes to legislation:

There are currently no known outstanding effects for the Criminal Justice and Licensing (Scotland) Act 2010, Section 173.