



# 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;”.

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*Status: This is the original version (as it was originally enacted).*

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- (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”.