



Air Weapons and Licensing (Scotland) Act 2015

2015 asp 10

PART 2

ALCOHOL LICENSING

Fit and proper person test

43 Premises licence application: ground for refusal

- (1) The 2005 Act is amended as follows.
- (2) In section 22 (objections and representations)—
 - (a) after subsection (1) insert—

“(1A) A person giving a notice under subsection (1) may include in the notice any information that the person considers may be relevant to consideration by the Board of any ground for refusal including, in particular, information in relation to—

 - (a) the applicant,
 - (b) where the applicant is neither an individual nor a council, a connected person in relation to the applicant, or
 - (c) any person who would be an interested party in relation to the subject premises if the application were to be granted.”
 - (b) in subsection (3)(b), after “representation” insert “(including any information included under subsection (1A))”.
- (3) In section 23 (determination of premises licence application)—
 - (a) in subsection (5)—
 - (i) after paragraph (b) insert—

“(ba) that the Licensing Board consider, having regard to the licensing objectives, that the applicant is not a fit and proper person to be the holder of a premises licence,”

Status: This is the original version (as it was originally enacted).

- (ii) in paragraph (c), after “would” insert “otherwise”,
- (b) in subsection (6), for the words “the granting of the application would be inconsistent with one or more of the licensing objectives,” substitute “either of the grounds for refusal specified in subsection (5)(ba) and (c) applies,”
- (c) in subsection (8)(b), for “(5)(c)” substitute “(5)(ba) or (c)”.