



# Criminal Justice and Licensing (Scotland) Act 2010

2010 asp 13

## PART 9

### ALCOHOL LICENSING

#### 182      **Reviews of premises licences: notification of determinations**

- (1) The 2005 Act is amended as follows.
- (2) After section 39 (Licensing Board's powers on review), insert—

#### **“39A Notification of determinations**

- (1) Where a Licensing Board, at a review hearing—
  - (a) decides to take one of the steps mentioned in section 39(2), or
  - (b) decides not to take one of those steps,the Board must give notice of the decision to each of the persons mentioned in subsection (2).
- (2) The persons referred to in subsection (1) are—
  - (a) the holder of the premises licence, and
  - (b) where the decision is taken in connection with a premises licence review application, the applicant.
- (3) Where subsection (1)(a) applies, the holder of the premises licence may, by notice to the clerk of the Board, require the Board to give a statement of reasons for the decision.
- (4) Where—
  - (a) subsection (1)(a) or (b) applies, and
  - (b) the decision is taken in connection with a premises licence review application,the applicant may, by notice to the clerk of the Board, require the Board to give a statement of reasons for the decision.

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*Status: This is the original version (as it was originally enacted).*

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- (5) Where the clerk of a Board receives a notice under subsection (3) or (4), the Board must issue a statement of the reasons for the decision to—
- (a) the person giving the notice, and
  - (b) any other person to whom the Board gave notice under subsection (1).
- (6) A statement of reasons under subsection (5) must be issued—
- (a) by such time, and
  - (b) in such form and manner,
- as may be prescribed.”.