

EXECUTIVE NOTE
THE LICENSING QUALIFICATION (SCOTLAND) REGULATIONS 2007 -

S.S.I 2007/98

The above instrument was made in exercise of the powers conferred by sections 91 and 147(1) of the Licensing (Scotland) Act 2005. Section 91 will be brought fully into force by the date of commencement of these Regulations. The instrument is subject to negative resolution procedure.

Policy Objectives

The purpose of the instrument is to prescribe the licensing qualification that will be considered acceptable to meet the eligibility conditions with which an applicant must comply under section 74 of the Act. The qualification will be based on the framework for training developed by the National Licensing Forum. Ministers will only approve a qualification if it has been firstly accredited by the Scottish Qualifications Authority. The Scottish Executive has provided the Committee with a copy of the proposed specification for the qualification which accompanies these Regulations.

Consultation

The Scottish Executive undertook a public consultation on a draft of these Regulations between October and December 2006. Those consulted included all local authorities in Scotland, all Licensing Boards, the key licensed trade associations and a range of other stakeholder groups. In addition to this the Scottish Executive had useful discussions with key stakeholders during the consultation period. Those organisations included:

- The Scottish Licensed Trade Association;
- British Entertainment & Dance Association;
- The Scottish Beer & Pub Association;
- British Institute of Innkeeping;
- Scottish Grocers' Federation;
- Scottish Retail Consortium;
- Association of Chief Police Officers in Scotland; and
- The British Hospitality Association.

Financial Effects

The instrument has no financial effects on the Scottish Executive, or local government. There will be costs on applicants wishing to undertake this qualification. These are not yet known as training still has to be designed and developed by awarding bodies. Costs will be determined by commercial training providers and competition in the market may keep costs to a minimum.

Scottish Executive Finance & Central Services Department
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