
Changes to legislation: There are currently no known outstanding effects for the Criminal Justice and Licensing (Scotland) Act 2010, Paragraph 13. (See end of Document for details)

SCHEDULE 6
FURTHER MODIFICATIONS OF 2005 ACT

- 13 (1) Section 74 (determination of personal licence application) is amended as follows.
- (2) In subsection (5), for paragraph (b) substitute—
- “(b) the notice received from the appropriate chief constable under subsection (3)(a) or (b) of section 73 includes a recommendation under subsection (4) of that section.”.
- (3) After subsection (5) insert—
- “(5A) If—
- (a) all of those conditions are met in relation to the applicant,
- (b) the Board has received from the appropriate chief constable a notice under subsection (3)(b) of section 73, and
- (c) the notice does not include a recommendation under subsection (4) of that section,
- the Board may hold a hearing for the purpose of considering and determining the application.
- (5B) If the Board decides not to hold a hearing under subsection (5A), the Board must grant the application.”.
- (4) In subsection (6)—
- (a) after “subsection (5)” insert “ or (5A) ”, and
- (b) in paragraph (a), for “the crime prevention objective” substitute “ any of the licensing objectives ”.

Commencement Information

II Sch. 6 para. 13 in force at 13.12.2010 by S.S.I. 2010/413, art. 2, Sch. (with Sch.)

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