



Air Weapons and Licensing (Scotland) Act 2015

2015 asp 10

PART 2

ALCOHOL LICENSING

Fit and proper person test

44 Application to transfer premises licence: ground for refusal

- (1) The 2005 Act is amended as follows.
- (2) In section 33 (transfer on application of licence holder)—
 - (a) after subsection (7) insert—

“(7A) On giving a notice under subsection (6)(a) or (b), the chief constable may also provide to the Licensing Board any information in relation to—

 - (a) the transferee,
 - (b) where the transferee is neither an individual nor a council, a connected person, or
 - (c) any person who would be an interested party in relation to the licensed premises if the application for the transfer of the licence to the transferee were to be granted,

that the chief constable considers may be relevant to consideration by the Board of the application.”,
 - (b) in subsection (8)—
 - (i) the word “and” immediately following paragraph (a) is repealed,
 - (ii) after paragraph (b) insert “, and
 - (c) no information has been provided under subsection (7A),”
 - (c) in subsection (10)—

Status: This is the original version (as it was originally enacted).

- (i) after “notice” insert “and any information provided under subsection (7A)”,
- (ii) in paragraph (a), for the words from “it” to “objectives” substitute “a ground for refusal applies”,
- (d) after subsection (10) insert—
 - “(11) The grounds for refusal are—
 - (a) that, having regard to the licensing objectives, the transferee is not a fit and proper person to be the holder of a premises licence,
 - (b) that it is otherwise necessary to refuse the application for the purposes of any of the licensing objectives.”.