



# Tied Pubs (Scotland) Act 2021

## 2021 asp 17

### TIED PUBS (SCOTLAND) ACT 2021

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*Changes to legislation: There are currently no known outstanding effects for the Tied Pubs (Scotland) Act 2021. (See end of Document for details)*

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#### Schedule 1 — The Scottish Pubs Code

##### *Requirement to provide information*

- 1 (1) The code may require pub-owning businesses to produce information...

##### *Requirement to comply with adjudicator's directions following an investigation*

- 2 The code must provide that a pub-owning business is required...

##### *Restriction on enforcing certain terms of agreement*

- 3 (1) The code— (a) must provide that a pub-owning business...

##### *Requirement to offer guest beer agreement*

- 4 (1) The code must require a pub-owning business to offer...

##### *Requirement to offer market rent only lease*

- 5 (1) The code must require a pub-owning business—

##### *Market rent only lease: further provision*

- 6 In describing the procedure mentioned in paragraph 5(2)(a), the code...

##### *Generality of enabling power unaffected*

- 7 Nothing in this schedule is to be taken to limit...

#### Schedule 2 — Scottish Pubs Code Adjudicator

##### Part 1 — STATUS AND LIABILITY

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*Legal personality*

- 1 The adjudicator is, as such, to be regarded as a...

*Exclusion of Crown Status*

- 2 (1) The adjudicator— (a) is not a servant or agent...

*Exemption from liability for damages*

- 3 (1) The following are exempt from liability in damages for...  
Part 2 — POWERS

**CHAPTER 1**

POWER TO REQUIRE INFORMATION

*Imposition of requirement*

- 4 (1) The adjudicator may, for a purpose mentioned in sub-paragraph...

*Offence of failing to comply with requirement*

- 5 (1) A person commits an offence if—

*Offence of providing false information*

- 6 (1) A person commits an offence if, in response to...

**CHAPTER 2**

OTHER POWERS

*Power to advise on the code*

- 7 The adjudicator may give any person advice on any matter...

*Power to issue guidance*

- 8 (1) The adjudicator may prepare and make publicly available guidance...

*General powers*

- 9 The adjudicator may do anything which appears to the adjudicator...  
Part 3 — FUNDING AND OTHER SUPPORT

**CHAPTER 1**

ASSISTANCE FROM THE SCOTTISH MINISTERS

*Loans*

- 10 The Scottish Ministers may— (a) give loans to the adjudicator,...

*Other assistance*

- 11 The Scottish Ministers may provide staff, premises, facilities or other...

## CHAPTER 2

### LEVY FUNDING

#### *Annual levy on pub-owning businesses*

- 12 (1) The adjudicator may impose a levy in respect of...

#### *Amount of levy*

- 13 (1) The rate at which a person is to be...

#### *Liability to pay*

- 14 (1) A person is liable to pay the adjudicator the...

#### *Rebate*

- 15 (1) If, having collected the levy in respect of a...

#### *Appeals*

- 16 A person on whom a levy is imposed under paragraph...

#### Part 4 — ACCOUNTABILITY

#### *Accounts and audit*

- 17 (1) The adjudicator must— (a) keep proper accounts and accounting...

#### *Annual report*

- 18 (1) The adjudicator must, after each financial year—

#### *Information to Scottish Ministers*

- 19 The adjudicator must provide the Scottish Ministers with any information...

#### Part 5 — APPOINTMENT AND TERMS AND CONDITIONS

#### *Appointment*

- 20 (1) The adjudicator is to be appointed by the Scottish...

#### *Tenure*

- 21 (1) A person holds the office of Scottish Pubs Code...

#### *Defect in appointment*

- 22 (1) A person's appointment to the office of Scottish Pubs...

#### *Remuneration*

- 23 The adjudicator may, in accordance with a determination by the...

#### *Other terms and conditions*

- 24 The Scottish Ministers may determine the terms and conditions of...

#### Part 6 — STAFF

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### *Secondees*

25 (1) The adjudicator may make arrangements for persons to be...

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