



Tied Pubs (Scotland) Act 2021

2021 asp 17

PART 2

GIVING EFFECT TO THE CODE

PROSPECTIVE

Avoidance

19 Reports on avoidance

- (1) The adjudicator must report to the Scottish Ministers on cases of pub-owning businesses engaging in avoidance activity.
- (2) In subsection (1), “avoidance activity” means acts or omissions (or both) by a pub-owning business that are—
 - (a) unfair, and
 - (b) engaged in by the business in order to avoid, to the detriment of a tied-pub tenant, the operation of provision made by or under this Act.
- (3) A report under subsection (1) must include recommendations as to—
 - (a) action to be taken to prevent pub-owning businesses from engaging in the activity reported on, and
 - (b) how to provide redress for tied-pub tenants affected by those activities.
- (4) Within 3 months of receiving a report under subsection (1), the Scottish Ministers must make publicly available a statement setting out—
 - (a) what action they intend to take to protect tied-pub tenants from the activities reported on by the adjudicator, or
 - (b) if they do not intend to take any such action, the reasons for that decision.

Status:

This version of this cross heading contains provisions that are prospective.

Changes to legislation:

There are currently no known outstanding effects for the Tied Pubs (Scotland) Act 2021, Cross Heading: Avoidance.