



# Tied Pubs (Scotland) Act 2021

## 2021 asp 17

### PART 2

#### GIVING EFFECT TO THE CODE

##### *Arbitration*

#### **15 Submission of dispute to adjudicator**

- (1) A dispute may be submitted to arbitration under this section by—
  - (a) a tied-pub tenant, or
  - (b) a pub-owning business.
- (2) But a dispute may be submitted to arbitration under this section only if—
  - (a) the tenant notified the business of the alleged failure to comply with the code that is the subject of the dispute within the period specified in subsection (3), and
  - (b) the dispute is submitted within the period of 4 months beginning with the day falling 21 days after the business was notified.
- (3) The period referred to in subsection (2)(a) is the period of 6 months, beginning with—
  - (a) the day on which the alleged failure to comply with the code occurred,
  - (b) where the alleged failure was a continuing one, the day on which the failure ceased, or
  - (c) the day on which the tenant became, or could reasonably be expected to have become, aware of the alleged failure, if later than the day mentioned in paragraph (a) or (as the case may be) (b).
- (4) If—
  - (a) the 4 month period mentioned in subsection (2)(b) or the 6 month period mentioned in subsection (3) begins on the 29th, 30th or 31st of a month, and
  - (b) there is no corresponding day in the month falling 4 or (as the case may be) 6 months later,the period expires on the last day of that month.