



Tied Pubs (Scotland) Act 2021

2021 asp 17

PART 3

INTERPRETATION

20 Tied pub

- (1) In this Act, “tied pub” means a pub which is being leased to a tenant who is subject to a contractual obligation which—
- (a) requires that some or all of the alcohol to be sold in the pub be supplied by—
 - (i) the landlord of the pub, or
 - (ii) a person nominated by the landlord, and
 - (b) is not a stocking requirement.
- (2) In subsection (1)(b), “stocking requirement” means a contractual obligation which—
- (a) requires that some of the beer or cider (or both) that is to be sold in the pub is produced by the landlord,
 - (b) does not require the tenant to procure that beer or cider from a particular supplier, and
 - (c) neither prevents the tenant from, nor penalises the tenant for, selling in the pub beer or cider that is produced by a person other than the landlord (although a contract term may impose restrictions on such sales).
- (3) References in this section to the landlord of a pub includes any person who is a group undertaking in relation to the person who is actually the landlord.

21 Pub-owning business and tied-pub tenant

- (1) In this Act, “pub-owning business” means (subject to subsection (2)) the landlord under the lease of a tied pub.
- (2) References in this Act to—
- (a) a pub-owning business include a person who has been a pub-owning business,
 - (b) a tied-pub tenant include a person who has been the tenant under the lease of a tied pub.

Changes to legislation: There are currently no known outstanding effects for the Tied Pubs (Scotland) Act 2021, Part 3. (See end of Document for details)

22 Other expressions

In this Act—

“adjudicator” means the Scottish Pubs Code Adjudicator,

“beer” and “cider” have the meanings given in section 1 of the Alcoholic Liquor Duties Act 1979,

“code” means the regulations under section 1,

“group undertaking” has the meaning given by section 1161 of the Companies Act 2006,

“pub” means premises—

- (a) in respect of which a premises licence within the meaning of section 17 of the Licensing (Scotland) Act 2005 has effect, and
- (b) in which the main activity (or one of the main activities) carried on is the sale of alcohol to members of the public for consumption on the premises.

Changes to legislation:

There are currently no known outstanding effects for the Tied Pubs (Scotland) Act 2021, Part 3.