

## SCHEDULE 2

### Licensors and Pub Operating Businesses

## PART 2

### Licensors

5. Where the head organisation is a licensor for the purposes of determining whether the condition in regulation 11(1)(b) is met, only the following packaging or packaging materials are to be taken into account—

- (a) packaging or packaging materials that bear a trade mark of the head organisation for which a licence to use such trade mark has been granted under the licence agreement,
- (b) packaging associated with goods that bear a trade mark of the head organisation for which a license to use such a trade mark has been granted under the licence agreement; and
- (c) where the member is obliged to—
  - (i) purchase goods in packaging,
  - (ii) purchase goods and associated packaging or packaging materials to be used to contain or protect such goods or to facilitate the handling of or for the presentation of such goods,
  - (iii) purchase packaging or packaging materials to be used to contain or protect such goods or to facilitate the handling of or for the presentation of such goods,

from the head organisation or, where the head organisation has negotiated some or all of the terms of the supply, a supplier nominated or authorised by the head organisation under the licence agreement, such packaging or packaging materials.