SCHEDULES

SCHEDULE 11

LICENSING RULES

PART 1

LICENSING PROCEDURE

Applications for licences

1 (1) Licensing rules must make provision about the form and manner in which applications for licences are to be made, and the fee (if any) which is to accompany an application.

(2) They may make provision about—
(a) the information which applications must contain, and
(b) the documents which must accompany applications.

Commencement Information
I1 Sch. 11 para. 1 in force at 2.8.2010 by S.I. 2010/1118, **art. 2(c)**

Determination of applications

2 (1) Licensing rules must make the following provision about the determination of applications for licences.

(2) Before the end of the decision period the licensing authority must—
(a) decide the application,
(b) notify the applicant of its decision, and
(c) if it decides to refuse the application, set out in the notice the reasons for the refusal.

(3) The decision period is the period of 6 months beginning with the day on which the application is made to the licensing authority in accordance with its licensing rules.

(4) The licensing authority may, on one or more occasions, give the applicant a notice (an "extension notice") extending the decision period by a period specified in the notice.

(5) But—
(a) an extension notice may only be given before the time when the decision period would end, but for the extension notice, and
(b) the total decision period must not exceed 9 months.

(6) An extension notice must set out the reasons for the extension.

Commencement Information

I2 Sch. 11 para. 2 in force at 2.8.2010 by S.I. 2010/1118, **art. 2(c)**

Review of determination

3 Licensing rules must make provision for review by the licensing authority of—

(a) a decision to refuse an application for a licence;

(b) if a licence is granted, the terms of the licence.

Commencement Information

I3 Sch. 11 para. 3 in force at 2.8.2010 by S.I. 2010/1118, **art. 2(c)**

Period of licence and renewal

4 (1) The licensing rules may make provision—

(a) limiting the period for which any licence is (subject to the provision of this Part of this Schedule and of the licensing rules) to remain in force;

(b) about the renewal of licences, including provision about the form and manner in which an application for the renewal is to be made, and the fee (if any) which is to accompany an application.

(2) The licensing rules may make provision about—

(a) the information which applications for renewal must contain, and

(b) the documents which must accompany applications.

(3) Licensing rules must provide that a licence issued to a licensed body by the licensing authority ceases to have effect if the licensed body is issued with a licence by another licensing authority.

Commencement Information

I4 Sch. 11 para. 4 in force at 2.8.2010 by S.I. 2010/1118, **art. 2(c)**

Continuity of licences

5 (1) Licensing rules may make provision about the effect, on a licence issued to a partnership or other unincorporated body ("the existing body"), of any change in the membership of the existing body.

(2) The provision which may be made includes provision for the existing body's licence to be transferred where the existing body ceases to exist and another body succeeds to the whole or substantially the whole of its business.

Commencement Information

I5 Sch. 11 para. 5 in force at 2.8.2010 by S.I. 2010/1118, **art. 2(c)**

Modification of licences

6 (1) Licensing rules must make provision about the form and manner in which applications are to be made for modification of the terms of a licence under section 86, and the fee (if any) which is to accompany the application.

(2) They may make provision as to the circumstances in which the licensing authority may modify the terms of a licence under section 86 without an application being made.

(3) They must make provision for review by the licensing authority of—

(a) a decision to refuse an application for modification of the terms of a licence;

(b) if the licensing authority makes licensing rules under sub-paragraph (2), a decision under those rules to modify the terms of a licence.

Commencement Information

I6 Sch. 11 para. 6 in force at 2.8.2010 by S.I. 2010/1118, **art. 2(c)**

Modifications under section 106 or 107

7 (1) Licensing rules must make provision about the form and manner in which applications are to be made under section 106 or 107, and the fee (if any) which is to accompany the application.

(2) They may make provision as to the matters to which the licensing authority must have regard in determining whether to make an order under section 106, or to revoke or modify such an order.

(3) They must make provision for review by the licensing authority of—

(a) a decision to refuse an application under those sections;

(b) the terms of any order made under section 106 or any decision under section 107.

Commencement Information

I7 Sch. 11 para. 7 in force at 2.8.2010 by S.I. 2010/1118, **art. 2(c)**

8 (1) Licensing rules must make the following provision in relation to licensed bodies to which section 106 applies ("special bodies"), and in relation to which an order under section 106 has been made.

(2) If a special body becomes a special body of a different kind, it must notify the licensing authority of that fact before the end of the relevant period.

(3) If a special body ceases to be a special body, it must notify the licensing authority of that fact before the end of the relevant period.

(4) The relevant period is the period of 30 days (or such longer period as may be specified in licensing rules) beginning with the day on which the body first became a special body of a different kind, or ceased to be a special body.

(5) Licensing rules may make provision requiring a special body to provide the licensing authority with such information relevant to the matters mentioned in section 106(5) as may be specified in the licensing rules.

Commencement Information

I8 Sch. 11 para. 8 in force at 2.8.2010 by S.I. 2010/1118, **art. 2(c)**

Changes to legislation:
There are currently no known outstanding effects for the Legal Services Act 2007, Part 1.