



Small Business, Enterprise and Employment Act 2015

2015 CHAPTER 26

PART 4

THE PUBS CODE ADJUDICATOR AND THE PUBS CODE

Supplementary

68 “Tied pub”

- (1) In this Part a “tied pub” means premises in relation to which conditions A to D are met.
- (2) Condition A is that the premises have a premises licence authorising the retail sale of alcohol for consumption on the premises.
- (3) Condition B is that the main activity or one of the main activities carried on at the premises is the retail sale of alcohol to members of the public for consumption on the premises.
- (4) Condition C is that the premises are occupied under a tenancy or licence.
- (5) Condition D is that the tenant or licensee of the premises is subject to a contractual obligation that some or all of the alcohol to be sold at the premises is supplied by—
 - (a) the landlord or a person who is a group undertaking in relation to the landlord, or
 - (b) a person nominated by the landlord or by a person who is a group undertaking in relation to the landlord.
- (6) But condition D is not met if the contractual obligation is a stocking requirement.
- (7) The contractual obligation is a stocking requirement if—
 - (a) it relates only to beer or cider (or both) produced by the landlord or by a person who is a group undertaking in relation to the landlord,

Changes to legislation: There are currently no known outstanding effects for the Small Business, Enterprise and Employment Act 2015, Section 68. (See end of Document for details)

- (b) it does not require the tied pub tenant to procure the beer or cider from any particular supplier, and
 - (c) it does not prevent the tied pub tenant from selling at the premises beer or cider produced by a person not mentioned in paragraph (a) (whether or not it restricts such sales).
- (8) In subsection (7), “beer” and “cider” have the same meanings as in the Alcoholic Liquor Duties Act 1979 (see section 1 of that Act).
- (9) In this section—
“alcohol” has the meaning given by section 191 of the Licensing Act 2003;
“premises licence” has the same meaning as in that Act.

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