

PERSONAL LICENCE APPLICATION GUIDANCE

Extract from The Personal Licence (Scotland) Regulations 2007 (SSI 2007/77)

1. A personal licence application or a personal licence renewal application is to be –
 - (1.a) in the form set out in Schedule 2; and
 - (1.b) accompanied by –
 - (1.b.i) evidence that the applicant possesses a licensing qualification; and
 - (1.b.ii) two photographs of the applicant which comply with paragraph (2) and one of which has a statement on it in accordance with paragraph (3).
 - (2) The two photographs of the applicant must –
 - (2.a) measure 45 millimetres by 35 millimetres;
 - (2.b) be on photographic paper;
 - (2.c) be taken against a light background; and
 - (2.d) show the full face of the applicant, without the applicant wearing sunglasses or any head covering (unless the applicant wears such a covering on account of a religious belief).
 - (3) One photograph of the applicant must have on the back of it a statement by a person appearing to the Licensing Board to be a person of standing in the community, with the words “I certify that this is a true likeness of (name of applicant)”, followed by the full name of the person endorsing the photograph.
2. A personal licence application or a personal licence renewal application must be made in writing or, if the Licensing Board to which the application is made so agrees, by electronic transmission.

NOTES

Information on the Licensing (Scotland) Act 2005 is available on the website of the Scottish Parliament

<http://www.opsi.gov.uk/legislation/scotland/acts2005/20050016.htm>

1. **Change of name or address**

Section 88 of the Licensing (Scotland) Act 2005 requires that a personal licence holder must, no later than one month after any change in the licence holder's name or address, give the Licensing Board which issued the licence notice of the change. It is an offence not to do so.

2. **Licensing qualifications**

Licensing qualifications are dealt with in section 91 of the Licensing (Scotland) Act 2005. In summary, to be eligible for a personal licence, an applicant must be aged 18 or over and possess a licensing qualification, and no personal licence previously held by the applicant must have been revoked within the period of 5 years ending with the day on which the application was received by the Licensing Board.

3. **Photographs**

One of the photographs submitted with your application should be endorsed on the back. This endorsement should, contain the words "I certify that this is a true likeness of (name of applicant)", followed by the full name of the person endorsing the photograph.

4. **Convictions**

Section 75 of the Act places a duty on an applicant for a personal licence to notify the Licensing Board if he or she has been convicted of any relevant or foreign offence during the time between making the application and the application being determined by the Licensing Board. Furthermore, section 82 of the Act requires personal licence holders to notify their Licensing Board of any convictions for relevant or foreign offences within one month of the licence holder being convicted.

5. **Data Protection Act 2018**

The information on this form may be held on an electronic public register which may be available to members of the public on request.

I understand that East Lothian Council is under a duty to protect the public funds it administers, and to this end may use the information I have provided on this form for the prevention and detection of fraud. East Lothian Council may also share this information with other bodies responsible for auditing or administering public funds for these purposes.