



Licensing (Scotland) Act 2005

2005 asp 16

PART 3

PREMISES LICENCES

Review of premises licence

37 Review of premises licence on Licensing Board's initiative

- (1) The appropriate Licensing Board in respect of any licensed premises in relation to which a premises licence has effect may, on their own initiative, propose to review the licence on any of the grounds for review.
- (2) A proposal under subsection (1) is referred to in this Act as a “premises licence review proposal”.
- (3) The grounds for review referred to in subsection (1) are those specified in [^{F1}section] 36(3).
- (4) A premises licence review proposal must specify the alleged ground for review, including in particular—
 - [^{F2}(za) where the ground is that specified in section 36(3)(za), a summary of the information on which the Board's view that the alleged ground applies is based,]
 - (a) where the ground is that specified in [^{F3}section] 36(3)(a), the condition or conditions alleged to have been breached,
 - (b) where the ground is that specified in [^{F4}section] 36(3)(b), the licensing objective or objectives to which the alleged ground of review relates.
- [^{F5}(5) A Licensing Board making a premises licence review proposal may include in the proposal any information that the Board considers may be relevant to their consideration of the alleged ground for review including, in particular, information in relation to—
 - (a) the licence holder,
 - (b) where the licence holder is neither an individual nor a council, a connected person in relation to the licence holder, or
 - (c) any person who is an interested party in relation to the licensed premises.]

Changes to legislation: Licensing (Scotland) Act 2005, Section 37 is up to date with all changes known to be in force on or before 25 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

- F1** Word in s. 37(3) substituted (15.5.2017) by Air Weapons and Licensing (Scotland) Act 2015 (asp 10), s. 88(2), **sch. 2 para. 4(5)(a)**; S.S.I. 2017/119, art. 2, sch.
- F2** S. 37(4)(za) inserted (15.5.2017) by Air Weapons and Licensing (Scotland) Act 2015 (asp 10), **ss. 45(3)(a)**, 88(2); S.S.I. 2017/119, art. 2, sch. (with arts. 3, 4)
- F3** Word in s. 37(4)(a) substituted (15.5.2017) by Air Weapons and Licensing (Scotland) Act 2015 (asp 10), s. 88(2), **sch. 2 para. 4(5)(b)(i)**; S.S.I. 2017/119, art. 2, sch.
- F4** Word in s. 37(4)(b) substituted (15.5.2017) by Air Weapons and Licensing (Scotland) Act 2015 (asp 10), s. 88(2), **sch. 2 para. 4(5)(b)(ii)**; S.S.I. 2017/119, art. 2, sch.
- F5** S. 37(5) inserted (15.5.2017) by Air Weapons and Licensing (Scotland) Act 2015 (asp 10), **ss. 45(3)(b)**, 88(2); S.S.I. 2017/119, art. 2, sch. (with arts. 3, 4)

Commencement Information

- I1** S. 37 in force at 1.2.2008 by S.S.I. 2007/472, art. 2, **Sch. 1**

Changes to legislation:

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Changes and effects yet to be applied to :

- specified provision(s) Appointed Day(s) by [S.S.I. 2006/239 art. 2](#) (This S.S.I. is revoked on 25.5.2006 by S.S.I. 2006/286, art. 6)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 33(1)(1A) substituted for s. 33(1)-(3) by [2015 asp 10 s. 49\(2\)\(a\)](#)
- s. 33(8)(za) inserted by [2015 asp 10 s. 49\(2\)\(c\)](#)
- s. 33(8A) inserted by [2015 asp 10 s. 49\(2\)\(d\)](#)
- s. 33A inserted by [2015 asp 10 s. 49\(4\)](#)
- s. 134ZA-134ZC inserted by [2015 asp 10 s. 61\(2\)](#)