

Licensing Act 2003

Grant of Personal Licence

**What is a Personal Licence?**

Personal licences are granted to individuals to sell or to authorise the sale of alcohol. All sales of alcohol must be made by, or under the authority of, a personal licence holder. Not everyone who makes a sale has to hold a personal licence, so long as a personal licence holder has authorised the sale. This does not apply to sales that take place at premises which hold a club premises certificate, certain community premises or premises operating under a Temporary Event Notice.

A personal licence does not authorise its holder to sell alcohol anywhere, but only from establishments with a premises licence authorising the sale of alcohol in accordance with the premises licence. An individual may hold only one personal licence at any one time.

Applications for a personal licence must be made to the Council in whose district the applicant lives.

More than one personal licence holder can work at the same premises. Applicants may also choose to become a personal licence holder if they wish to apply for more then five Temporary Event Notices a year.

**What is a Designated Premises Supervisor (DPS)?**

If the application for a premises licence includes consent to sell alcohol, a Designated Premises Supervisor (DPS) must be named on the application form. This is the person that will be the first point of contact for the Council or Responsible Authorities should they have concerns regarding the operation of the premises. This ensures there is always one specified individual who can be readily identified at a premises where a premises licence is in force. This person will usually be responsible for the day-to-day running of the premises.

A person cannot become a DPS unless he is also a personal licence holder.

Although qualifying clubs do not need a DPS to supply alcohol to members and their guests, this exemption does not apply if the premises are hired out for functions e.g. wedding receptions and birthday parties. A full Premises Licence is required for these activities (unless only a small number of events are held, which can be authorised under a Temporary Event Notice) and therefore a DPS would also be required in these circumstances.

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**What is the meaning of the term “relevant offence”?**

'Relevant offence' refers to the offences listed in the Licensing Act 2003 that could, on conviction, rule out the grant or renewal of a personal licence to the applicant concerned. The full list of relevant offences can be found below and in Schedule 4 to the Act.

When applying for the grant of a personal licence the applicant must include details of any relevant or foreign offences for which they have been convicted.

**What if I am convicted of an offence while holding a personal licence?**

The Act makes provision for the holder of a personal licence charged with a relevant offence to produce his licence to the court or, if that is not practical, notify the court of the existence of the personal licence. Where a personal licence holder is convicted of a relevant offence, the court may order forfeiture or suspension of the personal licence.

If a person is convicted of either a relevant or foreign offence while holding a personal licence, they must as soon as reasonably practicable inform the licensing authority which granted the licence of the conviction.

If an applicant for the grant of a personal licence is convicted of a relevant or foreign offence during the application process, they must also notify the licensing authority of the conviction. Failure to notify a licensing authority is an offence.

**How do “foreign offences” differ from relevant offences?**

Relevant offences mean those offences listed in Schedule 4 to the Licensing Act. Convictions for offences (other than relevant offences) under the law of any place outside England and Wales, including other parts of the United Kingdom such as Scotland and Northern Ireland, are counted as foreign offences. Details of these will also need to be given. The reason for the separate terms is that offences under the law of places outside England and Wales, which are equivalent to relevant offences, will not necessarily exist in exactly the same form as relevant offences.

**How will licensing authorities check relevant and foreign offence records?**

Each personal licence application will have to include details of records of any relevant or foreign offence for which the applicant has been convicted. Where an applicant has been convicted of a relevant or foreign offence, the Council as Licensing Authority must give notice to the chief officer of police for that area. The police will then consider the conviction.

For relevant offences the police will consult either their own records or those of the relevant police force if the offence was committed in a different area. The chief officer of police will then notify the licensing authority if he is satisfied that granting the personal licence would undermine the licensing objective of preventing crime and disorder.

For foreign offences the police will take steps to contact their counterparts in the region or country where the conviction occurred.

**What information must the Council give to the Audit Commission?**

To help with the prevention and detection of various types of fraud the Council is required, by the Audit Commission, to take part in the National Fraud Initiative.

Every 2 years the Council has to provide particular sets of personal data, which include details of Personal Licence holders. These records are then compared with other records held by the Council and other bodies.

More information about the Audit Commission’s legal powers and why it compares particular information can be found on the Commissions website:

[www.audit-commission.gov.uk/nfi](http://www.audit-commission.gov.uk/nfi), or by contacting the Audit Commission, Kernel House, Killingbeck Drive, Leeds, LS14 6UF (Telephone 0113 251 7130).

**How do I apply for a Personal Licence?**

All applicants must be over 18 years old. The following must be provided with all Personal Licence applications;

* The certificate detailing the licensing qualification held by the applicant. The qualification must be accredited by the Secretary of State; this is currently:

 - BIIAB Level 2 Award for Personal Licence Holders

 - CIEH Level 2 Award for Personal Licence Holders

 - HABC Level 2 Award for Personal Licence Holders

 - IQ Level 2 Award for Personal Licence Holders

 - LASER Level 2 Award for Personal Licence Holders

 - Pearson Education Ltd Level 2 Award for Personal Licence Holders

 - QNUK Level 2 Award for Personal Licence Holders

 - SQA Level 2 Award for Personal Licence Holders

 - Training Qualifications Uk – Level 2 Award for Personal Licence Holders

The aim of this provision is to ensure that licence holders are aware of licensing law and the wider social responsibilities attached to the sale of alcohol.

* + A Basic Disclosure criminal record check. These can be obtained by contacting the Disclosure and Barring Service on 0300 020 0190 or via the website [www.gov.uk/DBS](http://www.gov.uk/DBS)

**Please note that any disclosure certificate must have been issued no earlier than one calendar month prior to submission of the application.**

* A statement made by the applicant detailing any forfeiture of a personal licence or foreign offences;
* Proof of your right to work in the United Kingdom. Acceptable documents are detailed in Note 2 of the application form;
* The fee £37.00. (Cheques made payable to Bradford Council).
* Two photographs which are:

(a) Taken against a light background so that the applicant’s features are distinguishable and contrast against the background;

(b) 45 millimeters by 35 millimeters;

1. Full face uncovered and without sunglasses and, unless the applicant wears a head covering due to his/her religious beliefs, without a head covering.
2. On photographic paper; and
3. Endorsed by-
	1. The chief executive of the licensing justices for the relevant licensing authority, or
	2. A solicitor or notary, or
	3. A person of standing in the community; or
	4. An individual with a professional qualification.

The application must be sent to the Council’s Licensing Team at the following address;

**Licensing Team**

**Argus Chambers, Hall Ings**

**BRADFORD**

**BD1 1HX**

If there are relevant offences, the Police can make a representation against the application on crime prevention grounds. If there is a representation by the Police, the application will be determined by the Council’s Area Licensing Panel, an elected body of Councillors. They will listen to evidence from both sides before deciding whether to grant the licence.

*This leaflet has been made as comprehensive as possible. However, in attempting to simplify the law, certain requirements have been omitted. Full details of what is required are in the legislation itself. Laws can and do change. This information was accurate when produced, but may have changed since. The Council must advise that only the Courts can give an authoritative opinion on statute law.*

*Bradford Council Licensing Team*

*Argus Chambers, Hall Ings*

*Bradford*

*BD1 1HX*

***Telephone: 01274 432240***

***E-mail: licensing@bradford.gov.uk***

**Relevant or Foreign Offences**.

**Schedule 4 - Section 113 Personal Licence: Relevant Offences**

1. An offence under this Act.

2. An offence under any of the following enactments-

(a) Schedule 12 to the London Government Act 1963 (c. 33) (public entertainment licensing); (b) the Licensing Act 1964 (c. 26); (c) the Private Places of Entertainment (Licensing) Act 1967 (c. 19); (d) section 13 of the Theatres Act 1968 (c. 54); (e) the Late Night Refreshment Houses Act 1969 (c. 53); (f) section 6 of, or Schedule 1 to, the Local Government (Miscellaneous Provisions) Act 1982 (c. 30); (g) the Licensing (Occasional Permissions) Act 1983 (c. 24); (h) the Cinemas Act 1985 (c. 13); (i) the London Local Authorities Act 1990 (c. vii).

3. An offence under the Firearms Act 1968 (c. 27).

4. An offence under section 1 of the Trade Descriptions Act 1968 (c. 29) (false trade description of goods) in circumstances where the goods in question are or include alcohol.

5. An offence under any of the following provisions of the Theft Act 1968 (c. 60)-

(a) section 1 (theft); (b) section 8 (robbery); (c) section 9 (burglary); (d) section 10 (aggravated burglary); (e) section 11 (removal of articles from places open to the public); (f) section 12A (aggravated vehicle-taking), in circumstances where subsection (2)(b) of that section applies and the accident caused the death of any person; (g) section 13 (abstracting of electricity); (h) section 15 (obtaining property by deception); (i) section 15A (obtaining a money transfer by deception); (j) section 16 (obtaining pecuniary advantage by deception); (k) section 17 (false accounting); (l) section 19 (false statements by company directors etc.); (m) section 20 (suppression, etc. of documents); (n) section 21 (blackmail); (o) section 22 (handling stolen goods); (p) section 24A (dishonestly retaining a wrongful credit); (q) section 25 (going equipped for stealing etc.).

6. An offence under section 7(2) of the Gaming Act 1968 (c. 65) (allowing child to take part in gaming on premises licensed for the sale of alcohol).

7. An offence under any of the following provisions of the Misuse of Drugs Act 1971 (c. 38)-

(a) section 4(2) (production of a controlled drug); (b) section 4(3) (supply of a controlled drug); (c) section 5(3) (possession of a controlled drug with intent to supply); (d) section 8 (permitting activities to take place on premises).

8. An offence under either of the following provisions of the Theft Act 1978 (c. 31)-

(a) section 1 (obtaining services by deception); (b) section 2 (evasion of liability by deception).

9. An offence under either of the following provisions of the Customs and Excise Management Act 1979 (c. 2)-

(a) section 170 (disregarding subsection (1)(a)) (fraudulent evasion of duty etc.); (b) section 170B (taking preparatory steps for evasion of duty).

10. An offence under either of the following provisions of the Tobacco Products Duty Act 1979 (c. 7)-

(a) section 8G (possession and sale of unmarked tobacco); (b) section 8H (use of premises for sale of unmarked tobacco).

11. An offence under the Forgery and Counterfeiting Act 1981 (c. 45) (other than an offence under section 18 or 19 of that Act).

12. An offence under the Firearms (Amendment) Act 1988 (c. 45).

13. An offence under any of the following provisions of the Copyright, Designs and Patents Act 1988 (c. 48)-

(a) section 107(1)(d)(iii) (public exhibition in the course of a business of article infringing copyright); (b) section 107(3) (infringement of copyright by public performance of work etc.); (c) section 198(2) (broadcast etc. of recording of performance made without sufficient consent); (d) section 297(1) (fraudulent reception of transmission); (e) section 297A(1) (supply etc. of unauthorised decoder).

14. An offence under any of the following provisions of the Road Traffic Act 1988 (c. 52)-

(a) section 3A (causing death by careless driving while under the influence of drink or drugs); (b) section 4 (driving etc. a vehicle when under the influence of drink or drugs); (c) section 5 (driving etc. a vehicle with alcohol concentration above prescribed limit).

15. An offence under either of the following provisions of the Food Safety Act 1990 (c. 16) in circumstances where the food in question is or includes alcohol-

(a) section 14 (selling food or drink not of the nature, substance or quality demanded); (b) section 15 (falsely describing or presenting food or drink).

16. An offence under section 92(1) or (2) of the Trade Marks Act 1994 (c. 26) (unauthorised use of trade mark, etc. in relation to goods) in circumstances where the goods in question are or include alcohol.

17. An offence under the Firearms (Amendment) Act 1997 (c. 5).

18. A sexual offence, being an offence —

(a) listed in Part 2 of Schedule 15 to the Criminal Justice Act 2003, other than the offence mentioned in paragraph 95 (an offence under section 4 of the Sexual Offences Act 1967 (procuring others to commit homosexual acts)); (b) an offence under section 8 of the Sexual Offences Act 1956 (intercourse with a defective); (c) an offence under section 18 of the Sexual Offences Act 1956 (fraudulent abduction of an heiress).

19. A violent offence, being any offence which leads, or is intended or likely to lead, to a person's death or to physical injury to a person, including an offence which is required to be charged as arson (whether or not it would otherwise fall within this definition)."

20. An offence under section 3 of the Private Security Industry Act 2001 (c. 12) (engaging in certain activities relating to security without a licence).

21. An offence under Section 46 of the Gambling Act 2005 if the child or young person was invited, caused or permitted to gamble on premises in respect of which a premises licence under this Act had effect.

22. An offence under the Fraud Act 2006.

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Licensing Team, Argus Chambers, Hall Ings, Bradford, BD1 1HX

Application for a Personal Licence

Before completing this form please read the guidance notes.

If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

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| **1. Your personal details** |
| **TITLE** Please tick **✓**Mr [ ]  Mrs [ ]  Miss [ ]  Ms [ ]  Other [ ]  (please state) |
| SurnameForenames |  |
| **PREVIOUS NAMES (if relevant) please enter details of any previous names or maiden names.****Please continue on a separate sheet if necessary.** |
| **TITLE** Please tick **✓**Mr [ ]  Mrs [ ]  Miss [ ]  Ms [ ]  Other [ ]  (please state) |
| SurnameForenames |  |
| Date of BirthNationality |  |
| **I am 18 years old or over: Please tick ✓** | Yes[ ]  | No[ ]  |
| **ADDRESS WHERE ORDINARILY RESIDENT (We will use this address to correspond with you unless you complete the separate correspondence box below).** |
|  |
| **Post town** | **Post code** |
| **TELEPHONE NUMBERS** |
| DaytimeEveningMobile |  |
| **FAX NUMBER** |  |
| **EMAIL ADDRESS (if you would prefer us to correspond with you by e-mail)** |

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| **Address for correspondence associated with this application** **(if different to the address above)** |
| **Post town** | **Post code** |
| **TELEPHONE NUMBERS** |
| DaytimeEveningMobile |  |
| **EMAIL ADDRESS (if you would prefer us to correspond with you by e-mail)** |

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| **2. Your licensing qualification** |
| Read Note 1 Please tick ✓ yes |
| Please indicate below which one of these statements apply to you: |
| 1. I hold an accredited licensing qualification | [ ]  |
| 2. I hold a certified qualification | [ ]  |
| 3. I hold an equivalent qualification | [ ]  |
| 4. I am a person of prescribed description | [ ]  |
| If you have ticked either of statements 1, 2 or 3, please details of your qualification in the box below (name of qualification, date of issue, issuing body) and please enclose your qualification with your application.If you have ticked statement 4, please provide evidence that you are a person of prescribed description. |
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| **3. Previous or outstanding applications for a personal licence** |
| Note: You may only hold one personal licence at a time. Please tick ✓ |
| Do you currently hold a personal licence? | Yes[ ]  | No[ ]  |
| Do you currently have any outstanding applications for a personal licence, with this or any other licensing authority? | Yes[ ]  | No[ ]  |
| Has any personal licence held by you been forfeited in the last 5 years? | Yes[ ]  | No[ ]  |
| Licensing AuthorityLicence numberDate of issueDate of expiryAny further details |  |

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| **4. CHECKLIST** |
| I have Please tick ✓ yes |
| * enclosed two photographs of myself, one of which is endorsed as a true likeness of me by a solicitor or notary, a person of standing in the community or any individual with a professional qualification.
 | [ ]  |
| * enclosed any licensing qualification I hold or proof that I am a person of prescribed description
 | [ ]  |
| * enclosed a criminal conviction certificate or a criminal record certificate or the results of a subject access search of the police national computer by the National Intelligence Service
 | [ ]  |
| * enclosed a completed disclosure of criminal convictions and declaration form (schedule 3)
 | [ ]  |
| * included a proof of my right to work in the United Kingdom (see note 2)
 | [ ]  |
| * made or enclosed payment of the fee for the application
 | [ ]  |

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| **5. Declaration** |
| **I am entitled to work in the UK and am not subject to a condition preventing me from doing work relating to the carrying on of a licensable activity. I understand that my licence will become invalid if I cease to be entitled to live and work in the UK.** **The information contained in this form is correct to the best of my knowledge and belief**It is an offence knowingly or recklessly to make a false statement in or in connection with an application for the grant of a personal licence. (A person is to be treated as making a false statement if he produces, furnishes, signs or otherwise makes use of a document that contains a false statement). To do so could result in prosecution and a fine of any amount. It is an offence under section 24B of the Immigration Act 1971 to work illegally. |
| **Signature** |  | **Date** |  |

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**APPLICATION NOTES**

Information on the Licensing Act 2003 is available on legislation.gov.uk or from your local licensing authority.

**Note 1. Licensing qualifications**

Licensing qualification are dealt with in section 120(8) and (9) of the Licensing Act 2003.

**Note 2. Right to work/immigration status**

A personal licence may not be issued to an individual or an individual in a partnership which is not a limited liability partnership who is resident in the UK who:

* Does not have the right to live and work in the UK; or
* Is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity

Any personal licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have the right to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not have to be certified).

**Documents which demonstrate entitlement to work in the UK**

* An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK (please see note below about which sections of the passport to copy).
* An expired or current passport or national identity card showing the holder, or a person named in the passport as a child of the holder, is a national of a European Economic Area country or Switzerland.
* A Registration Certificate or document certifying permanent residence issued by the Home Office to a national or a European Economic Area country or Switzerland.
* A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
* A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
* A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
* A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has not time limit on their stay in the UK, **when produced in combination with** an official document giving the person’s permanent National Insurance number and their name issued by a Government agency or a previous employer.
* A  **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder’s parents or adoptive parents, **when produced in combination with** an official document giving the person’s permanent National Insurance number and their name issued by a Government agency or a previous employer.
* A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produce in combination with** an official document giving the person’s permanent National Insurance number and their name issued by a Government agency or a previous employer.
* A certificate of registration or naturalisation as a British citizen **when produce in combination with** an official document giving the person’s permanent National Insurance number and their name issued by a Government agency or a previous employer.
* A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to any condition preventing the holder from doing work relating to the carrying on of a licensable activity.
* A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work in relation to the carrying on of licensable activities.
* A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.

* A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person’s permanent National Insurance number and their name issued by a Government agency or a previous employer.
* A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
* Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
* Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:
* evidence of the applicant’s own identity – such as a passport,
* evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
* evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
	1. working e.g. employment contract, wage slips, letter from the employer,
	2. self-employed e.g. contracts, invoices, or audited accounts with a bank,
	3. studying e.g. letter from the school, college or university and evidence of sufficient funds; or
	4. self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

**Original documents must not be sent to licensing authorities.** If the document copied is a passport, a copy of the following pages should be provided:

1. any page containing the holder’s personal details including nationality;
2. any page containing the holder’s photograph;
3. any page containing the holder’s signature;
4. any page containing the date of expiry; and
5. any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

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Licensing Team, Argus Chambers, Hall Ings, Bradford, BD1 1HX

**Disclosure of convictions and declaration**

Before completing this form please read the guidance notes.

If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

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| **1. Your personal details** |
| **TITLE** Please tick ✓Mr [ ]  Mrs [ ]  Miss [ ]  Ms [ ]  Other [ ]  (please state) |
| SurnameForenames |  |
| **PREVIOUS NAMES (if relevant) please enter details of any previous names or maiden names.****Please continue on a separate sheet if necessary.** |
| **TITLE** Please tick ✓Mr [ ]  Mrs [ ]  Miss [ ]  Ms [ ]  Other [ ]  (please state) |
| SurnameForenames |  |

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| **2. Forfeiture by a court or revocation by a licensing authority of a personal licence in the last 5 years** |
|  Please tick ✓  |
| Has any personal licence held by you been forfeited or revoked in the last 5 years? If yes, please provide details below: | Yes[ ]  | No[ ]  |
| Name of court/licensing authorityAddress of courtDate of forfeiture/revocationOffence which resulted in the forfeiture/revocationAny additional details |  |

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| **3. Relevant or foreign offences** |
| Read Note 1 Please tick ✓  |
| Have you been convicted of any relevant offence or foreign offence or been required to pay a civil immigration penalty? | Yes[ ]  | No[ ]  |
| If you have been convicted of any relevant offence you must provide details for each conviction of the date of conviction, the name and location of the convicting court, offence of which you were convicted and the sentence imposed. |
|  |
| If you have been convicted of any relevant foreign offence you must provide details for each conviction of the date of conviction, the name and location of the convicting court, offence of which you were convicted and the sentence imposed. |
|  |
| If you have been convicted of any relevant foreign offence you must provide details for each conviction of the date of conviction, the name and location of the convicting court, offence of which you were convicted and the sentence imposed. |
|  |
| **4. Declaration** |
| **I declare that I have not been convicted of any relevant offence or any foreign offence or been required to pay a civil immigration penalty.** |
| **Signature** |  | **Date** |  |
| **5. Declaration** |
| **The information contained in this form is correct to the best of my knowledge and belief**It is an offence knowingly or recklessly to make a false statement in or in connection with an application for the grant or renewal of a personal licence. A person is to be treated as making a false statement if he produces, furnishes, signs or otherwise makes use of a document that contains a false statement. To do so could result in prosecution and a fine of any amount. It is an offence under section 24B of the Immigration Act 1971 to work illegally. |
| **Signature** |  | **Date** |  |

**APPLICATION NOTES**

**Note 1. Relevant or foreign offences**

**Relevant offences** are the offences listed in Schedule 4 of the Licensing Act 2003.

The meaning of **foreign offences** is dealt with in section 113 of the Licensing Act 2003.

If you are the holder of a justices’ licence and you are applying for a personal licence under regulation 8 of the Licensing Act (Personal Licence) Regulations 2005 see paragraph 23 and 28 in Part 3 of Schedule 8 to the Licensing Act 2003 for the information you are required to give.

If you are convicted of any relevant or foreign offence during the period between when your application is made and when your application is determined or withdrawn, you must notify the authority to which your application was made. Failure to do so without reasonable excuse could lead to prosecution and a fine not exceeding level 4 on the standard scale.

**Note 2. Civil Immigration penalty**

An Immigration penalty means a penalty under either section 15 of the Immigration Asylum and Nationality Act 2006 or section 23 of the Immigration Act 2014.