



## A GUIDE TO RENEWING YOUR PERSONAL LICENCE

September 2018 marks the start of the **Renewal** process for Personal Licences. It is important that you check when your Personal Licence expires so you know when to renew it. You also need to remember that the on-going **5 Year Refresher** requirement also applies, however, if you follow our advice you will deal with these processes simultaneously.

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### WHAT DO I NEED TO DO?

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#### Stage 1: When does my Personal Licence expire?

Your date of expiry is printed on your Personal Licence (or it is 10 years after the stated "date of issue"). You have to renew your Personal Licence within the following window:

**The period of 9 months beginning 12 months before the expiry of the Personal Licence**

For example:

<i>Date of issue</i>	<i>Window opens</i>	<i>Window closes</i>
1 Sept 2009	1 Sept 2018	30 May 2019
20 Dec 2009	20 Dec 2018	19 Sept 2019

You must lodge your Renewal application within this window. Failure to do will result in your Personal Licence ceasing to have effect. Revocation is mandatory if you do not Renew and Refresh.

#### Stage 2: Undertake Refresher training

You must book onto (and pass) a training course that will award you the Scottish Certificate for Personal Licence Holders (Refresher). These courses will be busy so you should sign up to a course now!

#### Stage 3: Passport photographs

You will need two updated passport photos to lodge with your Renewal Application. One of these photos should be signed by a person of standing in the community along with the following statement: "*I [ name / address ] certifies that this is a true likeness, [signature]*".

#### Stage 4: Complete your Renewal Application

The Renewal Application must be sent to the licensing board that issued your Personal Licence. The Renewal Application Forms will be available on that licensing board's website. Key points to remember when filling in the form are:

Address where ordinarily resident	This should match your current address. If your personal licence has an old address on it you should intimate a change to your home address to the licensing board ASAP, or certainly as part of the Renewal process. <sup>1</sup>
Licence Qualification	You should enclose a copy of your Refresher Certificate.
Previous convictions	You must declare any conviction for a "relevant" or foreign (any conviction outwith Scotland) offence that is not considered spent. This can be a complex area of law and accordingly you should contact TLT for further advice if you are unsure if you need to declare a conviction. <sup>2</sup>  If you have not been convicted of a relevant or foreign offence then you should write "NONE".

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<sup>1</sup> Remember you are under a legal obligation to notify the licensing board within one month if you change your address.

<sup>2</sup> The law will soon be changed so that you must disclose all convictions regardless of whether they are spent. You should keep an eye on TLT's Licensing Newsletter for further updates.

## Stage 5: Lodge your Renewal Application

The Renewal Application must be accompanied with the £50 fee. The licensing board will not process your application without this. Check with the relevant licensing board as to what payment method they will accept.

You must lodge the Renewal Application with the licensing board that issued your personal licence. If you are posting the application you should make sure you have proof of delivery and if delivering by hand then make sure you get a receipt.

## What about my obligation to complete Refresher training?

You are still under an obligation to complete Refresher training and send this to the licensing board every five years. However, by sitting a passing a Scottish Certificate for Personal Licence Holders (Refresher) course now and lodging that certificate as part of your Renewal Application you will satisfy the Renewal and Refresher requirement at the same time! We recommend that wherever possible you take a holistic approach and Renew and Refresh simultaneously.

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## NEXT STEPS

A copy of your application will be sent to Police Scotland and Licensing Standards. If you have not been convicted of a criminal offence then – in all likelihood – the application will not require to go to a hearing of the licensing board and instead it will be granted. The updated Personal Licence will be sent back to you **at the address on the Personal Licence** (see above about informing the licensing board of any change to this address).

However, a hearing may take place if you have been: (1) convicted of a relevant or foreign offence; and / or (2) Police Scotland or Licensing Standards have issues of concern about your fitness to hold a licence. If you receive a citation to attend a hearing then you should contact TLT for advice.

You should diarise four weeks prior to the close of the Renewal window and contact the licensing board if you have still not received your updated Personal Licence.

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## TOP LICENSING TIPS

- Do undertake a new Refresher Training course in plenty of time - these will be in demand so book early.
- Keep copies of your licence and certificates and post the application to Renew/ Refresh by Recorded or Special Delivery
- Get proof that the Renewal Application has been delivered by Royal Mail Track and Trace or if hand delivering by receipt.
- Tell the licensing board if you are convicted of a relevant or foreign criminal offence once in the period after your Renewal Application has been lodged. You are under an ongoing obligation to declare convictions.
- If you miss your Renewal window and you are a Premises Manager then the Premises Licence Holder should advise the Board, on the day your licence expires, that you can no longer be the Premises Manager so that the six week grace period applies in terms of nominating a new Premises Manager. Failure to do so may see alcohol sales suspended.

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## QUESTIONS?

If you have any questions or require assistance with an application or hearing then please do not hesitate to contact a member of the TLT Licensing team.



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