

Changes to BIIAB handbooks required by the Policing and Crime 2017 (Commencement Number 1 and Transitional Provisions) Regulations 2017

On 6 April 2017 a number of new conditions came into force applying to licensed premises. This introduction aims to clarify the law on summary reviews of premises licence, grants greater powers to licensing authorities and expands on the definition of alcohol. This addendum details the changes required to BIIAB handbooks following this change.

Whilst every effort has been made by BIIAB to identify all affected areas of the handbooks, it is possible that some may have been missed. Should you identify any such areas, please notify BIIAB immediately at Qualifications@BII.org.

The learning outcomes and assessment criteria for qualifications have not been affected by these changes.

BIIAB Level 2 Award for Personal Licence Holders handbook
7th Edition July 2016

| Section and Page Number | Text to be changed |
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| Section 4.7, Notifying the licensing authority of a conviction during the application period Page 22 | Remove current c) and replace with: c) Should the licensing authority find out that a personal licence holder has not informed them of a conviction of a relevant or foreign offence or immigration penalty before or after the grant, the personal licence may be suspended for up to six months, or it may be revoked. d) If the relevant licensing authority is considering whether to suspend or revoke the licence, the authority must give notice to the personal licence holder. |
| Section 17.3, Legal definition of alcohol Page 66 | Remove current 17.3 and replace with: Alcohol means any spirits, wine, beer, cider or any other fermented, distilled or spirituous liquor (in any form) with an abv over 0.5%. |
| Appendix 1. Relevant offences Page 84 | After current 18a, insert new point: (aa) listed in Schedule 3 to the Sexual Offences Act 2003 (sexual offences for the purposes of notification and orders); |
| | After current 19, insert new point: 19A An offence listed in Part 1 of Schedule 15 to the Criminal Justice Act 2003 (specified violent offences). |
| | Insert new points at the end of page: 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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| | <p>22ZA. An offence under any of the following provisions of the Violent Crime Reduction Act 2006— (a)section 28 (using someone to mind a weapon); (b)section 36 (manufacture, import and sale of realistic imitation firearms).”</p> <p>23. An offence under regulation 6 of the Business Protection from Misleading Marketing Regulations 2008 (offence of misleading advertising) in circumstances where the advertising in question relates to alcohol or to goods that include alcohol.</p> <p>23A. An offence under any of the following provisions of the Psychoactive Substances Act 2016— (a)section 4 (producing a psychoactive substance); (b)section 5 (supplying, or offering to supply, a psychoactive substance); (c)section 7 (possession of psychoactive substance with intent to supply); (d)section 8 (importing or exporting a psychoactive substance).</p> <p>23B. An offence listed in section 41 of the Counter-Terrorism Act 2008 (terrorism offences).</p> <p>24. An offence under regulation 8, 9, 10, 11 or 12 of the Consumer Protection from Unfair Trading Regulations 2008 (offences relating to unfair commercial practices) in circumstances where the commercial practice in question is directly connected with the promotion, sale or supply of alcohol or of a product that includes alcohol.</p> |
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BIIAB Level 2 Award for Personal Licence Holders workbook
13th Edition July 2016

| Section and Page Number | Text to be changed |
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| Section 3, Determination and grant of a personal licence Page 14 | <p>Insert new text above the last paragraph on the page:</p> <p>Should the licensing authority find out that a personal licence holder has not informed them of a conviction of a relevant or foreign offence or immigration penalty before or after the grant, the personal licence may be suspended for up to six months, or it may be revoked. If the relevant licensing authority is considering whether to suspend or revoke the licence, the authority must give notice to the personal licence holder.</p> |
| Section 15, The Definition and Nature of Alcohol and How it Affects the Body Page 46 | <p>Remove the first sentence on the page (“<i>Alcohol is a colourless liquid contained in some drinks</i>”)</p> <p>Replace text with:</p> <p>Alcohol means any spirits, wine, beer, cider or any other fermented, distilled or spirituous liquor (in any form).</p> |

BIIAB Level 2 Award for Licensing Practitioners (Alcohol) pdf handbook
August 2016

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| <p>Section 2.4a, The Definition of alcohol under licensing law Page 19</p> | <p>After the word liquor, insert the text “(in any form)”.</p> <p>New point should read: Alcohol means spirits, wine, beer, cider or any other fermented, distilled or spirituous liquor (in any form), subject to various exceptions, such as methylated spirits and flavouring essences.</p> |
| <p>Section 9, Personal Licence Page 71</p> | <p>Renumber existing 9.13 to 9.14, and insert a new 9.14:</p> <p>9.14 Powers of licensing authority</p> <p>a) Where a licensing authority has granted a personal licence and it becomes aware that the holder of a personal licence has been, at any time before or after the grant of the licence:</p> <ul style="list-style-type: none"> • convicted of any relevant offence or foreign offence, or • required to pay an immigration penalty <p>the relevant licensing authority may suspend the licence for a period not exceeding six months, or revoke the licence.</p> <p>b) This would not apply at any time when in the case of a licence holder who has been convicted of any relevant offence or foreign offence:</p> <ul style="list-style-type: none"> • the licence holder has appealed against a conviction for, or any sentence imposed in relation to, a relevant offence or foreign offence and that appeal has not been disposed of, or • the time limit for appealing against such a conviction or sentence has not expired. <p>c) If the relevant licensing authority is considering whether to suspend or revoke the licence, the authority must give notice to the personal licence holder.</p> |

BIIAB Level 1 Award in Alcohol Awareness pdf workbook
May 2010

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| <p>Section 2.4a, The Definition of alcohol under licensing law Page 9</p> | <p>Remove current 2.4a and replace with:</p> <p>a) Alcohol means any spirits, wine, beer, cider or any other fermented, distilled or spirituous liquor (in any form) with an abv over 0.5%.</p> |
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BIIAB Level 2 Award for Designated Premises Supervisors pdf handbook
February 2016

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| <p>Section 2.1a, The Sale of Alcohol by Retail Page 14</p> | <p>After the word liquor, insert the text “(in any form)”.</p> <p>New bullet point should read:</p> <p>Within the Act alcohol is any spirit, wine, beer, cider or any other distilled spirituous Liquor (in any form) with an abv of more than 0.5%.</p> |
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