



Personal Licence Qualification Accreditation

On 31 July 2003 the Government published details of the syllabus for the new personal licence qualification. The syllabus outlines a framework of subject areas that prospective courses must cover in order for the resulting qualification to gain accreditation. A person who holds an accredited qualification will satisfy one of the conditions necessary to obtain a personal licence.

All personal licence qualifications will need to be accredited or certified (unless they are equivalent qualifications gained outside England and Wales) by the Secretary of State and be awarded by similarly accredited bodies. Although accreditation will be at the Secretary of State's discretion, she expects to set common and fair standards for qualifications and awarding bodies by requiring them to be accredited by the Qualifications and Curriculum Authority (QCA) or the Qualifications Curriculum and Assessment Authority for Wales (ACCAC).

To receive accreditation from the Secretary of State, course providers will need to submit:

- Letter of petition to the Secretary of State;
- Details of the course and syllabus;
- Evidence of qualification accreditation from the QCA or ACCAC; and
- Evidence of awarding body's accreditation from the QCA or ACCAC.

No fee is payable when applying for course accreditation from the Secretary of State. Bodies and courses that are accredited will receive written confirmation from the Secretary of State and will be posted on the DCMS website.

Personal Licence qualification – who must apply

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

The Licensing Act 2003 stipulates that any supply of alcohol made under a premises licence must be made or authorised by a personal licence holder. In addition to this,



a designated premises supervisor, who has overall responsibility for the supply must be named on the premises licence. Each designated premises supervisor must hold a personal licence.

During transition, existing holders of justices' licences will not need to hold a licensing qualification before being granted a personal licence. This is because the licensing justices, following a hearing, have already declared the individual concerned to be a 'fit and proper' person to sell alcohol. Licensing authorities will not be empowered to require such an individual to obtain a licensing qualification before applying for a personal licence. Their applications under the transitional provisions can only be refused where the applicant has been convicted of a relevant or foreign offence and the police believe that the exceptional circumstances of the case are such that granting the licence would undermine the crime prevention objective. The licensing authority must hold a hearing to consider this, except where all parties agree it is not necessary. The licensing authority may then reject the application if it considers it necessary for crime prevention.

The Secretary of State also has the power to exempt specified groups - or persons of prescribed prescription - from the requirement to obtain an accredited personal licence qualification in order to obtain a personal licence. She expects to exempt, by regulation, the Hon Company of the Vintners of the City of London; holders of licences issued by the board of the Green Cloth and by the University of Cambridge.

The full personal licence syllabus is as follows:

Personal licences

- What they are
- What they entitle the holder to do
- Period of validity
- Who grants them

Licensing authorities

- What they are
- How they work
- Licensing objectives - what they are
- Functions of licensing authorities
- Importance of partnerships
- Role of Crime Reduction Partnerships
- Licensing policies
- Hearings
- Appeals

Personal licences

- Procedures for application
- Criteria for new personal licences and renewals
- Determination of application
- Persons disqualified from
- Penalty for selling without
- Convictions during application and after grant or renewal
- Relevant offences
- Forfeiture or suspension of licence on conviction

Penalty for breach

Alcohol

Definition of supply of alcohol
Premises to which the definition applies
Wholesale and retail sales
Nature of
Strength of intoxicating drinks
Alcohol in the body etc

Unauthorised licensable activities

Unauthorised sales
Defence of due diligence
Penalties for breach

Police powers

Suspension and closures
Antisocial Behaviour Bill – EHO powers of closure (to be inserted when legislative programme complete)

Duties of the personal licence holder

Notification of convictions
Changes in name and/or address
Production of licence to authorised personnel
Penalties for breach

Premises licences

What they are
Licensable activities and what they are
Definition of regulated entertainment
Role of designated premises supervisor
Need for risk assessment as designated premises supervisor
Awareness and prevention of crime, disorder and anti-social behaviour in and around licensed premises

Operating schedules

What they are
What they should include
Children in licensed premises

Permitted temporary activities

Definition
Frequency
Police objections

Disorderly conduct on licensed premises

Rights and duties of authorised person
Illegal drugs
Relevant offence of drink driving
Prevention of nuisance
Pubwatch/Retail Watch schemes

Portman Group - responsible drinks promotions
Consequences of irresponsible drinks promotions
Penalties for breach

Protection of children

Sale of alcohol to and by young persons
Proof of age cards and schemes
Consumption of alcohol by young persons
Test purchasing
Penalties for breach
Defences
Importance of the awareness of other relevant legislation related to the protection of children

Rights of entry

Rights of entry

Prohibitions

Moving vehicles
Service areas etc

Contact details

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