

Tied Pubs (Scotland) Bill – Stage 3

Section 14

Andy Wightman

- 2** In section 14, page 6, line 13, leave out subsection (2) and insert—
- <() Until the Arbitration (Scotland) Act 2010 is in force in relation to any arbitration carried out in pursuance of subsection (1), that Act applies as if it were in force in relation to that arbitration.>

After section 19

Neil Bibby

- 3** After section 19, insert—
- <Investigation into changes to pub leasing arrangements before Act fully in force**
- (1) The adjudicator must, within 12 months of a person first being appointed to the office of adjudicator, begin an investigation into whether changes were made during the period described in subsection (2) to the terms on which pubs were let resulting in the code not applying in connection with them.
- (2) The period referred to in subsection (1) is the period—
- (a) beginning with the Bill for this Act receiving Royal Assent, and
- (b) ending with section 7 coming into force.
- (3) As soon as practicable after concluding that investigation, the adjudicator must—
- (a) make publicly available a report of the adjudicator’s findings, which must include an explanation of the basis on which the adjudicator has reached those findings, and
- (b) lay a copy of the report before the Scottish Parliament.>

Schedule 1

Graham Simpson

- 4** In schedule 1, page 12, line 8, leave out <regardless of who produces it> and insert <provided that it is produced by a small brewery>

Graham Simpson

- 5** In schedule 1, page 12, line 9, after <chosen> insert <small brewery>

Graham Simpson

- 6** In schedule 1, page 12, line 11, at end insert—
- <() The code is to specify the meaning of “small brewery” for the purposes of this paragraph.>

Graham Simpson

- 7 In schedule 1, page 12, line 31, at end insert—
- <() The court must specify circumstances in which a pub-owning business need not offer to enter into a market rent only lease with a tied-pub tenant (including how an agreement to invest in a tied pub may affect whether or not such an offer need be made).>

Graham Simpson

- 8 In schedule 1, page 12, leave out lines 35 and 36

Jamie Hepburn

- 9 In schedule 1, page 12, line 36, after <tenant> insert <(including, for example, where an agreement to invest in a tied pub has been entered into)>

Schedule 2

Neil Bibby

- 10 In schedule 2, page 15, line 12, at end insert—
- <() carrying out an investigation under section (*Investigation into changes to pub leasing arrangements before Act fully in force*).>

Andy Wightman

- 11 In schedule 2, page 17, line 16, after <provide> insert <, or ensure the provision of,>