

Subsidiary Legislation made under s. 91 and subsections 60(3), 61(3), 73(2) and 88(1).

FAIR TRADING (FORMS) REGULATIONS 2015

(LN. 2015/171)

Commencement **7.10.2015**

ARRANGEMENT OF REGULATIONS.

Regulation

1. Title and commencement.
2. Application for a new licence.
3. Application for extension to scope of licence.
4. Application for the transfer of a licence to other premises.
5. Application for the transfer of a licence where business is to remain on the same premises.
6. Application for a duplicate licence.
7. Prescribed form for licence.
8. Form of register.

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Forms giving notice of intention to apply.

SCHEDULE 2

Forms of applications.

SCHEDULE 3

Forms giving notice of objection.

SCHEDULE 4

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SCHEDULE 5

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2015-15

Fair Trading

FAIR TRADING (FORMS) REGULATIONS 2015

This version is out of date

**Subsidiary
2015/171**

In exercise of the powers conferred upon him by section 91 and subsections 60(3), 61(3), 73(2) and 88(1) of the Fair Trading Act 2015, and of all other enabling powers, the Minister with responsibility for commercial and consumer affairs has made the following Regulations—

Title and commencement.

1. These Regulations may be cited as the Fair Trading (Forms) Regulations 2015 and shall take effect and come into operation as law on their date of publication.

Application for a new licence.

2.(1) A notice of intention to apply for a new licence shall be as set out in Form 1a of Schedule 1.

(2) An application for a new licence once the relevant notice of intention has been published shall be as set out in Form 2a of Schedule 2.

(3) A notice of objection to the grant of a new licence shall be as set out in Form 3a of Schedule 3.

Application for extension to scope of licence.

3.(1) Notice of intention to apply for an extension to the scope of a licence shall be as set out in Form 1b of Schedule 1.

(2) An application for an extension to the scope of a licence once the relevant notice of intention has been published shall be as set out in Form 2b of Schedule 2.

(3) A notice of objection to the extension to the scope of a licence shall be as set out in Form 3b of Schedule 3.

Application for the transfer of a licence to other premises.

4.(1) Notice of intention to apply for the transfer of a licence to other premises shall be as set out in Form 1c of Schedule 1.

(2) An application for the transfer of a licence to other premises once the relevant notice of intention has been published shall be as set out in Form 2c of Schedule 2.

(3) A notice of objection to the transfer of a licence to other premises shall be as set out in Form 3c of Schedule 3.

Application for the transfer of a licence where business is to remain on the same premises.

5. An application for the transfer of a licence where business is to remain on the same premises shall be as set out in Form 2d of Schedule 2.

Application for a duplicate licence.

6. An application for a duplicate licence shall be as set out in Form 2e of Schedule 2.

Prescribed form for licence.

7.(1) A licence once granted shall be as set out in Schedule 4.

(2) Where a licence is renewed the licensing authority shall note the fact of such renewal on the licence in such form as it deems appropriate but so as to show the period of renewal and the date of renewal.

Form of register.

8. The register of licences shall be as set out in Schedule 5.

SCHEDULE 1

Forms giving notice of applications

Regulation 2(1)

Form 1a

Notice of intention to apply for a new licence

Full name of applicant:	
Business name (if any):	
Address of premises in Gibraltar from which business will be carried on:	
Postal address (if different to above):	
Email address:	
Contact number:	

Details of licence to be applied for:

Trade in goods (Class A):	Yes/No (delete as appropriate)
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If you intend to trade in goods, please list the goods, class or classes of goods to be traded:	
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Please indicate type of trade envisaged:	Retail / Wholesale / Both Retail and Wholesale / Ex port (delete as appropriate)
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Services (Class B):	<table style="width: 100%; text-align: center; border-collapse: collapse;"> <tr> <td style="border: 1px solid black; padding: 2px;">i</td> <td style="border: 1px solid black; padding: 2px;">ii</td> <td style="border: 1px solid black; padding: 2px;">iii</td> <td style="border: 1px solid black; padding: 2px;">iv</td> <td style="border: 1px solid black; padding: 2px;">v</td> <td style="border: 1px solid black; padding: 2px;">vi</td> <td style="border: 1px solid black; padding: 2px;">vii</td> </tr> <tr> <td style="border: 1px solid black; padding: 2px;">viii</td> <td style="border: 1px solid black; padding: 2px;">ix</td> <td style="border: 1px solid black; padding: 2px;">x</td> <td style="border: 1px solid black; padding: 2px;">xi</td> <td style="border: 1px solid black; padding: 2px;">xii</td> <td style="border: 1px solid black; padding: 2px;">xiii</td> <td style="border: 1px solid black; padding: 2px;">xiv</td> </tr> <tr> <td colspan="7" style="border: none; padding: 5px;">xx (delete as appropriate)</td> </tr> </table>	i	ii	iii	iv	v	vi	vii	viii	ix	x	xi	xii	xiii	xiv	xx (delete as appropriate)						
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viii	ix	x	xi	xii	xiii	xiv																
xx (delete as appropriate)																						

Signature of Applicant:	
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Dated:			20
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Form 1b

Notice of intention to apply for an extension to scope of licence

Full name of applicant:

Business name (if any):

Address of premises in Gibraltar from which business is carried on:

Postal address (if different to above):

Email address:

Contact number:

Current licence number:

Current licence Class A:

Services (Class B):

i	ii	iii	iv	v	vi	vii
viii	ix	x	xi	xii	xiii	xiv
<input type="text" value="xv"/> (delete as appropriate)						

Details of extension to be applied for:

Trade in goods (Class A):

If you intend to trade in goods, please list the goods, class or classes of goods to be traded:

Please indicate type of trade envisaged:

Services (Class B):

i	ii	iii	iv	v	vi	vii
viii	ix	x	xi	xii	xiii	xiv
<input type="text" value="xv"/> (delete as appropriate)						

Signature of Applicant:

Dated: 20

Regulation 4(1)

Form 1c

Notice of intention to apply for transfer of licence to other premises

Full name of applicant:																													
Business name (if any):																													
Address of premises in Gibraltar from which business is carried on:																													
Postal address (if different to above):																													
Email address:																													
Contact number:																													
Current licence number:																													
Current licence Class A:	Yes/No (delete as appropriate)																												
Services (Class B):	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="border: 1px solid black; text-align: center; width: 12.5%;">i</td> <td style="border: 1px solid black; text-align: center; width: 12.5%;">ii</td> <td style="border: 1px solid black; text-align: center; width: 12.5%;">iii</td> <td style="border: 1px solid black; text-align: center; width: 12.5%;">iv</td> <td style="border: 1px solid black; text-align: center; width: 12.5%;">v</td> <td style="border: 1px solid black; text-align: center; width: 12.5%;">vi</td> <td style="border: 1px solid black; text-align: center; width: 12.5%;">vii</td> </tr> <tr> <td style="border: 1px solid black; text-align: center;">viii</td> <td style="border: 1px solid black; text-align: center;">ix</td> <td style="border: 1px solid black; text-align: center;">x</td> <td style="border: 1px solid black; text-align: center;">xi</td> <td style="border: 1px solid black; text-align: center;">xii</td> <td style="border: 1px solid black; text-align: center;">xiii</td> <td style="border: 1px solid black; text-align: center;">xiv</td> </tr> <tr> <td colspan="7" style="border: 1px solid black; padding: 2px;"> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="border: 1px solid black; text-align: center; width: 12.5%;">xv</td> <td colspan="6" style="border: none;">(delete as appropriate)</td> </tr> </table> </td> </tr> </table>	i	ii	iii	iv	v	vi	vii	viii	ix	x	xi	xii	xiii	xiv	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="border: 1px solid black; text-align: center; width: 12.5%;">xv</td> <td colspan="6" style="border: none;">(delete as appropriate)</td> </tr> </table>							xv	(delete as appropriate)					
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xv	(delete as appropriate)																												

Details of new premises to which licence intends to be transferred:

Address of premises to which licence is to be transferred:				
Signature of Applicant:				
Dated:	<table style="display: inline-table; border-collapse: collapse;"> <tr> <td style="border: 1px solid black; width: 30px; height: 20px;"></td> <td style="border: 1px solid black; width: 30px; height: 20px;"></td> <td style="border: 1px solid black; width: 60px; text-align: center;">20</td> </tr> </table>			20
		20		

SCHEDULE 2

Forms of applications.

Regulation 2(2)

Form 2a

Application for a new licence

Full name of applicant:

Do applicant details match the notice of intention submitted: Yes/No (delete as appropriate)

Details of publication of notice of intention to apply for a new licence:

Applicant's notice of intention to apply for a new licence was published in:

1. Gibraltar Gazette dated: 20
(a copy of which is enclosed)

with Government Notice Number:

and

2. The following newspaper circulating in Gibraltar:
(a copy of which is enclosed)

and dated: 20

Further details:

Please confirm the following statements are correct:

You have not entered into a scheme of arrangement with your creditors which is still binding? Yes/No (delete as appropriate)
(corporate applicants only)

The licence will not co-exist with other premises? Yes/No (delete as appropriate)

The premises are not residential Government premises? Yes/No (delete as appropriate)

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The title deeds to the premises do not restrict commercial activities?

Yes/No (delete as appropriate)

Your business does not involve handling client money or taking deposits on behalf of clients?

Yes/No (delete as appropriate)

You are not an undischarged bankrupt?

Yes/No (delete as appropriate)

You have not been convicted of an offence under the Insolvency Act within the past 5 years?

Yes/No (delete as appropriate)

The corresponding payment has been included with this application:

Yes/No (delete as appropriate)

Signature of Applicant:

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Dated:

		20
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Form 2b

Application for extension to scope of licence

Full name of applicant:

Do applicant details match the notice of intention submitted: Yes/No (delete as appropriate)

Details of publication of notice of intention to apply for extension to scope of licence:

Applicant's notice of intention to apply for an extension to a licence was published in:

1. Gibraltar Gazette dated 20

with Government Notice Number:

and

2. The following newspaper circulating in Gibraltar (a copy of which is enclosed):

and dated: 20

Further details:

Please confirm the following statements are correct:

Your business does not involve handling client money or taking deposits on behalf of clients? Yes/No (delete as appropriate)

The corresponding payment has been included with this application: Yes/No (delete as appropriate)

Signature of Applicant:

Dated: 20

Regulation 4(2)

Form 2c

Application for transfer of licence to other premises

Full name of applicant:

Do applicant details match the notice of intention submitted: Yes/No (delete as appropriate)

Details of publication of notice of intention to apply for transfer of licence to other premises:

Applicant's notice of intention to apply for a transfer of licence to other premises was published in:

1. Gibraltar Gazette dated 20

with Government Notice Number:

and

2. The following newspaper circulating in Gibraltar

and dated: 20

Further details:

Please confirm the following statements are correct:

The licence will not co-exist with other premises? Yes/No (delete as appropriate)

The premises are not residential Government premises? Yes/No (delete as appropriate)

The title deeds to the premises do not restrict commercial activities? Yes/No (delete as appropriate)

The corresponding payment has been included with this application: Yes/No (delete as appropriate)

Signature of Applicant:

Dated: 20

Form 2d

Application for transfer of licence where business is to remain on the same premises

Full name of transferor:

Full name of transferee:

Transferee business name (if any):

Address of premises in Gibraltar from which business is carried on:

Postal address (if different to above):

Email address:

Contact number:

Current licence number:

Further details:

Please confirm the following statements are correct:

You have not entered into a scheme of arrangement with your creditors which is still binding? (corporate applicants only)

Are you an undischarged bankrupt?

You have not been convicted of an offence under the Insolvency Act within the past 5 years?

The corresponding payment has been included with this application:

Signature of transferor:

Signature of transferee:

Dated: 20

Regulation 6

Form 2e

Application for a duplicate licence

Full name of applicant:	<input type="text"/>
Business name (if any):	<input type="text"/>
Address of premises in Gibraltar from which business is carried on:	<input type="text"/>
Postal address (if different to above):	<input type="text"/>
Email address:	<input type="text"/>
Contact number:	<input type="text"/>
The corresponding payment has been included with this application:	<input type="text" value="Yes/No (delete as appropriate)"/>
Signature of Applicant:	<input type="text"/>
Dated:	<input type="text"/> <input type="text"/> 20 <input type="text"/>

SCHEDULE 3

Forms giving notice of objection

Regulation 2(3)

Form 3a

Notice of objection to application for new licence

Full name of objector:	<input type="text"/>
Business name (if any):	<input type="text"/>
Postal address:	<input type="text"/>
Email address:	<input type="text"/>
Contact number:	<input type="text"/>
Represented by (if applicable):	<input type="text"/>

Details of objection:

Name of applicant against whom objection is lodged:	<input type="text"/>
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I hereby give notice of my objection to the application for a new licence by the above named applicant on the following ground(s):

A copy of this notice of objection has been given to the above named applicant:

The corresponding payment has been included with this notice:

Signature of objector or objector's representative:

Dated:	<input type="text"/>	<input type="text"/>	<input type="text" value="20"/>
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Regulation 3(3)

Form 3b

Notice of objection to extension to scope of licence

Full name of objector:	<input type="text"/>
Business name (if any):	<input type="text"/>
Postal address:	<input type="text"/>
Email address:	<input type="text"/>
Contact number:	<input type="text"/>
Represented by (if applicable):	<input type="text"/>

Details of objection:

Name of applicant against whom objection is lodged:

I hereby give notice of my objection to the extension to scope of a licence to the above named applicant on the following ground(s):

A copy of this notice of objection has been given to the above named applicant: Yes/No (delete as appropriate)

The corresponding payment has been included with this notice: Yes/No (delete as appropriate)

Signature of objector or objector's representative:

Dated: 20

Form 3c

Notice of objection to transfer of licence to other premises

Full name of objector:

Business name (if any):

Postal address:

Email address:

Contact number:

Represented by (if applicable):

Details of objection:

Name of applicant against whom
objection is lodged:

I hereby give notice of my objection
to the transfer of a licence
to other premises by the above
named applicant on the following
ground(s):

A copy of this notice of objection has
been given to the above named
applicant:

Yes/No (delete as appropriate)

The corresponding payment has
been included with this notice:

Yes/No (delete as appropriate)

Signature of objector or
objector's representative:

Dated:

 20

SCHEDULE 4

Form of licence certificate

Regulation 7(1)

H.M. GOVERNMENT OF GIBRALTAR

OFFICE OF FAIR TRADING

Regulation 7 (1)

FAIR TRADING ACT
BUSINESS LICENCE

No.....

A licence is hereby granted to:

[Empty box for licensee name]

To trade in the following goods or class of goods:

[Empty box for goods description]

By Retail / Wholesale / Retail and Wholesale / Export:

To carry on the following business class(es):

[Empty box for business class(es)]

on the premises at:

[Empty box for premises address]

The licence is subject to the following terms and conditions:

[Empty box for terms and conditions]

This licence is granted by the Licensing Authority of the Office of Fair Trading in accordance with the

provisions of the Fair Trading Act on [] day of [] 20 []

This licence shall be valid for one year from the date of this certificate.

SCHEDULE 5

Form of Register

Regulation 8

Licence number	Postal address	Business name (if any)	Address of premises:	Business Class(es):	Goods specified:	Retail, export and/or wholesale	Date of issue	Date of last renewal