



## PRESS RELEASE

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### **Ministerial Direction to Business Licensing Authority on Restricted Premises and Issue of Premises Waivers**

Her Majesty's Government of Gibraltar has observed a noticeable increase in the number of applications for new business licences to be carried out from Government residential premises or other potentially restricted residential premises. The Fair Trading Act, which was the result of three years of full consultation with the GFSB and the Chamber of Commerce, prevents the Business Licensing Authority from granting a business licence to these premises.

The Business Licence forms make clear that licences will not be issued to restricted premises. Businesses are reminded that they may obtain business license forms online (at <http://www.oft.gov.gi/index.php/documents/business-licensing-forms>) and as part and parcel of the e-Gov service, they may also complete and submit forms online (<https://www.egov.gi/portal/classic>).

A Ministerial Direction was issued on 9 February 2016, to reiterate to the Business Licensing Authority, its functions in respect of restricted premises and the issue of premises waivers.

As the business community will be aware, the premises waiver is a new feature of the business licensing system aimed at businesses that do not require premises from which to operate. The applicant can simply indicate that they are applying for a premises waiver. A correspondence address will still be required.

It is vital to note that the grant of a business licence under a premises waiver does not grant the licence holder any right to operate their business from residential premises, whether it is a Government residential premises or private residential premises, (non-Governmental premises), under which the terms of the title deeds restrict commercial activities to be carried on from such premises. All licence-holders are once again reminded that they are required to obtain consent from the headlessor or freehold owner of any premises from which they intend to operate.



Commenting on the Ministerial Direction and related matters, the Minister for Business and Employment, the Hon Neil Costa MP said: “Premises waivers are a new feature of the business licensing system. It allows businesses that do not require premises to apply for a business licence. As an entirely new feature within a new statutory framework, it was important to provide clear guidance to the Business Licensing Authority as to the exercise of their functions under the Fair Trading Act when considering a premises waiver. This press release will provide further clarity to businesses in respect of their premises obligations and encourage them to contact the OFT with any queries and regularise their licensing requirements. As always I am extremely grateful to the BLA for their time and invaluable contribution”.

For further information please contact the Office of Fair Trading on 20071700 or via e-mail at [oft@gibraltar.gov.gi](mailto:oft@gibraltar.gov.gi).