



# Alcohol (Minimum Pricing) (Scotland) Act 2012

2012 asp 4

## *Minimum price of alcohol*

### **1 Minimum price of alcohol**

- (1) The Licensing (Scotland) Act 2005 is amended as follows.
- (2) In schedule 3 (premises licences: mandatory conditions), before paragraph 6B insert—

- “6A (1) Alcohol must not be sold on the premises at a price below its minimum price.
- (2) Where alcohol is supplied together with other products or services for a single price, sub-paragraph (1) applies as if the alcohol were supplied on its own for that price.
- (3) The minimum price of alcohol is to be calculated according to the following formula—

$$\text{MPU} \times \text{S} \times \text{V} \times 100$$

where—

MPU is the minimum price per unit,  
S is the strength of the alcohol, and  
V is the volume of the alcohol in litres.

- (4) The Scottish Ministers are to specify by order the minimum price per unit for the purposes of sub-paragraph (3).
- (5) For the purposes of sub-paragraph (3), where—
- (a) the alcohol is contained in a bottle or other container, and
  - (b) the bottle or other container is marked or labelled in accordance with relevant labelling provisions,
- the strength is taken to be the alcoholic strength by volume as indicated by the mark or label.

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*Status: This is the original version (as it was originally enacted).*

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- (6) The Scottish Ministers are to specify by order the enactments which are relevant labelling provisions for the purposes of sub-paragraph (5).”.
- (3) In schedule 4 (occasional licences: mandatory conditions), before paragraph 5B insert—
- “5A (1) Alcohol must not be sold on the premises at a price below its minimum price.
- (2) Where alcohol is supplied together with other products or services for a single price, sub-paragraph (1) applies as if the alcohol were supplied on its own for that price.
- (3) The minimum price of alcohol is to be calculated according to the following formula—
- $$\text{MPU} \times \text{S} \times \text{V} \times 100$$
- where—
- MPU is the minimum price per unit,  
S is the strength of the alcohol, and  
V is the volume of the alcohol in litres.
- (4) The Scottish Ministers are to specify by order the minimum price per unit for the purposes of sub-paragraph (3).
- (5) For the purposes of sub-paragraph (3), where—
- (a) the alcohol is contained in a bottle or other container, and
- (b) the bottle or other container is marked or labelled in accordance with relevant labelling provisions,
- the strength is taken to be the alcoholic strength by volume as indicated by the mark or label.
- (6) The Scottish Ministers are to specify by order the enactments which are relevant labelling provisions for the purposes of sub-paragraph (5).”.
- (4) In section 146—
- (a) in subsection (4)(a), for “or 150(2)” substitute “, 150(2), paragraph 6A(4) of schedule 3, or paragraph 5A(4) of schedule 4”,
- (b) in subsection (5)(a), for “or 123(6)” substitute “, 123(6), paragraph 6A(4) of schedule 3, or paragraph 5A(4) of schedule 4”.