



Air Weapons and Licensing (Scotland) Act 2015

2015 asp 10

PART 2

ALCOHOL LICENSING

Miscellaneous

55 Overprovision

- (1) The 2005 Act is amended as follows.
- (2) In section 7 (duty to assess overprovision)—
 - (a) in subsection (2), after “Act” insert “ and in doing so the Board may determine that the whole of the Board's area is a locality ”,
 - (b) in subsection (3)—
 - (i) the word “must” is repealed,
 - (ii) at the beginning of paragraph (a) insert “ must ”,
 - (iii) the word “and” immediately following that paragraph is repealed,
 - (iv) after that paragraph insert—
 - “(aa) may have regard to such other matters as the Board thinks fit including, in particular, the licensed hours of licensed premises in the locality, and”,
 - (v) at the beginning of paragraph (b) insert “ must ”.
- (3) In section 23(5)(e) (refusal of premises licence on grounds of overprovision)—
 - (a) for the words from “that,” where first occurring to “situated,” substitute “ that ”,
 - (b) for “that description,” substitute “ the same or similar description as the subject premises, ”.
- (4) In section 30(5)(d) (refusal to vary premises licence on grounds of overprovision)—
 - (a) for the words from “that,” where first occurring to “situated,” substitute “ that ”,

Status: Point in time view as at 30/09/2016.

Changes to legislation: There are currently no known outstanding effects for the Air Weapons and Licensing (Scotland) Act 2015, Section 55. (See end of Document for details)

- (b) for “that description,” substitute “ the same or similar description as the subject premises (taking account of the variation), ”.

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Commencement Information

I1 [S. 55](#) in force at 30.9.2016 by [S.S.I. 2016/132](#), **art. 2(b)** (with [art. 4](#))

Status:

Point in time view as at 30/09/2016.

Changes to legislation:

There are currently no known outstanding effects for the Air Weapons and Licensing (Scotland) Act 2015, Section 55.