

Draft Regulations laid before the Scottish Parliament under section 146(5) of the Licensing (Scotland) Act 2005 for approval by resolution of the Scottish Parliament.

DRAFT SCOTTISH STATUTORY INSTRUMENTS

2009 No.

LICENSING (LIQUOR)

**The Licensing (Mandatory Conditions)
(Scotland) Regulations 2009**

Made - - - - 2009

Coming into force in accordance with regulation 1

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 27(2), (8) and (9) and 146(2) of the Licensing (Scotland) Act 2005⁽¹⁾ and all other powers enabling them to do so.

In accordance with section 146(5) of that Act, a draft of these Regulations has been laid before and approved by resolution of the Scottish Parliament.

Citation and commencement

1. These Regulations may be cited as the Licensing (Mandatory Conditions) (Scotland) Regulations 2009 and come into force on the day after the day on which they are made.

Amendment of mandatory conditions of premises licences

2.—(1) Paragraph 13 of schedule 3(2) to the Licensing (Scotland) Act 2005 is amended in accordance with this regulation.

(2) In sub-paragraph (1) for “Alcohol” substitute “Subject to sub-paragraph (3), alcohol”.

(3) After sub-paragraph (2) insert—

“(3) This paragraph does not apply in respect of premises—

(a) whose main function is to provide a visitor attraction, and

(b) where—

(i) the premises form part of a larger site which is used principally for the production of alcoholic drinks, or

(1) 2005 asp 16.

(2) Paragraph 13 of schedule 3 was inserted by S.S.I. 2007/546.

- (ii) the visitor attraction is used principally to provide information about and promote the history and attributes of a particular alcoholic drink or a particular category of alcoholic drink.”

St Andrews House,
Edinburgh
2009

A member of the Scottish Executive

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend paragraph 13 of schedule 3 to the Licensing (Scotland) Act 2005. Paragraph 13 of that Act imposes restrictions on the areas within premises in which alcohol for consumption off the premises may be displayed. Regulation 2 provides an exemption from these restrictions for visitor attractions forming part of a manufacturing site and for visitor attractions that principally provide information about and promote the history and attributes of a particular alcoholic drink or a particular category of alcoholic drink.