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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends the Licensing (Transitional and Saving Provisions) (Scotland) Order 2007 (“2007 Order”) which makes provision in relation to the transition from the licensing regime under the Licensing (Scotland) Act 1976 (“1976 Act”) to the regime under the Licensing (Scotland) Act 2005 (“2005 Act”). For that purpose, the 2007 Order creates a “transitional period” running from 1st February 2008 to 1st September 2009.

Article 3 of this Order reduces the time within which an applicant for a licence under the 1976 Act requires to give notice of the application to occupiers within the same building. Article 4 empowers a Licensing Board to consider late objections to a 1976 Act application.

Provision is made for any regular extension of hours or children’s certificate to run until the end of the transitional period if that extension or certificate is valid at the beginning of that period or granted during it (articles 5 to 8).

Article 9 allows certain transitional rights to apply where an application for a 2005 Act licence is made and the licensed hours sought are no greater than those authorised by an existing provisional licence (whether or not those hours have been extended under specified provisions of the 1976 Act).