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*Status: Point in time view as at 01/02/1991.*

**Changes to legislation:** Civic Government (Scotland) Act 1982, Cross Heading: Provisions relating to existing premises is up to date with all changes known to be in force on or before 05 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 2

#### CONTROL OF SEX SHOPS

##### *Provisions relating to existing premises*

- 25 (1) Without prejudice to any enactment other than this Schedule it shall be lawful for any person who—
- (a) immediately before the date of publication as required by section 45 of this Act was using any premises, vehicle, vessel or stall as a sex shop; and
  - (b) had before the appointed day duly applied to the district or islands council for a licence for the premises, vehicle, vessel or stall under this Schedule to continue to use the premises, vehicle, vessel or stall as a sex shop until
    - (i) the time within which an appeal under paragraph 24 above against any refusal by the district or islands council of his application has elapsed; or
    - (ii) where such an appeal has been lodged, it has been abandoned or determined against him.
- (2) In this paragraph “the appointed day”, in relation to any area, means the day specified in the resolution passed under section 45 of this Act as the date upon which this Schedule comes into effect in that area.
- (3) A district or islands council shall not, before the appointed day, consider any application for the grant of a licence under this Schedule made before the appointed day and shall not grant any such application until they have considered all such applications.

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