

Status: Point in time view as at 01/02/2008.

Changes to legislation: Licensing (Scotland) Act 2005, SCHEDULE 4 is up to date with all changes known to be in force on or before 05 April 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)

SCHEDULE 4

(introduced by section 60(1))

OCCASIONAL LICENCES: MANDATORY CONDITIONS

Interpretation

- 1 In this schedule, “the premises” means, in relation to any occasional licence, the premises specified in the licence.

Commencement Information

- I1** Sch. 4 para. 1 in force at 1.2.2008 by [S.S.I. 2007/472](#), [art. 2](#), [Sch. 1](#)

Compliance with licence

- 2 (1) Alcohol may be sold on the premises only in accordance with the terms of the licence.
(2) Nothing in sub-paragraph (1) is to be read as preventing or restricting the doing of anything referred to in section 63(2).

Commencement Information

- I2** Sch. 4 para. 2 in force at 1.2.2008 by [S.S.I. 2007/472](#), [art. 2](#), [Sch. 1](#)

- 3 Any other activity to be carried on in the premises may be carried on only in accordance with the description of the activity contained in the licence.

Commencement Information

- I3** Sch. 4 para. 3 in force at 1.2.2008 by [S.S.I. 2007/472](#), [art. 2](#), [Sch. 1](#)

Authorisation of sales of alcohol

- 4 (1) The condition specified in sub-paragraph (2) applies only to an occasional licence issued to the holder of a premises licence or personal licence.
(2) Every sale of alcohol made on the premises to which the licence relates must be authorised (whether generally or specifically) by the holder of a personal licence.

Commencement Information

- I4** Sch. 4 para. 4 in force at 1.2.2008 by [S.S.I. 2007/472](#), [art. 2](#), [Sch. 1](#)

Voluntary organisations

- 5 (1) The condition specified in sub-paragraph (2) applies only to an occasional licence issued to a representative of a voluntary organisation.
(2) Alcohol may be sold on the premises only at an event taking place on the premises in connection with the voluntary organisation's activities.

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Commencement Information

I5 Sch. 4 para. 5 in force at 1.2.2008 by [S.S.I. 2007/472](#), [art. 2](#), [Sch. 1](#)

Pricing of alcohol

- 6 Where the price at which any alcohol sold on the premises is varied—
- (a) the variation (referred to in this paragraph as “the earlier price variation”) may be brought into effect only at the beginning of a period of licensed hours, and
 - (b) no further variation of the price at which that or any other alcohol is sold on the premises may be brought into effect before the expiry of the period of 72 hours beginning with the coming into effect of the earlier price variation.

Commencement Information

I6 Sch. 4 para. 6 in force at 1.2.2008 by [S.S.I. 2007/472](#), [art. 2](#), [Sch. 1](#)

Irresponsible drinks promotions

- 7 (1) An irresponsible drinks promotion must not be carried on in or in connection with the premises.
- (2) Subject to sub-paragraph (3), a drinks promotion is irresponsible if it—
- (a) relates specifically to an alcoholic drink likely to appeal largely to persons under the age of 18,
 - (b) involves the supply of an alcoholic drink free of charge or at a reduced price on the purchase of one or more drinks (whether or not alcoholic drinks),
 - (c) involves the supply free of charge or at a reduced price of one or more extra measures of an alcoholic drink on the purchase of one or more measures of the drink,
 - (d) involves the supply of unlimited amounts of alcohol for a fixed charge (including any charge for entry to the premises),
 - (e) encourages, or seeks to encourage, a person to buy or consume a larger measure of alcohol than the person had otherwise intended to buy or consume,
 - (f) is based on the strength of any alcohol,
 - (g) rewards or encourages, or seeks to reward or encourage, drinking alcohol quickly, or
 - (h) offers alcohol as a reward or prize, unless the alcohol is in a sealed container and consumed off the premises.
- (3) Paragraphs (b) to (d) of sub-paragraph (2) apply only to a drinks promotion carried on in relation to alcohol sold for consumption on the premises.
- (4) The Scottish Ministers may by regulations modify sub-paragraph (2) or (3) so as to—
- (a) add further descriptions of drinks promotions,
 - (b) modify any of the descriptions of drinks promotions for the time being listed in it, or

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(c) extend or restrict the application of any of those descriptions of drinks promotions.

(5) In this paragraph, “drinks promotion” means, in relation to any premises, any activity which promotes, or seeks to promote, the buying or consumption of any alcohol on the premises.

Commencement Information

I7 Sch. 4 para. 7 in force at 1.2.2008 by [S.S.I. 2007/472](#), art. 2, [Sch. 1](#)

Provision of non-alcoholic drinks

- 8 (1) The conditions specified in this paragraph apply only to the extent that the occasional licence authorises the sale of alcohol for consumption on the premises.
- (2) Tap water fit for drinking must be provided free of charge on request.
- (3) Other non-alcoholic drinks must be available for purchase at a reasonable price.

Commencement Information

I8 Sch. 4 para. 8 in force at 1.2.2008 by [S.S.I. 2007/472](#), art. 2, [Sch. 1](#)

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