



Alcohol (Minimum Pricing) (Scotland) Act 2012

2012 asp 4

Minimum price of alcohol

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- (1) The Licensing (Scotland) Act 2005 is amended as follows.
- (2) In schedule 3 (premises licences: mandatory conditions), before paragraph 6B insert—

- “6A
- (1) Alcohol must not be sold on the premises at a price below its minimum price.
 - (2) Where alcohol is supplied together with other products or services for a single price, sub-paragraph (1) applies as if the alcohol were supplied on its own for that price.
 - (3) The minimum price of alcohol is to be calculated according to the following formula—

$$\text{MPU} \times S \times V \times 100$$

where—

MPU is the minimum price per unit,

S is the strength of the alcohol, and

V is the volume of the alcohol in litres.

- (4) The Scottish Ministers are to specify by order the minimum price per unit for the purposes of sub-paragraph (3).
- (5) For the purposes of sub-paragraph (3), where—
 - (a) the alcohol is contained in a bottle or other container, and

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Changes to legislation: There are currently no known outstanding effects for the Alcohol (Minimum Pricing) (Scotland) Act 2012, Section 1. (See end of Document for details)

- (b) the bottle or other container is marked or labelled in accordance with relevant labelling provisions,
the strength is taken to be the alcoholic strength by volume as indicated by the mark or label.
- (6) The Scottish Ministers are to specify by order the enactments which are relevant labelling provisions for the purposes of sub-paragraph (5).”
- (3) In schedule 4 (occasional licences: mandatory conditions), before paragraph 5B insert—

- “5A (1) Alcohol must not be sold on the premises at a price below its minimum price.
- (2) Where alcohol is supplied together with other products or services for a single price, sub-paragraph (1) applies as if the alcohol were supplied on its own for that price.
- (3) The minimum price of alcohol is to be calculated according to the following formula—

$$\text{MPU} \times S \times V \times 100$$

where—

MPU is the minimum price per unit,

S is the strength of the alcohol, and

V is the volume of the alcohol in litres.

- (4) The Scottish Ministers are to specify by order the minimum price per unit for the purposes of sub-paragraph (3).
- (5) For the purposes of sub-paragraph (3), where—
- (a) the alcohol is contained in a bottle or other container, and
- (b) the bottle or other container is marked or labelled in accordance with relevant labelling provisions,
the strength is taken to be the alcoholic strength by volume as indicated by the mark or label.
- (6) The Scottish Ministers are to specify by order the enactments which are relevant labelling provisions for the purposes of sub-paragraph (5).”
- (4) In section 146—
- (a) in subsection (4)(a), for “or 150(2)” substitute “, 150(2), paragraph 6A(4) of schedule 3, or paragraph 5A(4) of schedule 4 ”,
- (b) in subsection (5)(a), for “or 123(6)” substitute “, 123(6), paragraph 6A(4) of schedule 3, or paragraph 5A(4) of schedule 4 ”.

Commencement Information

II S. 1 in force at 6.12.2017 for specified purposes by [S.S.I. 2017/402](#), [art. 2](#)

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I2 [S. 1](#) in force at 1.5.2018 in so far as not already in force by [S.S.I. 2018/88](#), **art. 2**

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Changes to legislation:

There are currently no known outstanding effects for the Alcohol (Minimum Pricing) (Scotland) Act 2012, Section 1.