

SCHEDULE 5 ALCOHOL LICENSING

Notifications by the chief constable

- 6 (1) The Licensing (Scotland) Act 2005 applies in accordance with the modifications in this paragraph.
- (2) Section 21 (notification of application) has effect as if—
- (a) in subsection (3), after “subsection (1)(d),” there were inserted “or within such longer period as the chief constable considers reasonable in the circumstances because of a reason relating to coronavirus,”,
 - (b) after subsection (3) there were inserted—
 - “(3A) Where the chief constable is not going to respond to a notice within the 21 day period referred to in subsection (3), the chief constable must inform the Licensing Board of—
 - (a) that fact, and
 - (b) the time period within which the chief constable expects to respond.”.
- (3) Section 24 (applicant’s duty to notify licensing board of convictions) has effect as if—
- (a) in subsection (6), after “subsection (5)(b),” there were inserted “or within such longer period as the chief constable considers reasonable in the circumstances because of a reason relating to coronavirus,”,
 - (b) after subsection (6) there were inserted—
 - “(6A) Where the chief constable is not going to respond to a notice within the 21 day period referred to in subsection (6), the chief constable must inform the Licensing Board of—
 - (a) that fact, and
 - (b) the time period within which the chief constable expects to respond.”.
- (4) Section 24A (power to request antisocial behaviour report) has effect as if—
- (a) in subsection (2), after “request” there were inserted “or within such longer period as the chief constable considers reasonable in the circumstances because of a reason relating to coronavirus”,
 - (b) after subsection (2) there were inserted—
 - “(2A) Where the chief constable is not going to give the report within the 21 day period referred to in subsection (2), the chief constable must inform the Licensing Board of—
 - (a) that fact, and
 - (b) the time period within which the chief constable expects to give the report.”.
- (5) Section 33 (transfer on application of licence holder) has effect as if—
- (a) in subsection (5), after “subsection (4),” there were inserted “or within such longer period as the chief constable considers reasonable in the circumstances because of a reason relating to coronavirus,”,
 - (b) after subsection (5) there were inserted—

Status: This is the original version (as it was originally enacted).

- “(5A) Where the chief constable is not going to respond to a notice within the 21 day period referred to in subsection (5), the chief constable must inform the Licensing Board of—
- (a) that fact, and
 - (b) the time period within which the chief constable expects to respond.”.
- (6) Section 44 (procedure where licensing board receives notice of conviction) has effect as if—
- (a) in subsection (3), after “subsection (2),” there were inserted “or within such longer period as the chief constable considers reasonable in the circumstances because of a reason relating to coronavirus,”,
 - (b) after subsection (3) there were inserted—
- “(3A) Where the chief constable is not going to respond to a notice within the 21 day period referred to in subsection (3), the chief constable must inform the Licensing Board of—
- (a) that fact, and
 - (b) the time period within which the chief constable expects to respond.”.
- (7) Section 73 (notification of application to chief constable) has effect as if—
- (a) in subsection (2), after “subsection (1),” there were inserted “or within such longer period as the chief constable considers reasonable in the circumstances because of a reason relating to coronavirus,”,
 - (b) after subsection (2) there were inserted—
- “(2A) Where the chief constable is not going to respond to a notice within the 21 day period referred to in subsection (2), the chief constable must inform the Licensing Board of—
- (a) that fact, and
 - (b) the time period within which the chief constable expects to respond.”.
- (8) Section 75 (applicant’s duty to notify licensing board of convictions) has effect as if—
- (a) in subsection (5), after “subsection (4)(b),” there were inserted “or within such longer period as the chief constable considers reasonable in the circumstances because of a reason relating to coronavirus,”,
 - (b) after subsection (5) there were inserted—
- “(5A) Where the chief constable is not going to respond to a notice within the 21 day period referred to in subsection (5), the chief constable must inform the Licensing Board of—
- (a) that fact, and
 - (b) the time period within which the chief constable expects to respond.”.
- (9) Section 83 (procedure where licensing board receives notice of conviction) has effect as if—

Status: This is the original version (as it was originally enacted).

- (a) in subsection (3), after “subsection (2),” there were inserted “or within such longer period as the chief constable considers reasonable in the circumstances because of a reason relating to coronavirus,”,
- (b) after subsection (3) there were inserted—
 - “(3A) Where the chief constable is not going to respond to a notice within the 21 day period referred to in subsection (3), the chief constable must inform the Licensing Board of—
 - (a) that fact, and
 - (b) the time period within which the chief constable expects to respond.”.