



Alcohol etc. (Scotland) Act 2010

2010 asp 18

PART 1

ALCOHOL LICENSING

Pricing of alcohol

1 Section: duration of amendments

- (1) The amendments made by section expire at the end of the 6 year period, unless an order is made under subsection (2).
- (2) The Scottish Ministers may, after the end of the 5 year period but before the end of the 6 year period, by order made by statutory instrument provide that the amendments are to continue in effect despite subsection (1).
- (3) The Scottish Ministers may by order made by statutory instrument make such provision (including provision modifying any enactment) as may be necessary or expedient in consequence of the expiry of the amendments by virtue of subsection (1).
- (4) An order under subsection (2) or (3) is not to be made unless a draft of the statutory instrument containing the order has been laid before and approved by resolution of the Scottish Parliament.
- (5) In this section—
 - “the 5 year period” means the period of 5 years beginning with the day on which section comes fully into force, and
 - “the 6 year period” means the period of 6 years beginning with that day.

2 Minimum price of packages containing more than one alcoholic product

- (1) The 2005 Act is amended as follows.
- (2) In schedule 3 (premises licences), before paragraph 7 insert—
 - “6B (1) A package containing two or more alcoholic products (whether of the same or different kinds) may only be sold on the premises at a price equal

Status: This is the original version (as it was originally enacted).

to or greater than the sum of the prices at which each alcoholic product is for sale on the premises.

- (2) Sub-paragraph (1) applies—
- (a) only where each of the alcoholic products is for sale on the premises separately, and
 - (b) regardless of whether or not the package also contains any item which is not an alcoholic product.
- (3) In this paragraph, “alcoholic product” means a product containing alcohol and includes the container in which alcohol is for sale.”.

- (3) In schedule 4 (occasional licences), before paragraph 6 insert—

“5B (1) A package containing two or more alcoholic products (whether of the same or different kinds) may only be sold on the premises at a price equal to or greater than the sum of the prices at which each alcoholic product is for sale.

- (2) Sub-paragraph (1) applies—
- (a) only where each of the alcoholic products is for sale on the premises separately, and
 - (b) regardless of whether or not the package also contains any item which is not an alcoholic product.
- (3) In this paragraph, “alcoholic product” means a product containing alcohol and includes the container in which alcohol is for sale.”.

3 Off-sales: variation of pricing of alcoholic drinks

- (1) The 2005 Act is amended as follows.
- (2) In paragraph 7 of schedule 3 (pricing of alcohol: premises licences), after “premises” in both places it occurs insert “for consumption on the premises”.
- (3) After that paragraph insert—
- “7A Where the price at which any alcohol sold on the premises for consumption off 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 in the price at which that 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.”.

(4) In paragraph 6 of schedule 4 (pricing of alcohol: occasional licences), after “premises” in both places it occurs insert “for consumption on the premises”.

(5) After that paragraph insert—

“6A Where the price at which any alcohol sold on the premises for consumption off the premises is varied—

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

- (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 in the price at which that 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.”.