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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2009 No.**

**The Non-Domestic Rating (Petrol Filling Stations,  
Public Houses and Hotels) (Scotland) Order 2009**

**Interpretation**

**2.** In this Order—

“the 2005 Act” means the Licensing (Scotland) Act 2005<sup>(1)</sup>;

“petrol filling station” means lands and heritages which are premises where petrol or other automotive fuels are sold by retail to the general public for fuelling motor vehicles intended or adapted for use on roads;

“public house or hotel” means lands and heritages which are premises which satisfy the following conditions—

- (i) a premises licence authorising the sale of alcohol for consumption both on and off the premises, has been issued by a licensing board under section 26 of the 2005 Act;
- (ii) the premises are used for such sales to members of the public, principally for consumption on the premises, in accordance with the operating plan contained in the premises licence; and
- (iii) the operating plan contained in the premises licence does not include any provision that such sales are made subject to those members of the public residing at, or consuming food on, the premises; and

“the ratepayer” means the person occupying the lands and heritages.