
SCOTTISH STATUTORY INSTRUMENTS

2007 No. 454

The Licensing (Transitional and Saving Provisions) (Scotland) Order 2007

Consideration of certain applications under the 1976 Act

16.—(1) No application in terms of section 26(2) of the 1976 Act may be made after the beginning of the transitional period.

(2) A Board is not obliged to consider an application which falls within paragraph (3) but may do so if it thinks fit.

(3) An application falls within this paragraph if it is—

- (a) an application for the grant or provisional grant of a licence under Part II or III of the 1976 Act (other than an occasional licence) which—
 - (i) is lodged during the relevant period; and
 - (ii) is not lodged at the same time as an application in respect of the same premises under section 20 or 45 of the 2005 Act together with any documents required to accompany it;
- (b) an application for the grant or provisional grant of a licence under Part II or III of the 1976 Act (other than an occasional licence) which is lodged after the relevant period;
- (c) an application under section 64 of the 1976 Act for a regular extension of permitted hours which is lodged after the relevant period; or
- (d) an application for consent under section 35 of the 1976 Act which is lodged after the relevant period.

(4) In this article, “the relevant period” means the period from the beginning of the transitional period up to and including 28th February 2009.