

SCHEDULES

SCHEDULE 1

Section 9.

TYPES OF LICENCE

Public house licence

A public house licence is a licence granted in respect of a public house specified therein which authorises the holder thereof to sell by retail alcoholic liquor for consumption on or off the premises.

Off-sale licence

An off-sale licence is a licence granted in respect of premises specified therein which authorises the holder thereof to sell by retail alcoholic liquor for consumption off the premises only.

Hotel licence

A hotel licence is a licence granted in respect of a hotel specified therein which authorises the holder thereof to sell by retail alcoholic liquor for consumption on or off the premises.

Restricted hotel licence

A restricted hotel licence is a licence which—

- (a) is granted in respect of a hotel specified therein which—
 - (i) is structurally adapted and bona fide used, or intended to be used, for the purpose of habitually providing the customary main meal at midday or in the evening or both for the accommodation of persons frequenting the premises of such hotel;
 - (ii) so far as it is used or intended to be used for the purpose of providing meals to persons who are not residing there, is principally used, or intended to be used, for providing the customary main meal at midday or in the evening or both ; and
 - (iii) does not contain a bar counter ; and
- (b) authorises the holder thereof—
 - (i) to sell by retail or supply alcoholic liquor in the said premises to persons taking table meals there, for consumption by such a person as an ancillary to his meal;
 - (ii) to sell by retail or supply alcoholic liquor in those premises to persons residing there, for consumption on the premises by such a person or by a private friend of such a person who is bona fide entertained by and at the expense of that person ;
 - (iii) to supply alcoholic liquor in those premises to any private friends of a person residing there who are bona fide entertained by and at the expense of that person for consumption on the premises by such a friend entertained as aforesaid; and
 - (iv) to sell or supply alcoholic liquor in those premises to persons residing there, for consumption by such a person or by a private friend of such a person who

Status: This is the original version (as it was originally enacted).

is bona fide entertained by, and at the expense of, that person as an ancillary to a meal supplied at, but to be consumed off, the premises ; or

- (v) if the application is made in that behalf, to sell or supply alcoholic liquor only as described in sub-paragraphs (ii) to (iv) above.

Restaurant licence

A restaurant licence is a licence granted in respect of premises specified therein which—

- (a) is granted in respect of premises which—
- (i) are structurally adapted and bona fide used, or intended to be used, for the purpose of habitually providing meals for the accommodation of persons frequenting the premises ;
 - (ii) so far as they are used, or intended to be used, for the said purpose, are principally to be used, or intended to be used, for providing the customary main meal at midday or in the evening, or both; and
 - (iii) do not contain a bar counter ; and
- (b) authorises the holder thereof to sell by retail or supply alcoholic liquor in the said premises to persons taking table meals there, for consumption by such a person as an ancillary to his meal.

Refreshment Licence

A refreshment licence is a licence granted in respect of premises specified therein which—

- (a) is granted in respect of premises which—
- (i) are structurally adapted and bona fide used or intended to be used for the provision of refreshments, including food and non-alcoholic beverages for consumption on the premises ; and
 - (ii) do not contain a bar counter ; and
- (b) authorises the holder thereof to sell by retail or supply alcoholic liquor for consumption on the premises when food and non-alcoholic beverages are also on sale, provided that no alcoholic liquor is sold or supplied for consumption off the premises.

Entertainment Licence

An entertainment licence is a licence granted in respect of premises specified therein, being places of public entertainment such as cinemas, theatres, dance halls and proprietary clubs, which authorises the holder thereof to sell by retail or supply alcoholic liquor to persons frequenting the premises for consumption on the premises as an ancillary to the entertainment provided, subject to such conditions as the licensing board may determine to ensure that such sale or supply is ancillary to the entertainment provided.

SCHEDULE 2

Sections 41 and 43.

SEAMEN'S CANTEENS

Grant and Transfer of Licences under Part in of this Act

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

PART I

APPLICATIONS FOR GRANT OF LICENCES

- 1 (1) The applicant for the grant of a licence under Part III of this Act shall, not less than five weeks before the hearing of the application, give notice in writing of the application to the chief constable and the clerk of the licensing board and serve both of them with a copy of—
- (i) the certificate of the Secretary of State,
 - (ii) the draft rules which it is proposed to make as respects the persons entitled to use the canteen,
 - (iii) a plan of the canteen and particulars of the access to the canteen and of the sanitary accommodation for persons using the canteen.
- (2) The clerk of the licensing board shall, not later than three weeks before the hearing of the application, cause to be published notice of the application in one or more newspapers circulating in the licensing area.
- (3) A notice under this paragraph shall state the name and address of the person who is to be the holder of the licence, the types of alcoholic liquor it is desired to sell under the licence, and the situation of the canteen.
- 2 Where an applicant has, through inadvertence or misadventure, failed to comply with the foregoing paragraph, the licensing board may, upon such terms as it thinks fit, postpone consideration of the application and, if upon any such postponed consideration it is satisfied that any terms so imposed have been complied with, may deal with the application as if that paragraph had been complied with.

PART II

APPLICATION FOR AND GRANT OF PROVISIONAL LICENCES

- 3 The provisions of Part III of this Act relating to the grant of a licence, and the foregoing provisions of this Schedule, shall apply in relation to the grant of a provisional licence subject to the modifications specified in this Part of this Schedule.
- 4 (1) A notice under paragraph 1 above need not state the name and address of the person who is to be the holder of the licence, and references in that paragraph to the canteen shall be taken as references to the proposed canteen after the construction or conversion has been carried out.
- (2) Paragraph (a) of section 41(1) of this Act shall be omitted, and the reference in paragraph (b) of that subsection to the premises shall be taken as a reference to those premises when the construction or conversion has been carried out.
- 5 (1) A provisional licence shall not come into force until the licensing board has made it final.
- (2) The licensing board shall not refuse an application to declare a provisional licence final, except, subject to sub-paragraph (3) below, on either or both of the following grounds—
- (a) that the canteen has not been constructed or converted in accordance with the plan lodged with the licensing board ;

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- (b) that the person to whom the licence is to be granted is disqualified by or under this or any other enactment from holding a licence or is in other respects not a fit and proper person to hold a licence under Part III of this Act.
- (3) A licensing board shall declare final a provisional licence notwithstanding that it is not satisfied that the premises have been completed in accordance with the plan thereof lodged with the board, if it is satisfied that the premises have been completed and that the deviations from the said plan are of minor importance and have not materially altered the character of the premises or the facilities for the supply of alcoholic liquor thereat.
- (4) An applicant under this paragraph shall give such notices as the licensing board may require.

PART III

APPLICATION FOR TRANSFER

- 6 (1) A person applying to the licensing board for the transfer of a licence under Part III of this Act shall, not less than two weeks before the meeting of the board, give notice in writing to the chief constable.
- (2) A notice under this paragraph shall state the name and address of the person to whom the licence is proposed to be transferred and his occupation during the six months preceding the giving of the notice.
- 7 Paragraph 2 above shall apply in relation to paragraph 6 above as it applies in relation to paragraph 1 above.

SCHEDULE 3

Section 47.

COMMITTEE FOR NEW TOWN

- 1 A committee constituted under section 47 of this Act shall consist of—
 - (a) a chairman appointed by the Secretary of State as being an independent person ;
 - (b) members appointed by the development corporation for the new town for which the committee are constituted or, if the committee are constituted for more than one new town, by the development corporations for each of the new towns in such proportions as the Secretary of State may by order specify;
 - (c) members appointed from among their number by the licensing board for the licensing area in which is situated the area for which the committee are constituted or, if the last-mentioned area is situated in more than one licensing area, by the licensing board for each of those licensing areas in such proportions as the Secretary of State may by order specify:

Provided that, where the area for which the committee are constituted comprises part only of a licensing area, and it appears to the Secretary of State that, by reason of the small extent of that part of the licensing area and, having regard to its nature, the licensing board has insufficient interest in the working of the committee to justify

- its representation on it, it shall not be necessary for the committee to include any member of the licensing board for that licensing area.
- 2 The members of a committee appointed under sub-paragraphs (b) and (c) of paragraph 1 above shall be equal in number ; but except as aforesaid, the number of members shall be determined by order of the Secretary of State.
- 3 The appointment of a member of any such committee shall be for such term, not exceeding four years, as may be determined by or under an order of the Secretary of State, with or without eligibility for re-appointment, as may be so determined, and shall be subject to such conditions as may be so determined.
- 4 The quorum of any such committee shall be such as the Secretary of State may by order determine.
- 5 If the votes are equal on any question, the chairman shall have a casting vote ; but except as aforesaid, the chairman shall not vote.
- 6 Subject to the provisions of paragraphs 4 and 5 above, the procedure of any such committee shall be such as the committee may determine.

SCHEDULE 4

Section 53.

SUNDAY OPENING OF PREMISES IN RESPECT OF WHICH A PUBLIC HOUSE LICENCE OR REFRESHMENT LICENCE IS OR WILL BE IN FORCE AND SUNDAY RESTRICTION ORDERS RELATING TO LICENSED PREMISES

PART I

APPLICATIONS FOR SUNDAY OPENING

- 1 Applications may be made to a licensing board in accordance with the provisions of this Schedule for permission to open premises on Sundays as mentioned in section 53(2) of this Act, and any such application is referred to in this Schedule as " an application for Sunday opening ".
- 2 The holder of a public house licence or a refreshment licence in respect of any premises may make an application for Sunday opening of the premises, and any such application shall be in such form as may be prescribed, shall be completed and signed by the applicant or his agent and shall be lodged with the clerk of the licensing board within whose area the premises are situated not later than five weeks before the first day of the meeting of the board at which the application is to be considered.
- 3 The clerk of a licensing board shall, not later than three weeks before the first day of the meeting of the board at which the applications are to be considered, cause to be published in one or more newspapers circulating in the area of the board a list of all competent applications for Sunday opening made to the board under paragraph 2 above.
- 4 The list mentioned in paragraph 3 above shall specify—
- (a) the name, designation and address of the applicant;
 - (b) the address of the premises in respect of which the application is made;

(c) the first day of the meeting of the licensing board at which the application is to be considered.

5 Section 10(2)(b) and section 10(5) of this Act shall, with any necessary modifications, apply in relation to an application for Sunday opening as they apply in relation to an application for the grant of a new licence.

6 It shall be competent for any person mentioned in section 16(1) of this Act to object in relation to any application made under paragraph 2 above, and the provisions of subsections (2) to (4) of that section shall apply in relation to such objections.

7 A licensing board shall refuse an application made under paragraph 2 above if it is satisfied that the opening and use on a Sunday of the premises to which the application relates would cause undue disturbance or public nuisance in the locality, but otherwise shall grant the application.

8 The consequence of the refusal of an application under paragraph 7 above in respect of any premises is that, except as otherwise provided by this Act there shall be no permitted hours in those premises on a Sunday.

9 An applicant may appeal to the sheriff against a decision of a licensing board to refuse an application under paragraph 7 above.

10 Any competent objector who appeared at the hearing of any application made under paragraph 2 above may appeal to the sheriff against a decision of the licensing board to grant the application.

11 A licensing board shall not within two years of its refusal of an application made under paragraph 2 above in respect of any premises entertain another such application in respect of those premises.

12 An application for a new public house licence or refreshment licence under section 10 of this Act shall state whether the applicant is making an application for Sunday opening, and if an application for Sunday opening is made, the clerk of the licensing board shall include in the list mentioned in section 12(1) of this Act information to that effect.

13 An application for the renewal of a public house licence or refreshment licence under section 10 of this Act shall state whether the applicant is making an application for Sunday opening.

14 Paragraphs 5 to 11 above shall apply in relation to an application for Sunday opening under paragraph 12 or 13 above as they apply in relation to an application for Sunday opening under paragraph 2 above.

15 The grant of an application for Sunday opening under paragraph 2 or 12 above shall come into effect on the making of the grant except that where there were objections at the hearing the grant shall not come into effect until—

- (a) the time within which an appeal may be made has elapsed, or
- (b) where an appeal has been lodged, the appeal has been abandoned or determined in favour of the applicant for the grant.

16 The grant of an application for Sunday opening under paragraph 13 above shall come into effect on the renewal of the licence to which the application relates.

17 If an application for Sunday opening is made under paragraph 13 above any existing grant of such an application shall continue to have effect—

- (a) until the first mentioned application is granted by the board;

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- (b) if the first mentioned application is refused, until the time within which an appeal may be made has elapsed, or if an appeal has been lodged, until the appeal has been abandoned or determined.
- 18 The grant of an application for Sunday opening shall cease to have effect when the licence to which it relates ceases to have effect.

PART II

SUNDAY RESTRICTION ORDERS

- 19 Where on a complaint being made to a licensing board by any person mentioned in section 16(1) of this Act, the board is satisfied that the use of licensed premises is the cause of undue disturbance or public nuisance having regard to the way of life in the community in the locality on a Sunday, the board may make an order (in this Part of this Schedule referred to as a "Sunday restriction order"), and the effect of the Sunday restriction order is that there shall be no permitted hours on Sunday for such period as may be specified in the order or that the permitted hours on Sunday shall be reduced by such a time and for such a period as may be so specified.
- 20 The provisions of subsections (4) to (6) of section 31 of this Act shall, with any necessary modifications, apply in relation to a Sunday restriction order as they apply in relation to the suspension of a licence.
- 21 The licensing board may make a Sunday restriction order in relation to individual premises or in relation to a group of premises in respect of which the same type of licence is held.
- 22 Subsections (4) to (8) of section 65 of this Act shall apply in relation to a Sunday restriction order as they apply in relation to a restriction order under that section.

SCHEDULE 5

Section 67.

PENALTIES FOR OFFENCES AGAINST PROVISIONS OF THIS ACT

1	2	3	4	5
Provision of this Act creating the offence	Rough description of offence	Whether licence-holder vicariously responsible	Whether licence-holder and premises liable to disqualification	Penalty
Section 2	Interested person acting as member of licensing board.	—	—	£400
Section 7(3)	Clerk of licensing board acting for person in proceedings before board.	—	—	£400

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1	2	3	4	5
Provision of this Act creating the offence	Rough description of offence	Whether licence-holder vicariously responsible	Whether licence-holder and premises liable to disqualification	Penalty
Section 19(1)	Canvassing member of licensing board.	—	—	£100
Section 29(2)	Unlawful sale of spirits.	Yes	Yes	£400
Section 33(4) and (5)	Contravention of condition of occasional licence.	Yes	Yes	£100
Section 34(3)	Contravention of condition of occasional permission.	—	—	£100
Section 34(6)	Failure to ensure observance of provisions relating to conduct of licensed premises.	—	—	£100
Section 36(3)	Failing to comply with order to carry out structural alterations.	—	Yes	£50 and £5 for every day of default.
Section 38(4)	Contravention of any byelaw or condition attached to licence.	Yes	Yes	£50
Section 41(1)	Selling unauthorised liquor in canteen.	Yes	Yes	£100
Section 41(3)	Failure to provide food etc. in canteen.	Yes	Yes	£100
Section 50(6)	Breach of condition attached to licence.	Yes	Yes	£100

1	2	3	4	5
Provision of this Act creating the offence	Rough description of offence	Whether licence-holder vicariously responsible	Whether licence-holder and premises liable to disqualification	Penalty
Section 54(1)(a)	Sale or supply of liquor in licensed premises or canteen or club out-with permitted hours.	Yes	Yes	£100
Section 54(1)(b)	Consuming liquor in licensed premises or canteen or club out-with permitted hours.	—	—	£50
Section 57(7)	Failure of club secretary to notify licensing board of alterations to premises with extended afternoon hours.	—	—	£50
Section 57(8)	Failure to display notice of extended afternoon hours.	—	—	£20
Section 58(7)	Failure of club secretary to notify licensing board of alterations to premises with extended evening hours.	—	—	£50
Section 58(8)	Failure to display notice of extended evening hours.	—	—	£20
Section 59(7)	Failure to display notice in public house of permitted hours on Sunday.	—	—	£20

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1	2	3	4	5
Provision of this Act creating the offence	Rough description of offence	Whether licence-holder vicariously responsible	Whether licence-holder and premises liable to disqualification	Penalty
Section 64(6)	Contravention of condition of grant of an extension of permitted hours.	Yes	Yes	£100
Section 68(1)	Selling liquor to, or allowing consumption by persons under 18 in a bar.	Yes	Yes	£50
Section 68(2)	Purchase of liquor in licensed premises, or consumption of liquor in a bar, by person under 18.	—	—	£100
Section 68(3)	Acting as agent for person under 18 in purchase of liquor or purchasing liquor for person under 18 or purchasing liquor for person under 18 to consume in a bar.	—	—	£100
Section 68(5)	Delivering liquor to a person under 18.	Yes	Yes	£50
Section 69(1)	Permitting person under 14 in a bar or canteen during permitted hours.	Yes	Yes	£50
Section 69(2)	Bringing person under 14 into a bar during permitted hours.	—	—	£100

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1	2	3	4	5
Provision of this Act creating the offence	Rough description of offence	Whether licence-holder vicariously responsible	Whether licence-holder and premises liable to disqualification	Penalty
Section 70(1)	Permitting unaccompanied person under 14 in premises with refreshment licence during permitted hours.	Yes	Yes	£50
Section 70(1)	Permitting person under 14 to remain in premises with refreshment licence after 8 p.m.	Yes	Yes	£50
Section 72(1)	Employing person under 18 in bar or canteen during permitted hours.	Yes	Yes	£100
Section 73(1)	Employing person under 18 to serve liquor in premises with refreshment licence.	Yes	Yes	£100
Section 74(1)	Entering licensed premises while drunk.	—	—	£20
Section 74(2)	Being in licensed premises while drunk.	—	—	£20
Section 75(1)	Procuring liquor in licensed premises for drunken person.	—	—	£100
Section 75(2)	Aiding a drunken person to obtain liquor.	—	—	£100

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1	2	3	4	5
Provision of this Act creating the offence	Rough description of offence	Whether licence-holder vicariously responsible	Whether licence-holder and premises liable to disqualification	Penalty
Section 76	Sale or supply of liquor to drunken person.	Yes	Yes	£50
Section 77	Licence holder or employee or agent drunk in licensed premises or canteen.	Yes	Yes	£100
Section 78(1)(a)	Behaving in disorderly manner in licensed premises or canteen.	—	—	£100 and/or imprisonment for 60 days.
Section 78(1)(b)	Using obscene language in licensed premises or canteen.	—	—	£100
Section 78(2)	Permitting breach of the peace, drunkenness, or riotous or disorderly conduct in licensed premises or canteen.	Yes	Yes	£50
Section 79(1)(a) or (b)	Refusing to leave licensed premises or canteen.	—	—	£20
Section 80	Permitting thieves, prostitutes, etc., or stolen goods in licensed premises.	Yes	Yes	£100
Section 81	Permitting unlawful games	Yes	Yes	£50

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1 Provision of this Act creating the offence	2 Rough description of offence	3 Whether licence-holder vicariously responsible	4 Whether licence-holder and premises liable to disqualification	5 Penalty
Section 82	in licensed premises. Drinking in premises where liquor sold without a licence.	—	—	£20
Section 83(1)	Consuming liquor in unlicensed places of public refreshment when public house closed.	—	—	£50
Section 83(2)	Permitting consumption of liquor outwith permitted hours in unlicensed places of public refreshment.	—	—	£50
Section 84	Permitting a constable on duty to remain on the premises or supplying him with liquor.	Yes	Yes	£50
Section 85	Refusing to admit a constable to licensed premises or canteen for the execution of his duty.	Yes	Yes	£50
Section 86	Refusing to admit a constable or obstructing his entry to unlicensed premises.	—	—	£50

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1	2	3	4	5
Provision of this Act creating the offence	Rough description of offence	Whether licence-holder vicariously responsible	Whether licence-holder and premises liable to disqualification	Penalty
Section 87(1)(a)	Selling or supplying liquor on credit in licensed premises other than hotel or restaurant licensed premises or in club or canteen.	Yes	Yes	£50
Section 87(1)(b)	Consuming liquor on credit in licensed premises other than hotel or restaurant licensed premises or in club or canteen.	—	—	£50
Section 88	Selling fraudulently adulterated food or drink.	Yes	Yes	£100
Section 89	Failing to close on order of sheriff or licensing board.	Yes	Yes	£50
Section 90(a)	Trafficking in liquor without a licence.	—	—	£400
Section 90(b)	Bartering or selling spirits without a licence.	—	—	£400
Section 90(c)	Hawking alcoholic liquor.	Yes	Yes	£100
Section 91(1)(a) or (b)	Delivery of liquor from vehicles without proper entries in day book and invoice.	Yes	Yes	£100

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1	2	3	4	5
Provision of this Act creating the offence	Rough description of offence	Whether licence-holder vicariously responsible	Whether licence-holder and premises liable to disqualification	Penalty
Section 91(2)	Carrying or delivering liquor in vehicles without entries in day book and invoice.	Yes	Yes	£100
Section 91(3)	Refusing to allow a constable to examine vehicle delivering liquor, or to examine day book and/or invoice.	Yes	Yes	£100
Section 92(1)	Permitting liquor in crates on public service vehicle.	—	—	£100 for public service vehicle licence-holder. £20 for any other person.
Section 92(2)	Procuring or attempting to procure contravention of subsection (1).	—	—	£20
Section 93	Sale of liquor on passenger vessels outwith Sunday permitted hours.	—	—	£100
Section 94(1)	Wholesaler permitting breach of the peace on the premises.	—	—	£100
Section 94(1)	Wholesaler selling liquor to drunk persons, or selling liquor on Sundays.	—	—	£100
Section 95	Sale or supply of liquor for consumption	—	—	£100

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1	2	3	4	5
Provision of this Act creating the offence	Rough description of offence	Whether licence-holder vicariously responsible	Whether licence-holder and premises liable to disqualification	Penalty
Section 96(a)	outside registered club by non-members. Sale or supply of liquor in licensed canteens for consumption off the premises.	Yes	Yes	£100
Section 96(b)	Taking liquor from licensed canteen for consumption off the premises.	—	—	£100
Section 97(1)	Permitting consumption of liquor on off-sale licensed premises.	Yes	Yes	£100
Section 97(2)	Consuming liquor on off-sale licensed premises.	—	—	£50
Section 97(3)	Taking liquor from off-sale premises for sale.	Yes	Yes	£10
Section 97(4)	Selling liquor in open vessels on off-sale licensed premises.	Yes	Yes	£100
Section 98(1)	Selling or supplying liquor other than to residents and/or with table meals in premises with restricted hotel licence.	Yes	Yes	£100
Section 98(2)	Trafficking in or supplying liquor, except	Yes	Yes	£100

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1 Provision of this Act creating the offence	2 Rough description of offence	3 Whether licence-holder vicariously responsible	4 Whether licence-holder and premises liable to disqualification	5 Penalty
Section 99(c)	to residents, for consumption off premises subject to restricted hotel licence. Selling or supplying liquor in premises subject to restaurant licence except with meals.	Yes	Yes	£100
Section 99(b)	Trafficking in or supplying liquor for consumption off premises subject to restaurant licence.	Yes	Yes	£100
Section 100(a)	Trafficking in or selling liquor for consumption off premises subject to refreshment licence.	Yes	Yes	£50
Section 100(b)	Selling liquor in premises subject to refreshment licence when other refreshments are not for sale.	Yes	Yes	£50
Section 101(1)	Trafficking in or supplying liquor for consumption off premises subject to entertainment licence.	Yes	Yes	£50
Section 101(2)	Contravention of conditions attached to	Yes	Yes	£50

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1	2	3	4	5
Provision of this Act creating the offence	Rough description of offence	Whether licence-holder vicariously responsible	Whether licence-holder and premises liable to disqualification	Penalty
Section 103	entertainment licence. Making false statement in application for certificate of registration of club.	—	—	£400
Section 111	Conducting club in manner giving rise to objections mentioned in paragraph (f), (i), (j) or (l) of section 108 of this Act.	—	—	£100
Section 112(1)	Permitting person under 14 in bar of registered club during permitted hours.	—	—	£50
Section 112(3)	Causing person under 14 to be in bar of registered club during permitted hours.	—	—	£50
Section 113	Employing person under 18 in bar of club to serve liquor.	—	—	£100
Section 114(2)	Refusing to give name and address or giving false name or address to constable in a registered club.	—	—	£50
Section 119	Selling liquor on off-sale premises outwith permitted hours	Yes	Yes	£100

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1	2	3	4	5
Provision of this Act creating the offence	Rough description of offence	Whether licence-holder vicariously responsible	Whether licence-holder and premises liable to disqualification	Penalty
	or contravening condition of an off-sale licence.			
Section 120(1)	Selling or supplying liquor in unregistered club.	—	—	£100
Section 120(1)	Paying for liquor supplied in unregistered club.	—	—	£100
Section 120(2)	Keeping liquor for sale or supply in unregistered club.	—	—	£100
Section 120(7)	Refusing to give name and address to constable in unregistered club.	—	—	£20
Section 123(2)	Selling confectionery containing alcoholic liquor to person under 16.	—	—	£50

SCHEDULE 6

Sections 103 and 105.

FORMS RELATING TO REGISTRATION OF CLUBS

1 Form of statement to accompany application by club for grant or renewal of certificate of registration

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

We, *[here state names and qualifications*
for making statement] *[where necessary add and I,*
owner of the premises to be occupied *[or occupied]* by the club
hereinafter mentioned] hereby certify that to the best of our know-
ledge and belief the
club designated in the accompanying application is to be *[or, in the*
case of an application by an existing club, has been and is to be]
continued as a *bona fide* club, and not mainly for the supply of
alcoholic liquor.
[Signature, date and address of each person certifying, to be here
inserted.]

2 Form of certificate of registration of clubs to be granted under this Act

Certificate of Registration

I, , sheriff clerk of
, registrar of clubs, hereby certify that
club of *[here insert registered*
postal address of all premises used by the club] is registered under
the Licensing (Scotland) Act 1976. This certificate shall remain in
force until the day of 19 ;
application for its renewal must be made not later than the
day of , 19 .
Given under my hand this day of , 19 .
Registrar of Clubs.

SCHEDULE 7

Section 136.

MINOR AND CONSEQUENTIAL AMENDMENT OF ENACTMENTS

The Burgh Police (Scotland) Act 1892

- 1 In section 380(4) (penalties), for the word " exciseable " there shall be substituted the word " alcoholic ".
- 2 In section 440 (brokers not to carry on business as publicans), for the word " exciseable" there shall be substituted the word " alcoholic ".

The Customs and Excise Act 1952

- 3 In section 307 (interpretation), for paragraph (b) of the definition of "justices' licence" and "justices' on-licence" there shall be substituted the following paragraph—
“(b) in the application of this Act to Scotland, mean respectively—
(i) a licence granted under Part II of the Licensing (Scotland) Act 1976 ; and

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(ii) any such licence as aforesaid other than an off-sale licence as described in Schedule 1 to that Act;

and in this paragraph any reference to a licence granted under Part II of the said Act of 1976 includes a reference to an occasional licence granted under the said Part II to the holder of such a licence, a reference to a licence granted under Part III of that Act (which relates to seamen's canteens) and a reference to an extension of permitted hours granted under Part V of that Act;”.

4 In section 315 (application to Scotland), in paragraph (c), for the words " exciseable liquor " there shall be substituted the words " alcoholic liquor as defined in section 139 of the Licensing (Scotland) Act 1976 " , and for paragraph (d) there shall be substituted the following paragraph—

“(d) any reference to licensed premises in relation to the sale of intoxicating liquor shall be construed as a reference to premises in respect of which a licence for the sale of alcoholic liquor granted under the Licensing (Scotland) Act 1976 is in force ;”.

The Finance Act 1967

5 In section 5(3) (abolition of club licences, etc.), for the word " 1959 " there shall be substituted the word " 1976 ".

Countryside (Scotland) Act 1967

6 In section 78(1) (interpretation), for the definition of " refreshments " there shall be substituted the following definition—

“" refreshments " includes alcoholic liquor within the meaning of the Licensing (Scotland) Act 1976 ;”.

The New Towns (Scotland) Act 1968

7 In section 18(2) (disposal of land by development corporation), for the words " exciseable liquor" there shall be substituted the words " alcoholic liquor ".

8 In section 47(1) (interpretation), after the definition of " the Act of 1845 " there shall be inserted the following definition—

“" alcoholic liquor " has the meaning assigned by section 139(1) of the Licensing (Scotland) Act 1976 ;”.

The Gaming Act 1968

9 In section 6 (general provisions as to gaming in licensed premises), the following amendments shall be made—

- (a) in subsection (2)(a), for the word " certificate in both places where it occurs, there shall be substituted the word " licence ";
- (b) in subsection (3), the words " or certificate " shall be omitted, and for the word " court " there shall be substituted the word " board ";
- (c) in subsection (4), for the word " court", in both places where it occurs, there shall be substituted the word " board ";
- (d) in subsection (5), for the word "court", in both places where it occurs, there shall be substituted the word " board ";

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

- (e) in subsection (6), for the word " court" there shall be substituted the word " board " , and the words " or certificate " , in both places where they occur, shall be omitted;
- (f) in subsection (8), for the words after " 1964 " there shall be substituted the words " and " hotel licence " ; " public house licence" and "licensing area" have the same meanings as in the Licensing (Scotland) Act 1976."
- 10 In section 7(2) (provisions as to persons under 18), the words " or certificate " shall be omitted.
- 11 In section 8(7) (offences), for the words "subsection (7) of section 14 of the Licensing (Scotland) Act 1962" there shall be substituted the words " Schedule 5 to the Licensing (Scotland) Act 1976", and for the words "the said section 14" there shall be substituted the words " section 67 of the said Act of 1976 ".
- 12 In paragraph 23 of Schedule 9 (permits under section 34), for the words from "' hotel" onwards there shall be substituted the words " public house licence " and " hotel licence " have the same meanings as in Schedule 1 to the Licensing (Scotland) Act 1976."

SCHEDULE 8

Section 136.

REPEALS

Chapter	Short Title	Extent of Repeal
61 & 62 Vict. c. 60.	The Inebriates Act 1898.	In section 30, the words " the Licensing (Scotland) Act 1959, section 160 " .
7 & 8 Eliz. 2. c. 51.	The Licensing (Scotland) Act 1959.	The whole Act.
10 & 11 Eliz. 2. c. 51.	The Licensing (Scotland) Act 1962.	The whole Act.
10 & 11 Eliz. 2. c. 52.	The Penalties for Drunkenness Act 1962.	In section 1(2), the words " section 152 of the Licensing (Scotland) Act 1959 " and the words " sections 153 and 154 of the Licensing (Scotland) Act 1959 " .
1963 c. 2.	The Betting, Gaming and Lotteries Act 1963.	In Schedule 1, paragraph 24(2).
1967 c. 14.	The Licensing (Certificates in Suspense) (Scotland) Act 1967.	The whole Act.
1967 c. 54.	The Finance Act 1967.	Section 5(1)(d). Schedule 8.

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

Chapter	Short Title	Extent of Repeal
1968 c. 16.	The New Towns (Scotland) Act 1968.	In section 47(1), the definition of " exciseable liquor ".
1968 c. 65.	The Gaming Act 1968.	In section 6, in subsection (3), the words " or certificate ", and, in subsection (6), the words " or certificate ", where twice occurring. In section 7(2), the words " or certificate " . In Schedule 2, paragraph 33(2) and (3) and paragraph 34(2). In Schedule 9, paragraph 17.
1971 c. 65.	The Licensing (Abolition of State Management) Act 1971.	The whole Act.
1973 c. 65.	The Local Government (Scotland) Act 1973.	Section 91(6). Sections 185 and 186. Part I of Schedule 24.
1975 c. 20.	The District Courts (Scotland) Act 1975.	Section 10(5). Section 11(8). In section 13(1), the words " or (b) a licensing court or court of appeal for that area " . Section 13(3). Section 17(2). Section 22. In section 26(1), the definitions of " licensing court" and " court of appeal". In Schedule 1, paragraph 28.