Status: Point in time view as at 01/10/2003. This version of this provision has been superseded.
Changes to legislation: Civic Government (Scotland) Act 1982, Section 3 is up to date with all changes known to be in force on or before 26 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Civic Government (Scotland) Act 1982

1982 CHAPTER 45

PART I

LICENSING—GENERAL PROVISIONS

3   Discharge of functions of licensing authorities.

(1) For the purpose of the discharge of their functions under this Part of this Act, every licensing authority shall consider, within 3 months of its having been made to them under paragraph 1 of Schedule 1 to this Act, each application so made and, subject to the following provisions of this section, reach a final decision on it within 6 months.

(2) On summary application by the licensing authority within the 6 month period referred to in subsection (1) above, the sheriff may, if it appears to him that there is good reason to do so, extend that period as he thinks fit.

(3) The applicant shall be entitled to be a party to a summary application under subsection (2) above.

(4) Where the licensing authority have failed to reach a final decision on the application before the expiry of—

    (a)   the 6 month period referred to in subsection (1) above, or

    (b)   such further period as the sheriff may have specified on application under subsection (2) above,

the licence applied for shall be deemed to have been granted or, as the case may be, renewed unconditionally on the date of such expiry and shall remain in force for one year, but this subsection is without prejudice to the powers of revocation under section 7(6)(a) of this Act, of variation under paragraph 10 of Schedule 1 to this Act and of suspension under paragraphs 11 and 12 of that Schedule and to the provisions of paragraph 8(5) of that Schedule.

(5) The licensing authority shall make out and deliver the licence to the applicant to whom it has been deemed to have been granted under subsection (4) above.

Status:
Point in time view as at 01/10/2003. This version of this provision has been superseded.

Changes to legislation:
Civic Government (Scotland) Act 1982, Section 3 is up to date with all changes known to be in force on or before 26 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.