



Civic Government (Scotland) Act 1982

1982 CHAPTER 45

PART II

LICENSING AND REGULATION—PARTICULAR ACTIVITIES

Miscellaneous licences

42 Late hours catering licences

- (1) A licence, to be known as a "late hours catering licence", shall be required for the use of premises between the hours of eleven o'clock in the evening and five o'clock the following morning for the sale to or consumption by the public of meals or refreshment.
- (2) The reference in subsection (1) above to the sale of meals or refreshment is a reference to the sale of meals or refreshment for consumption on as well as off the premises in which they are sold.
- (3) Without prejudice to paragraph 5 of Schedule 1 to this Act, a licensing authority may attach conditions to a late hours catering licence fixing the days and hours during which the premises may be open for business, and different days and hours may be fixed for the sale of meals or refreshments for consumption on the premises from those fixed for the sale of meals or refreshments for consumption off the premises.
- (4) A late hours catering licence shall not be required in respect of—
 - (a) the use as such of licensed premises within the meaning of the Licensing (Scotland) Act 1976; or
 - (b) premises being used in accordance with a public entertainment licence.
- (5) A licensing authority may, on application made to them, exempt the use of premises requiring a late hours catering licence from the requirement to have such a licence—
 - (a) in respect of any particular occasion ; or
 - (b) during a specified period not exceeding 2 months in any period of 12 months.

Status: This is the original version (as it was originally enacted).

- (6) The licensing authority may attach conditions to an exemption granted under subsection (5) above, and the provisions of Part I of this Act relating to the attaching of conditions to licences and subsection (3) above shall apply to the attaching of conditions to exemptions under this subsection.