



# Licensing (Scotland) Act 2005

## 2005 asp 16

### PART 4 **S**

#### OCCASIONAL LICENCES

#### **60** Conditions of occasional licence **S**

- (1) Except to the extent that schedule 4 provides otherwise, every occasional licence is subject to the conditions specified in that schedule.
- (2) The Scottish Ministers may by regulations modify schedule 4 so as—
  - (a) to add [<sup>F1</sup>, delete or amend a condition] as they consider necessary or expedient for the purposes of any of the licensing objectives, or
  - (b) to extend the application of any condition [<sup>F2</sup>for the time being] specified in the schedule.
- (3) The Scottish Ministers may by regulations prescribe further conditions as conditions which Licensing Boards may, at their discretion, impose on the granting by them of occasional licences.
- (4) Without prejudice to subsection (3), where a Licensing Board grants an occasional licence, the Board may impose such other conditions (in addition to those to which the licence is subject by virtue of subsection (1)) as they consider necessary or expedient for the purposes of any of the licensing objectives.
- (5) A Licensing Board may not impose a condition under subsection (4) which—
  - (a) is inconsistent with any condition—
    - (i) to which the occasional licence is subject by virtue of subsection (1),  
or
    - (ii) prescribed under subsection (3),
  - (b) would have the effect of making any such condition more onerous or more restrictive, or
  - (c) relates to a matter (such as planning, building control or food hygiene) which is regulated under another enactment.
- (6) The conditions which may be—
  - (a) added under subsection (2)(a),

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**Changes to legislation:** Licensing (Scotland) Act 2005, Section 60 is up to date with all changes known to be in force on or before 01 September 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) View outstanding changes

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- (b) prescribed under subsection (3), or
  - (c) imposed under subsection (4),
- include, in particular, conditions of the kind described in subsection (7).
- (7) Those are conditions requiring anything to be done, or prohibiting or restricting the doing of anything, in connection with—
- (a) the sale of alcohol on the premises in respect of which an occasional licence has effect, or
  - (b) any other activity carried on in such premises.

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#### Textual Amendments

- F1** Words in s. 60(2)(a) substituted (1.10.2011) by [Alcohol etc. \(Scotland\) Act 2010 \(asp 18\)](#), **ss. 8(2)(a)**, 18(1) (with [s. 16](#)); [S.S.I. 2011/149](#), art. 2, Sch.
- F2** Words in s. 60(2)(b) inserted (1.10.2011) by [Alcohol etc. \(Scotland\) Act 2010 \(asp 18\)](#), **ss. 8(2)(b)**, 18(1) (with [s. 16](#)); [S.S.I. 2011/149](#), art. 2, Sch.
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#### Commencement Information

- I1** S. 60 in force at 1.2.2008 by [S.S.I. 2007/472](#), art. 2, **Sch. 1**

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- specified provision(s) Appointed Day(s) by [S.S.I. 2006/239 art. 2](#) (This S.S.I. is revoked on 25.5.2006 by S.S.I. 2006/286, art. 6)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 33(1)(1A) substituted for s. 33(1)-(3) by [2015 asp 10 s. 49\(2\)\(a\)](#)
- s. 33(8)(za) inserted by [2015 asp 10 s. 49\(2\)\(c\)](#)
- s. 33(8A) inserted by [2015 asp 10 s. 49\(2\)\(d\)](#)
- s. 33A inserted by [2015 asp 10 s. 49\(4\)](#)
- s. 134ZA-134ZC inserted by [2015 asp 10 s. 61\(2\)](#)