

SCHEDULE 5 ALCOHOL LICENSING

Personal licence holders

- 3 (1) The Licensing (Scotland) Act 2005 applies in accordance with the modifications in this paragraph.
- (2) Section 77 (period of effect of personal licence) has effect as if—
- (a) after subsection (2) there were inserted—
- “(2A) Subsection (2B) applies where a personal licence renewal application is made to a Licensing Board and the Board has not determined the application before the expiry date of the licence.
- (2B) Despite subsection (1), the licence continues to have effect for a period of 6 months beginning on the expiry date of the licence.”, and
- (b) in subsection (4), for “subsection (2)” there were substituted “subsections (2), (2A) and (2B)”.
- (3) Section 78 (renewal of personal licence) has effect as if for subsection (2) there were substituted—
- “(2) The period referred to in subsection (1) is—
- (a) the period of 9 months beginning 12 months before the expiry date of the licence, or
- (b) if the Licensing Board is satisfied that, for a reason relating to coronavirus, the holder of the personal licence is unable to apply within the period mentioned in paragraph (a), the period which begins 12 months before the expiry date of the licence and ends on the day before the expiry date of the licence.”.
- (4) Section 87 (licence holder’s duty to undertake training) has effect as if after subsection (3) there were inserted—
- “(3A) For the purposes of subsection (3), a personal licence holder who fails to comply with subsection (1) for a reason relating to coronavirus is to be treated as having complied with subsection (1) if—
- (a) the Licensing Board which issued the licence extends the period within which the licence holder is to—
- (i) comply with any training requirements mentioned in subsection (1), and
- (ii) produce evidence of having so complied, and
- (b) the licence holder complies with such requirements and produces evidence of having so complied within that extended period.
- (3B) For the purposes of subsection (3A), the Board may extend the period on more than one occasion if this is necessary for a reason relating to coronavirus.”.