

*Draft Regulations laid before the Scottish Parliament under section 146(5) of the Licensing (Scotland) Act 2005 for approval by resolution of the Scottish Parliament.*

---

DRAFT SCOTTISH STATUTORY INSTRUMENTS

---

**2009 No.**

**LICENSING (LIQUOR)**

**The Licensing (Mandatory Conditions)  
(Scotland) Regulations 2009**

*Made - - - - 2009*

*Coming into force in accordance with regulation 1*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 27(2), (8) and (9) and 146(2) of the Licensing (Scotland) Act 2005<sup>(1)</sup> and all other powers enabling them to do so.

In accordance with section 146(5) of that Act, a draft of these Regulations has been laid before and approved by resolution of the Scottish Parliament.

**Citation and commencement**

1. These Regulations may be cited as the Licensing (Mandatory Conditions) (Scotland) Regulations 2009 and come into force on the day after the day on which they are made.

**Amendment of mandatory conditions of premises licences**

2.—(1) Paragraph 13 of schedule 3(2) to the Licensing (Scotland) Act 2005 is amended in accordance with this regulation.

(2) In sub-paragraph (1) for “Alcohol” substitute “Subject to sub-paragraph (3), alcohol”.

(3) After sub-paragraph (2) insert—

“(3) This paragraph does not apply in respect of premises—

(a) whose main function is to provide a visitor attraction, and

(b) where—

(i) the premises form part of a larger site which is used principally for the production of alcoholic drinks, or

---

(1) 2005 asp 16.

(2) Paragraph 13 of schedule 3 was inserted by S.S.I. 2007/546.

- (ii) the visitor attraction is used principally to provide information about and promote the history and attributes of a particular alcoholic drink or a particular category of alcoholic drink.”

St Andrews House,  
Edinburgh  
2009

A member of the Scottish Executive

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend paragraph 13 of schedule 3 to the Licensing (Scotland) Act 2005. Paragraph 13 of that Act imposes restrictions on the areas within premises in which alcohol for consumption off the premises may be displayed. Regulation 2 provides an exemption from these restrictions for visitor attractions forming part of a manufacturing site and for visitor attractions that principally provide information about and promote the history and attributes of a particular alcoholic drink or a particular category of alcoholic drink.