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SCOTTISH STATUTORY INSTRUMENTS

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**2017 No. 445 (C. 33)**

**CRIMINAL LAW**

**The Criminal Justice and Licensing (Scotland) Act 2010  
(Commencement No. 14 and Saving Provision) Order 2017**

*Made* - - - - - *13th December 2017*  
*Laid before the Scottish*  
*Parliament* - - - - - *15th December 2017*  
*Coming into force* - - - *30th March 2018*

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 201(1) and (2) and 206(1) of the Criminal Justice and Licensing (Scotland) Act 2010(1).

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the Criminal Justice and Licensing (Scotland) Act 2010 (Commencement No. 14 and Saving Provision) Order 2017 and comes into force on 30th March 2018.

(2) In this Order—

“the 2010 Act” means the Criminal Justice and Licensing (Scotland) Act 2010.

**Commencement of section 179 (Premises licence applications: statements about disabled access etc) of the 2010 Act**

2. Section 179 of the 2010 Act comes into force on 30th March 2018.

**Saving provision**

3. Notwithstanding the commencement of section 179 of the 2010 Act, an application for a premises licence received by a Licensing Board on or before 30th March 2018 and which has not been determined at that date shall proceed as if that section has not been commenced.

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St Andrew's House,  
Edinburgh  
13th December 2017

*MICHAEL MATHESON*  
A member of the Scottish Government

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## EXPLANATORY NOTE

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

This Order brings into force section 179 of Criminal Justice and Licensing (Scotland) Act 2010 (“the 2010 Act”). It also makes a related saving provision.

Article 2 brings section 179 of the 2010 Act into force on 30th March 2018. Section 179 of the 2010 Act amends section 20 of the Licensing (Scotland) Act 2005 (“the 2005 Act”), relating to applications for premises licences. The amendments make provision in relation to the requirement that an application for a premises licence must also be accompanied by a disabled access and facilities statement (as well as an operating plan , a layout plan and any required certificates). The said statement is to be in a prescribed form and contain information about provisions for access to the subject premises by disabled persons, facilities provided therein for the use by disabled persons and any other provision made on or in connection with the subject premises for disabled persons.

Article 3 makes a saving provision in relation to applications for premises licences received by Licensing Boards on or before 30th March 2018 and which have not yet been determined. It provides that such applications do not require to be accompanied by a disabled access and facilities statement.

The Bill for the 2010 Act received Royal Assent on 6th August 2010. Sections 201, 202, 204, 205 and 206 of the 2010 Act came into force the following day.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

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

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 1(1)	7th May 2015	<a href="#">2015/177</a>
Section 1(2) (partially)	7th May 2015	<a href="#">2015/177</a>
Section 1 (in so far as not already in force )	19th October 2015	<a href="#">2015/336</a>
Sections 2 to 13	19th October 2015	<a href="#">2015/336</a>
Section 14(1) (in part)	1st February 2011	<a href="#">2010/413</a>
Section 14(1) (in so far as not already in force)	1st April 2011	<a href="#">2010/413</a>
Section 14(2)	1st February 2011	<a href="#">2010/413</a>
Section 15	28th March 2011	<a href="#">2011/178</a>
Section 16	13th December 2010	<a href="#">2010/413</a>
Section 17	1st February 2011	<a href="#">2010/413</a>
Section 19	28th March 2011	<a href="#">2011/178</a>
Sections 20 and 21	1st February 2011	<a href="#">2010/413</a>
Section 22	28th March 2011	<a href="#">2011/178</a>
Section 23	13th December 2010	<a href="#">2010/413</a>
Section 24	28th March 2011	<a href="#">2011/178</a>

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Sections 25 and 26	13th December 2010	2010/413
Section 27	28th March 2011	2011/178
Sections 28 to 31	13th December 2010	2010/413
Sections 32 and 33	28th March 2011	2011/178
Section 34	13th December 2010	2010/413
Section 35	28th March 2011	2011/178
Section 36	28th March 2011	2011/178
Section 37	13th December 2010	2010/413
Section 38	6th October 2010	2010/339
Sections 39 to 41	13th December 2010	2010/413
Section 42	28th March 2011	2011/178
Sections 43 and 44	1st December 2010	2010/357
Section 45	13th December 2010	2010/413
Sections 46 to 53	28th March 2011	2011/178
Section 54	6th June 2011	2011/178
Section 55	28th March 2011	2011/178
Section 56	13th December 2010	2010/413
Sections 57 and 58	28th March 2011	2011/178
Sections 59 and 60	13th December 2010	2010/413
Sections 61 and 62	28th March 2011	2011/178
Section 63	1st December 2010	2010/357
Section 64	13th December 2010	2010/413
Sections 65 to 70	28th March 2011	2011/178
Section 71	13th December 2010	2010/413
Sections 72 to 76	28th March 2011	2011/178
Section 77(1) (in part)	28th March 2011	2011/178
Section 77(1) (in so far as not already in force)	1st August 2011	2011/178
Section 77(2)(a)	28th March 2011	2011/178
Section 77(2)(b) and (c)	1st August 2011	2011/178
Section 77(3)	28th March 2011	2011/178
Sections 78 and 79	28th March 2011	2011/178
Section 80 (in part)	13th December 2010	2010/413
Section 80 (in so far as not already in force)	15th April 2011	2011/178
Section 81	28th March 2011	2011/178

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 82	1st August 2011	2011/178
Section 83	5th November 2010	2010/385
Section 84	28th March 2011	2011/178
Section 85	6th June 2011	2011/178
Sections 86 to 91	28th March 2011	2011/178
Section 93	13th December 2010	2010/413
Sections 94 to 96	10th January 2011	2010/413
Section 97	6th October 2010	2010/339
Section 99	13th December 2010	2010/413
Section 100	1st November 2011	2011/354
Section 101	13th December 2010	2010/413
Section 102(1) (in part), (2) (in part) and (3) to (6)	28th March 2011	2011/178
Section 102(1) and (2) ( in so far as not already in force)	8th July 2013	2013/214
Section 103	1st November 2011	2011/354
Sections 104 and 105	13th December 2010	2010/413
Sections 106 and 107	28th March 2011	2011/178
Section 108(1) (in part) and (4)	12th October 2010	2010/344
Section 108 (in so far as not already in force)	28th February 2011	2011/157
Section 109	1st November 2011	2011/354
Section 110	1st November 2011	2011/354
Sections 111 to 114	13th December 2010	2010/413
Section 115	28th March 2011	2011/178
Sections 116 to 167	6th June 2011	2011/178
Sections 168 to 171	25th June 2012	2012/160
Section 172(1) to (3), (4)(a), (5) and (6)	28th March 2011	2011/178
Section 173	13th December 2010	2010/413
Section 174	1st November 2011	2011/354
Section 175	28th March 2011	2011/178
Section 176	1st April 2012	2011/178
Section 177	1st October 2012	2011/178
Section 178(3)(e)	16th August 2010	2010/297
Section 178 (in so far as not already in force)	28th February 2011	2010/413
Sections 180 and 181	13th December 2010	2010/413

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 182	28th February 2011	2010/413
Section 183	13th December 2010	2010/413
Section 184(1), (2) (in part) and (3) (in part)	13th December 2010	2010/413
Section 184 (in so far as not already in force)	1st November 2011	2011/354
Section 185	13th December 2010	2010/413
Section 186	28th March 2011	2011/178
Section 187	13th December 2010	2010/413
Section 188(1)	13th December 2010	2010/413
Section 188(2)	28th March 2011	2011/178
Section 188(3)	13th December 2010	2010/413
Sections 189 and 190	1st October 2011	2011/178
Section 191	28th March 2011	2011/178
Sections 192 to 194	13th December 2010	2010/413
Section 195(1), (2) and (3) (in part)	13th December 2010	2010/413
Section 195 (in so far as not already in force)	1st November 2011	2011/354
Section 196	13th December 2010	2010/413
Sections 198 and 199	13th December 2010	2010/413
Section 203	28th March 2011	2011/178
Schedule 1 (partially) paragraph 2	7th May 2015	2015/177
Schedule 1 (in so far as not already in force )	19th October 2015	2015/336
Schedule 2 (with the exception of paragraph 38)	1st February 2011	2010/413
Schedule 2, paragraph 38	The day that section 25(2) of the Welfare Reform Act 2009 (c.24) (jobseekers allowance: sanctions for violent conduct etc. in connection with claim) comes into force	2010/413
Schedule 4 (with the exception of paragraph 12)	13th December 2010	2010/413
Schedule 5	28th March 2011	2011/178
Schedule 6 (with the exception of paragraphs 2, 9, 10 and 17)	13th December 2010	2010/413
Schedule 6, paragraphs 2, 9, 10 and 17	1st November 2011	2011/354
Schedule 7, paragraphs—		
1 to 3	28th March 2011	2011/178
4 and 5	13th December 2010	2010/413

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6	28th March 2011	2011/178
7	1st November 2011	2011/354
8	25th June 2012	2012/160
9 and 10	1st November 2011	2011/354
11 and 12	28th March 2011	2011/178
13	13th December 2010	2010/413
14 and 15	28th March 2011	2011/178
16	25th June 2012	2012/160
17 to 25	28th March 2011	2011/178
27 to 31	28th March 2011	2011/178
32	25th June 2012	2012/160
33	1st August 2011	2011/178
34 to 36	28th March 2011	2011/178
37 to 43	25th June 2012	2012/160
44 and 45	28th March 2011	2011/178
46	25th June 2012	2012/160
47	28th March 2011	2011/178
48	10th January 2011	2010/413
49	13th December 2010	2010/413
50	28th March 2011	2011/178
51	25th June 2012	2012/160
52 to 56	28th March 2011	2011/178
57 and 58	25th June 2012	2012/160
59 to 61	28th March 2011	2011/178
62	25th June 2012	2012/160
63 to 65	28th March 2011	2011/178
66	25th June 2012	2012/160
67 to 69	28th March 2011	2011/178
71	25th June 2012	2012/160
72	28th March 2011	2011/178
73	25th June 2012	2012/160
74	28th March 2011	2011/178
75 and 76	25th June 2012	2012/160
77 to 83	28th March 2011	2011/178

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
84 and 85	25th June 2012	<a href="#">2012/160</a>
86	13th December 2010	<a href="#">2010/413</a>
87	25th June 2012	<a href="#">2012/160</a>