
SCOTTISH STATUTORY INSTRUMENTS

2022 No. 261

**The Coronavirus (Scotland) Acts
(Saving Provision) Regulations 2022**

PART 4

Alcohol licensing

Interpretation of Part 4

- 4.—(1) In this Part “the 2005 Act” means the Licensing (Scotland) Act 2005⁽¹⁾.
- (2) Any other words or expressions used in this Part that are also used in the 2005 Act have the same meaning as in that Act.

Alcohol licensing: saving provision

5. Despite section 12(1) of the first Scottish Act, the provisions of that Act referred to in regulations 6 to 10 continue in effect as described in those regulations.

6. Sections 1 and 6, and paragraph 7 of schedule 5 of the first Scottish Act continue in effect for the purposes of regulations 7 to 10.

7. Paragraph 2(1) and (5) of schedule 5 of the first Scottish Act continue in effect in relation to an application as mentioned in section 45(7A) of the 2005 Act⁽²⁾ which was made before the end of 30 September 2022.

8. Paragraph 2(1) and (6) of schedule 5 of the first Scottish Act continue in effect in relation to any licensed premises in respect of which a premises licence has effect where an event mentioned in section 54(2) of the 2005 Act occurs before the end of 30 September 2022.

9. Paragraph 3(1) and (2) of schedule 5 of the first Scottish Act continue in effect in relation to a personal licence where—

- (a) a personal licence renewal application was made in respect of the licence,
- (b) the Licensing Board did not determine the application before the expiry date of the licence, and
- (c) the personal licence continues to have effect immediately before the end of 30 September 2022 by virtue of section 77(2B) of the 2005 Act⁽³⁾.

10.—(1) Subject to paragraph (3) below, paragraph 4(1) and (2) of schedule 5 of the first Scottish Act continue in effect in relation to the requirement that a Licensing Board must, not later than 9

(1) 2005 asp 16.

(2) Paragraph 2(5)(b) of schedule 5 of the Coronavirus (Scotland) Act 2020 (“the first Scottish Act”) provides that the Licensing (Scotland) Act 2005 (“the 2005 Act”) has effect as if section 45(7A) were inserted.

(3) Paragraph 3(2) of schedule 5 of the first Scottish Act provides that the 2005 Act has effect as if section 77(2B) were inserted.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

months after the end of the financial year, prepare and publish a report in terms of section 9A(1)(4) of the 2005 Act.

(2) Subject to paragraph (3) below, paragraph 4(1) and (3) of schedule 5 of the first Scottish Act continue in effect in relation to the requirement that a Licensing Board must, not later than 9 months after the end of the financial year, prepare and publish a report in terms of section 9B(1)(5) of the 2005 Act.

(3) Paragraphs (1) and (2) apply only in respect of reports relating to the financial year that ended on 31 March 2022.

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- (4) Section 9A was inserted by section 56(2) of the Air Weapons and Licensing (Scotland) Act 2015 ([asp 10](#)) (“the 2015 Act”). Paragraph 4(2) of schedule 5 of the Coronavirus (Scotland) Act 2020 (“the first Scottish Act”) provides that the Licensing (Scotland) Act 2005 (“the 2005 Act”) has effect as if section 9A(1A) were inserted.
- (5) Section 9B was inserted by section 56(2) of the 2015 Act. Paragraph 4(3) of schedule 5 of the first Scottish Act provides that the 2005 Act has effect as if section 9B(1A) were inserted.