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STATUTORY INSTRUMENTS

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**1993 No. 3185 (S.307)**

**LICENSING (LIQUOR)**

**The Liquor Licensing (Fees) (Scotland) Order 1993**

*Made* - - - - *15th December 1993*

*Coming into force* - - *1st January 1994*

The Secretary of State, in exercise of the powers conferred on him by sections 8(1) and 135 of the Licensing (Scotland) Act 1976(1), and of all other powers enabling him in that behalf, hereby makes the following Order:

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the Liquor Licensing (Fees) (Scotland) Order 1993 and shall come into force on 1st January 1994.

(2) In this Order “the Act” means the Licensing (Scotland) Act 1976 and “the 1990 Act” means the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990(2).

**Fees payable**

2. The fee payable by any applicant to a licensing board—

- (a) in respect of any matter described in column 1 of Part I of the Schedule to this Order and arising under the provisions of the Act specified in column 2 of that Part shall be the amount specified in the corresponding entry in column 3, instead of the amount, where relevant, specified opposite thereto in column 4(3); and
- (b) in respect of the matter described in column 1 of Part II of the Schedule to this Order and arising under the provision of the 1990 Act specified in column 2 of that Part shall be the amount specified in the corresponding entry in column 3, instead of the amount specified opposite thereto in column 4(4).

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(1) 1976 c. 66.

(2) 1990 c. 40.

(3) The amounts specified in column 4 of Part I of the Schedule to this Order are the fees determined under the Liquor Licensing (Fees) (Scotland) Order 1990 (S.I.1990/2458) as varied by the Liquor Licensing (Fees) (Scotland) Variation Order 1992 (S.I. 1992/1011).

(4) The amount specified in column 4 of Part II of the Schedule to this Order is the fee determined under the Liquor Licensing (Fees) (Scotland) Order 1990 (S.I. 1990/2458).

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## Revocations

3. The Liquor Licensing (Fees) (Scotland) Order 1990<sup>(5)</sup> and the Liquor Licensing (Fees) (Scotland) Variation Order 1992<sup>(6)</sup> are hereby revoked.

St. Andrew's House,  
Edinburgh  
15th December 1993

*Fraser of Carmyllie*  
Minister of State, Scottish Office

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<sup>(5)</sup> S.I. 1990/2458.  
<sup>(6)</sup> S.I. 1992/1011.

## SCHEDULE

Article 2

## PART I

Column 1 Matter to which fee relates	Column 2 Relevant provisions of the Act	Column 3 New fee £	Column 4 Old fee £
(a) Application in respect of a seaman's canteen under Part III of the Act for			
Licence under Part III	Section 40	131	120
Provisional licence	Section 41(5)	105	96
Declaration of finality of provisional licence	Section 41(5)	26	24
Renewal of licence	Section 42(2)	66	60
Transfer of licence	Section 43(2)	13	12
Occasional extension of permitted hours	Section 64(1)(7)	13	12
Regular extension of permitted hours	Section 64(1)	66	60
(b) Application in respect of a registered club for—			
Occasional licence	Section 33(2)(8)	13	12
Declaration of satisfaction with adaptation and use of premises	Section 57(1) or 58(1)	13	12
Occasional extension of permitted hours	Section 64(5)	13	12
Regular extension of permitted hours	Section 64(5)	66	60
Revocation of restriction order	Section 65(5)	26	24
(c) Other applications under the Act for—			
Licence under Part II	Section 9	131	120
Provisional grant of licence	Section 26(1) or (2)	105	96
Affirmation of provisional grant of licence	Section 26(2)	26	24

(7) Section 64(1) was amended by paragraph 12 of Schedule 8 to the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 (c. 40).

(8) Section 33(2) was amended by paragraph 9 of Schedule 8 to the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 (c. 40).

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Column 1 Matter to which fee relates	Column 2 Relevant provisions of the Act	Column 3 New fee £	Column 4 Old fee £
Declaration of finality of provisional grant	Section 26(4)	26	24
Renewal of licence	Section 9 as read with definition of grant in section 139(1)	66	60
Duplicate licence	Section 21(2)(9)	13	12
Permanent transfer of licence	Section 25(1)(10)	85	83
Temporary transfer of licence	Section 25(1A)(11)	13	12
Permanent transfer of licence transferred temporarily	Section 25(1B)(12)	72	71
Transfer of licence to executors etc	Section 25(2)	13	12
Endorsement of transferred licence	Section 25(5)	2	2
Substitution in licence of name of another employee or agent	Section 25(3)	13	12
Confirmation of licence transferred under section 25(2)	Section 25(4)(13)	44	40
Provisional licence	Section 27	105	96
Occasional licence	Section 33(1)(14)	13	12
Occasional permission	Section 34(1)(15)	7	6
Declaration of satisfaction with adaptation and use of premises	Sections 57(1) or 58(1) or 59(1)(16)	13	12

(9) Section 21(2) was amended by paragraph 8 of Schedule 8 to the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 (c. 40).

(10) Section 25(1) was amended by section 51(2) of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 (c. 40) and section 1 of the Licensing (Amendment) (Scotland) Act 1992 (c. 18).

(11) Section 25(1A) was substituted by section 1(1)(b) of the Licensing (Amendment) (Scotland) Act 1992 (c. 18).

(12) Section 25(1B) was substituted by section 1(1)(b) of the Licensing (Amendment) (Scotland) Act 1992 (c. 18).

(13) Section 25(4) was amended by section 51(4) of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 (c. 40).

(14) Section 33(1) was amended by paragraph 9 of Schedule 8 to the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 (c. 40).

(15) Section 34(1) was amended by paragraph 10 of Schedule 8 to the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 (c. 40).

(16) Section 59(1) was amended by Schedule 4 to the Local Government (Miscellaneous Provisions) (Scotland) Act 1981 (c. 23) and section 46(5) of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 (c. 40).

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Column 1 Matter to which fee relates	Column 2 Relevant provisions of the Act	Column 3 New fee £	Column 4 Old fee £
Occasional extension of permitted hours	Section 64(1)	13	12
Regular extension of permitted hours	Section 64(1)	66	60
Sunday opening (unaccompanied by application for new licence or renewal)	Schedule 4(17)	66	60
Revocation of restriction order	Section 65(5)	26	24
Revocation of Sunday restriction order	Section 65(5) as applied by paragraph 22 of Part II of Schedule 4	26	24
Cancellation of a closure order	Section 32(5)	26	24
Cancellation of suspension order	Section 36(6)	26	24
Consent to reconstruction etc	Section 35(1)	13	12

## PART II

Column 1 Matter to which fee relates	Column 2 Relevant provisions of the Act	Column 3 New fee £	Column 4 Old fee £
Application in respect of public house or hotel for— Children’s certificate	Section 49	66	60

(17) Schedule 4 was amended by section 46 of the Law Reform (Miscellaneous Provision) (Scotland) Act 1990 (c. 40).

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## **EXPLANATORY NOTE**

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

This Order determines the fees payable from 1st January 1994 by applicants to a licensing board under the Licensing (Scotland) Act 1976 and the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 in respect of the matters listed in the Schedule to the Order. The fees are increased by approximately 10 per cent.