

SCOTTISH STATUTORY INSTRUMENTS

**2007 No. 93**

**LICENSING (LIQUOR)**

**The Sale of Alcohol to Children and Young  
Persons (Scotland) Regulations 2007**

*Made* - - - - 20th February 2007  
*Laid before the Scottish  
Parliament* - - - - 21st February 2007  
*Coming into force* - - 1st September 2009

The Scottish Ministers, in exercise of the powers conferred by sections 102(4)(c), 108(7)(c), 110(3) and 147(1) of the Licensing (Scotland) Act 2005(1) and of all other powers enabling them in that behalf, hereby make the following Regulations:

PROSPECTIVE

VALID FROM 01/09/2009

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Sale of Alcohol to Children and Young Persons (Scotland) Regulations 2007 and shall come into force [<sup>F1</sup>at 5.00 a.m.] on 1st September 2009.

(2) In these Regulations, “the Act” means the Licensing (Scotland) Act 2005.

**Textual Amendments**

F1 Words in [reg. 1\(1\)](#) inserted (1.9.2007) by [The Licensing \(Miscellaneous Amendments\) \(Scotland\) Regulations 2007 \(S.S.I. 2007/313\)](#), regs. 1, 3

**Commencement Information**

I1 Reg. 1 in force at 1.9.2009, see [reg. 1\(1\)](#)

(1) 2005 asp 16; see the definition of “prescribed” in section 147(1).

**Status:** Point in time view as at 01/09/2007. This version of this

Instrument contains provisions that are not valid for this point in time.

**Changes to legislation:** There are currently no known outstanding effects for the The Sale of Alcohol to Children and Young Persons (Scotland) Regulations 2007. (See end of Document for details)

VALID FROM 01/09/2009

### Prescribed documents

2.—(1) A document of the description specified in paragraph (2) is prescribed for the purposes of—

- (a) paragraph (c) of section 102(4) of the Act; and
- (b) paragraph (c) of section 108(7) of the Act.

(2) That description is a photographic identity card of a type approved by the British Retail Consortium for the purposes of its Proof of Age Standards Scheme.

### Commencement Information

**I2** Reg. 2 in force at 1.9.2009, see [reg. 1\(1\)](#)

VALID FROM 01/09/2009

### Form and dimensions of notice

3. The notice required by section 110 of the Act to be displayed in premises must be—

- (a) in the form set out in the Schedule; and
- (b) of A4 size or larger.

### Commencement Information

**I3** Reg. 3 in force at 1.9.2009, see [reg. 1\(1\)](#)

St Andrew's House,  
Edinburgh

*GEORGE LYON*  
Authorised to sign by the Scottish Ministers

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VALID FROM 01/09/2009

SCHEDULE

Regulation 3(a)

LICENSING (SCOTLAND) ACT 2005

**[Insert name of premises here]**

*This notice is displayed in accordance with the provisions of section 110 of the Licensing (Scotland) Act 2005*

It is an offence for a person under the age of 18 to buy or attempt to buy alcohol on these premises.

It is also an offence for any other person to buy or attempt to buy alcohol on these premises for a person under the age of 18.

Where there is doubt as to whether a person attempting to buy alcohol on these premises is aged 18 or over, alcohol will not be sold to the person except on production of evidence showing the person to be 18 or over.

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**EXPLANATORY NOTE**

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

Sections 102 and 108 of the Licensing (Scotland) Act 2005 create criminal offences in connection with the sale of alcohol to a person under 18 and the delivery of alcohol by or to such a person. Those sections provide a defence if the person charged with the offence has taken reasonable steps to establish the age of the person involved by looking at a passport or driving licence or another document prescribed for the purposes of those sections. Regulation 2 of these Regulations prescribes for those purposes a photographic identity card of a type approved by the British Retail Consortium for the purposes of its Proof of Age Standards Scheme. Further information about that Scheme may be obtained from the British Retail Consortium, 21 Dartmouth Street, London, SW1H 9BP (tel: 020 7854 8900) or on the Consortium's website at [www.brc.org.uk](http://www.brc.org.uk).

Regulation 3 of, and the Schedule to, these Regulations prescribe the size and form of the notice to be displayed on licensed premises so as to provide statements as to offences in connection with the purchase of alcohol by, or the sale of alcohol to, a person under 18.

**Status:**

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**Changes to legislation:**

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