
SCOTTISH STATUTORY INSTRUMENTS

2009 No. 248

**The Licensing (Scotland) Act 2005
(Consequential Provisions) Order 2009**

Citation, commencement and application

1.—(1) This Order may be cited as the Licensing (Scotland) Act 2005 (Consequential Provisions) Order 2009 and comes into force at 5.00 a.m. on 1st September 2009.

(2) Paragraphs 10 and 11 of Schedule 1 apply to offences committed at or after 5.00 a.m. on 1st September 2009.

Consequential amendments and repeals of enactments

2.—(1) The enactments listed in Schedule 1 are amended as there specified.

(2) The enactments listed in Schedule 2 are repealed to the extent there specified.

(3) The enactments listed in Schedule 3 are revoked to the extent there specified.

Modification of relevant byelaws

3.—(1) The relevant byelaws shall continue to have effect subject to the following amendments:—

(a) references to “alcoholic liquor” shall be read as references to “alcohol” within the meaning given by section 2 (meaning of alcohol) of the Licensing (Scotland) Act 2005;

(b) references to “licensed premises” shall have the same meaning as in section 147(1) (interpretation) of that Act but does not include premises in respect of which there is a provisional premises licence (within the meaning of section 45(5) (provisional premises licence) of that Act);

(c) references to “occasional licence” shall have the same meaning as in section 56(1) (occasional licence) of that Act; and

(d) references to “licensed canteen”, “registered club” and “occasional permission” shall cease to have effect.

(2) In this article “relevant byelaw” means a byelaw made under sections 201 (byelaws for good rule and government) and 203 (offences against byelaws) of the Local Government (Scotland) Act 1973(1) that—

(a) is in force immediately prior to 5.00 a.m. on 1st September 2009; and

(b) relates to the consumption of alcoholic liquor in a public place.

(1) 1973 c.65. Section 201 was amended by the Local Government etc. (Scotland) Act 1994 (c.39), Schedule 13, paragraph 92(61). Section 203 was amended by sections 289C, 289F and 289G of the Criminal Procedure (Scotland) Act 1975 (c.21).

Status: This is the original version (as it was originally made).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

St Andrew's House,
Edinburgh
18th June 2009

KENNY MACASKILL
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