



# Licensing (Scotland) Act 1976 (repealed)

## 1976 CHAPTER 66

### PART V

#### THE PERMITTED HOURS

#### **56 Alternative permitted hours in certain athletic clubs during winter.**

[<sup>F1</sup>(1) A registered club may apply to the sheriff for an order providing that during the winter period the permitted hours in the club on Sundays shall not be those set out in section 53 of this Act, but shall instead be the period between half-past twelve and two in the afternoon and the period between four and nine in the evening; and the sheriff shall, if in his opinion the conditions set out in subsection (2) below are satisfied, make the order applied for.]

(2) The conditions referred to in subsection (1) above are—

- (a) that the premises of the club are structurally adapted and bona fide used, or intended to be used, wholly or mainly for the purpose of providing facilities in connection with the carrying on by members of the club and their guests of athletic sports or athletic games;
- (b) that one or more of such sports or games is or are usually carried on out of doors and, when so carried on, can (unless artificial lighting is used) only be carried on during hours of daylight;
- (c) that the said premises are regularly used, or are intended regularly to be used, during the winter period, for providing facilities in connection with the carrying on by members of the club and their guests, during the hours of daylight, of such a sport or game as is mentioned in paragraph (b) above;
- (d) that having regard to the time at which the said sport or game is usually carried on by members of the club and their guests, the permitted hours set out in [<sup>F2</sup>section 53] of this Act are not suitable for the supply of alcoholic liquor in the said premises to persons who participate in that sport or game.

(3) On an application for an order being made under subsection (1) above by any club, the sheriff clerk shall forthwith give notice thereof to the chief constable who may, within 21 days of the date of the receipt by him of such notice, lodge with the sheriff clerk

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*Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Licensing (Scotland) Act 1976 (repealed), Section 56. (See end of Document for details)*

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objections to the making of such order on the ground that one or more of the conditions set out in subsection (2) above has not or have not been satisfied in relation to the club, and shall, on lodging any such objections, send a copy thereof to the secretary of the club; and if any such objections are lodged and not withdrawn, the sheriff shall, as soon as may be, hear parties upon the application and objections and may order such enquiry as he thinks fit, and shall thereafter make or refuse to make the order applied for, and may award expenses against the unsuccessful party.

- (4) An order made under this section by the sheriff in respect of any club shall expire on the date on which the certificate of registration which is in force in respect of the club expires.
- (5) In this section, the expression “the winter period” means the period beginning with 1st October and ending with 31st March.

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**Textual Amendments**

- F1** S. 56(1) substituted by [Law Reform \(Miscellaneous Provisions\) \(Scotland\) Act 1990 \(c. 40, SIF 68A:2\)](#), [s. 45\(2\)\(a\)](#)
- F2** Words substituted by [Law Reform \(Miscellaneous Provisions\) \(Scotland\) Act 1990 \(c. 40, SIF 68A:2\)](#), [s. 45\(2\)\(b\)](#)

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