



Licensing (Scotland) Act 1976

1976 CHAPTER 66

PART V

THE PERMITTED HOURS

57 Extension of permitted hours in the afternoon in certain licensed premises and clubs

- (1) This section shall apply to any premises for which a licence (other than an off-sale licence) is held or to the premises of a registered club—
- (a) if the holder of the licence or, as the case may be, the club gives notice of the application of the section to the premises in accordance with subsection (6) below, and
 - (b) as from such date as may be specified in the said notice:

Provided that, in the case of premises for which a public house or a hotel licence is held or the premises of a club, the licence-holder or the club, as the case may be, shall not give notice of application as aforesaid, and this section shall not apply to such premises, unless the licensing board for the area within which the premises are situated is satisfied that the premises are structurally adapted and bona fide used, or intended to be used, for the purpose of habitually providing the customary main meal at midday for the accommodation of persons frequenting the premises.

- (2) While this section applies to any premises, the effect shall be that, for the purposes mentioned in subsection (3) below, the permitted hours in those premises in the afternoon shall be increased by the addition of one and a half hours at the end thereof.
- (3) The purposes referred to in subsection (2) above are—
- (a) the sale or supply to persons taking table meals in the premises of alcoholic liquor supplied in a part of the premises usually set apart for the service of such persons, and supplied for consumption by such a person in that part of the premises as an ancillary to his meal; and
 - (b) the consumption of alcoholic liquor so supplied.

- (4) While this section applies to any premises, then for purposes other than those mentioned in subsection (3) above, or in parts of the premises other than the part so mentioned, the permitted hours shall be the same as if this section did not apply to the premises.
- (5) This section shall cease to apply to any premises on such day as may be specified in the notice, if the holder of the licence or the club, as the case may be, gives notice of the disapplication of the section from the premises in accordance with subsection (6) below:

Provided that this section shall cease to apply to premises for which a public house or a hotel licence is held, or to the premises of a club, at any time on the licensing board ceasing to be satisfied as mentioned in the proviso to subsection (1) above.

- (6) A notice of the application of this section to, or of the disapplication of this section from, any premises—
- (a) shall be in writing ;
 - (b) shall, in the case of a club, be given by the secretary of the club on its behalf;
 - (c) shall, in the case of a notice of application, specify the date from which the section is to apply to the premises and, in the case of a notice of disapplication, state that the section is to cease to apply to the premises on the date specified in the notice ;
 - (d) shall be served on the chief constable not later than 14 days before the date specified as aforesaid.
- (7) The secretary of any club to the premises of which this section applies shall notify the licensing board for the area within which such premises are situated of any reconstruction or extension of, or alteration in, the premises which affects the facilities available in the premises for the provision of the customary main meal at midday, and if the secretary of any club contravenes this subsection he shall be guilty of an offence.
- (8) The holder of the licence for premises to which this section applies shall keep posted in some conspicuous place in the premises a notice stating that this section applies thereto and setting out the effect of its application, and if any person contravenes this subsection he shall be guilty of an offence.