



Civic Government (Scotland) Act 1982

1982 CHAPTER 45

PART III

CONTROL OF SEX SHOPS

^{F1}Conditions of licences granted under this Part

Textual Amendments

- F1** Ss. 45E, 45F and cross-heading inserted (1.12.2015 for the insertion of s. 45E for specified purposes) by [Air Weapons and Licensing \(Scotland\) Act 2015 \(asp 10\)](#), **ss. 80(2)**, 88(2); S.S.I. 2015/382, art. 2, sch.

45E Mandatory licence conditions

- (1) The Scottish Ministers may by order prescribe conditions to which licences granted by local authorities under this Part are to be subject.
- (2) Different conditions may be prescribed under subsection (1)—
 - (a) in respect of different licences or different types of licence,
 - (b) otherwise for different purposes, circumstances or cases.
- (3) An order under subsection (1) is subject to the affirmative procedure.
- (4) Subsection (1) does not affect any other power of the Scottish Ministers under this Act or any other enactment to prescribe conditions—
 - (a) to which licences granted by local authorities under this Part are to be subject, or
 - (b) to be imposed by local authorities in granting or renewing licences under this Part.
- (5) The following conditions are referred to in this Part as “mandatory conditions”—
 - (a) conditions prescribed under subsection (1),

Status: Point in time view as at 20/12/2017.

Changes to legislation: Civic Government (Scotland) Act 1982, Cross Heading: Conditions of licences granted under this Part is up to date with all changes known to be in force on or before 07 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (b) conditions prescribed under any power referred to in subsection (4), and
 - (c) conditions imposed, or required to be imposed, by any provision of this Part.
- (6) In this section and section 45F, references to licences granted by local authorities include references to—
- (a) licences renewed by local authorities, and
 - (b) licences deemed by virtue of section 45D to have been granted or renewed by local authorities.

45F Standard licence conditions

- (1) A local authority may determine conditions to which licences granted by them under this Part are to be subject.
- (2) Conditions determined under subsection (1) are referred to in this Part as “standard conditions”.
- (3) Different conditions may be determined under subsection (1)—
 - (a) in respect of different licences or different types of licence,
 - (b) otherwise for different purposes, circumstances or cases.
- (4) A local authority must publish, in such manner as they think appropriate, any standard conditions determined by them.
- (5) Standard conditions have no effect—
 - (a) unless they are published, and
 - (b) so far as they are inconsistent with any mandatory conditions.
- (6) Subsection (1) is subject to paragraph 9(1A) of Schedule 2.]

Status:

Point in time view as at 20/12/2017.

Changes to legislation:

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