
STATUTORY INSTRUMENTS

1990 No. 2458 (S.203)

LICENSING (LIQUOR)

The Liquor Licensing (Fees) (Scotland) Order 1990

Made - - - - *30th November 1990*

Coming into force - - *1st January 1991*

The Secretary of State, in exercise of the powers conferred on him by sections 8(1) and 135 of the Licensing (Scotland) Act 1976⁽¹⁾ and of all other powers enabling him in that behalf, hereby makes the following Order:

1.—(1) This Order may be cited as the Liquor Licensing (Fees) (Scotland) Order 1990 and shall come into force on 1st January 1991.

(2) In this Order “the Act” means the Licensing (Scotland) Act 1976 and “the 1990 Act” means the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990⁽²⁾.

2. The fee payable by any applicant to a licensing board—

(a) in respect of any matter described in column 1 of Part I of the Schedule to this Order and arising under the provisions of the Act specified in column 2 of that Part shall be the amount specified in the corresponding entry in column 3, instead of the amount, where relevant, specified opposite thereto in column 4⁽³⁾; and

(b) in respect of the matter described in column 1 of Part II of the Schedule to this Order and arising under the provision of the 1990 Act specified in column 2 of that Part shall be the amount specified in column 3.

3. The Liquor Licensing (Fees) (Scotland) Order 1988⁽⁴⁾ is revoked.

St. Andrew’s House,
Edinburgh
30th November 1990

James Douglas-Hamilton
Parliamentary Under Secretary of State, Scottish
Office

(1) 1976 c. 66.

(2) 1990 c. 40.

(3) The amounts specified in column 4 are the fees prescribed under the Liquor Licensing (Fees) (Scotland) Order 1988 (S.I.1988/1464).

(4) S.I. 1988/1464.

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SCHEDULE

Article 2

Part I

Column 1 <i>Matter to which fee relates</i>	Column 2 <i>Relevant provisions of the Act</i>	Column 3 <i>New fee</i> £	Column 4 <i>Old fee</i> £
<i>(a) Application in respect of a seamen's canteen under Part III of the Act for</i>			
Licence under Part III	Section 40	120	100
Provisional licence	Section 41(5)	96	80
Declaration of finality of provisional licence	Section 41(5)	24	20
Renewal of licence	Section 42(2)	60	50
Transfer of licence	Section 43(2)	12	10
Occasional extension of permitted hours	Section 64(1)	12	10
Regular extension of permitted hours	Section 64(1)	60	50
<i>(b) Application in respect of a registered club for—</i>			
Occasional licence	Section 33(2)	12	10
Declaration of satisfaction with adaptation and use of premises	Section 57(1) or 58(1)	12	10
Occasional extension of permitted hours	Section 64(5)	12	10
Regular extension of permitted hours	Section 64(5)	60	50
Revocation of restriction order	Section 65(5)	24	20
<i>(c) Other applications under the Act for—</i>			
Licence under Part II	Section 9	120	100
Provisional grant of licence	Section 26(1) or (2)	96	80
Affirmation of provisional grant of licence	Section 26(2)	24	20
Declaration of finality of provisional grant	Section 26(4)	24	20
Renewal of licence	Section 9 as read with definition of “grant” in section 139(1)	60	50

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Column 1 <i>Matter to which fee relates</i>	Column 2 <i>Relevant provisions of the Act</i>	Column 3 <i>New fee</i> £	Column 4 <i>Old fee</i> £
Duplicate licence	Section 21(2)(5)	12	N/A
Temporary transfer of licence to new tenant or new or existing occupant	Section 25(1)(6)	12	N/A
Permanent transfer of licence	Section 25(1B)(7)	71	N/A
Transfer of licence to executors etc.	Section 25(2)	12	9
Endorsement of transferred licence	Section 25(5)	2	1
Substitution in licence of name of another employee or agent	Section 25(3)	12	10
Confirmation of licence transferred under section 25(2) or 25(3)	Section 25(4)(8)	40	N/A
Provisional licence	Section 27	96	80
Occasional licence	Section 33(1)(9)	12	10
Occasional permission	Section 34(1)(10)	6	5
Declaration of satisfaction with adaptation and use of premises	Sections 57(1) or 58(1) or 59(1)	12	10
Occasional extension of permitted hours	Section 64(1)(11)	12	10
Regular extension of permitted hours	Section 64(1)	60	50
Sunday opening (unaccompanied by	Schedule 4(12)	60	50

(5) Section 21(2) was amended by the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 (c. 40), Schedule 8, paragraph 8.

(6) Section 25(1) was amended by the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 (c. 40), section 51(2).

(7) Section 25(1B) was inserted by the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 (c. 40), section 51(3).

(8) Section 25(4) was amended by the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 (c. 40), section 51(4).

(9) Section 33(1) was amended by the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 (c. 40), Schedule 8, paragraph 9.

(10) Section 34(1) was amended by the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 (c. 40), Schedule 8, paragraph 10.

(11) Section 64(1) was amended by the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 (c. 40), Schedule 8, paragraph 12.

(12) Schedule 4 was amended by the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 (c. 40), section 46.

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Column 1 <i>Matter to which fee relates</i>	Column 2 <i>Relevant provisions of the Act</i>	Column 3 <i>New fee</i>	Column 4 <i>Old fee</i>
		£	£
application for new licence or renewal)			
Revocation of restriction order	Section 65(5)	24	20
Revocation of Sunday restriction order	Section 65(5) as applied by paragraph 22 of Part II of Schedule 4	24	20
Cancellation of a closure order	Section 32(5)	24	20
Cancellation of suspension order	Section 36(6)	24	20
Consent to reconstruction etc.	Section 35(1)	12	10

Part II

Column 1 <i>Matter to which fee relates</i>	Column 2 <i>Relevant provision of the 1990 Act</i>	Column 3 <i>New fee</i>
		£
Application in respect of public house or hotel for—		
Children’s certificate	Section 49	60

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the fees payable from 1st January 1991 by applicants to a licensing board under the Licensing (Scotland) Act 1976. The Order increases the existing fees where still applicable by approximately 20%, and introduces new fees for the issue of duplicate licences and to take account of the alterations to the licensing system including the arrangements for transfer of licences, Sunday openings and the introduction of a children’s certificate effected by the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990.

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