

*This Scottish Statutory Instrument has been made in consequence of defects in S.S.I. 2007/35, 93 and 98 and is being issued free of charge to all known recipients of any of those instruments.*

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SCOTTISH STATUTORY INSTRUMENTS

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**2007 No.313**

**LICENSING (LIQUOR)**

**The Licensing (Miscellaneous Amendments) (Scotland)  
Regulations 2007**

<i>Made</i> - - - -	<i>5th June 2007</i>
<i>Laid before the Scottish Parliament</i>	<i>7th June 2007</i>
<i>Coming into force</i> - -	<i>1st September 2007</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 91, 100, 102(4)(c), 108(7)(c), 110(3), 134, 146(2) and 147(1) of the Licensing (Scotland) Act 2005(a) and all other powers enabling them to do so.

**Citation and commencement**

1. These Regulations may be cited as the Licensing (Miscellaneous Amendments) (Scotland) Regulations 2007 and shall come into force on 1st September 2007.

**The Licensing (Closure Orders) (Scotland) Regulations 2007**

2. In regulation 1(1) of the Licensing (Closure Orders) (Scotland) Regulations 2007(b), after “force” insert “at 5.00 a.m.”.

**The Sale of Alcohol to Children and Young Persons (Scotland) Regulations 2007**

3. In regulation 1(1) of the Sale of Alcohol to Children and Young Persons (Scotland) Regulations 2007(c), after “force” insert “at 5.00 a.m.”.

**The Licensing Qualification (Scotland) Regulations 2007**

4. After regulation 2 of the Licensing Qualification (Scotland) Regulations 2007(d), add—

“3. The Scottish Ministers may accredit a qualification under regulation 2 in relation to—

(a) all licensed premises;

(b) all licensed premises where alcohol is only sold for consumption off the premises;

or

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(a) 2005 asp 16; see the definition of “prescribed” in section 147(1).

(b) S.S.I. 2007/35.

(c) S.S.I. 2007/93.

(d) S.S.I. 2007/98.

(c) all licensed premises other than those specified in paragraph (b).”.

St Andrew's House,  
Edinburgh  
5th June 2007

*KENNY MACASKILL*  
A member of the Scottish Executive

## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations make minor amendments to 3 sets of Regulations already made under the Licensing (Scotland) Act 2005 (“the 2005 Act”).

The Licensing (Closure Orders) (Scotland) Regulations 2007 and the Sale of Alcohol to Children and Young Persons (Scotland) Regulations 2007 are both amended so that they will now come into force at 5.00 a.m. on 1st September 2009.

The Licensing Qualification (Scotland) Regulations 2007 are amended so that, when accrediting a qualification so as to make it a “licensing qualification” in terms of section 91 of the 2005 Act, the Scottish Ministers may accredit it in relation to all licensed premises, to all off-sales premises or to all other licensed premises. By virtue of paragraph 4(1)(d) of schedule 3 to the 2005 Act, it is a mandatory condition of every premises licence that alcohol is not sold on the premises if the licensing qualification held by the premises manager is not an appropriate one in relation to the premises in question.

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