



Licensing (Scotland) Act 2005

2005 asp 16

PART 3

PREMISES LICENCES

Premises under construction or conversion

47 Temporary premises licence

- (1) This section applies where any licensed premises (other than premises in respect of which a provisional premises licence or occasional licence has effect) are undergoing, or are to undergo, reconstruction or conversion (referred to in this section as the “principal premises”).
- (2) The appropriate Licensing Board in relation to the principal premises may—
 - (a) on the application of the holder of the premises licence in respect of the premises, and
 - (b) if satisfied as to the matters mentioned in subsection (3),issue to the applicant a premises licence in respect of such other premises within the Licensing Board’s area as are specified in the application (such premises being referred to in this section as the “temporary premises”).
- (3) The matters referred to in subsection (2)(b) are—
 - (a) that the temporary premises are suitable for use for the sale of alcohol, and
 - (b) that it is necessary to grant the application to enable the applicant to carry on business pending reconstruction or conversion of the principal premises.
- (4) A premises licence issued under subsection (2) is referred to in this Act as a “temporary premises licence”.
- (5) A temporary premises licence—
 - (a) has effect for such period of not more than 2 years beginning with the date of its issue as the Licensing Board may determine, and
 - (b) is subject to the same conditions as those to which the premises licence in respect of the principal premises is subject at the time the temporary premises

Status: This is the original version (as it was originally enacted).

licence is issued, with such exceptions or variations (if any) as the Licensing Board considers appropriate.

(6) The Licensing Board may, on the application of the holder of a temporary premises licence, extend the period during which it has effect for such further period of not more than 12 months as they may determine.

(7) In this section—

“conversion” has the same meaning as it has for the purposes of the Building (Scotland) Act 2003 ([asp 8](#)), and

“reconstruction” includes alteration, re-erection and extension.