



Licensing (Scotland) Act 2005

2005 asp 16

PART 5

LICENSED HOURS

General

65 Licensed hours: off-sales

- (1) This section applies where an application specified in subsection (2) is made to a Licensing Board in relation to any premises, but only so far as the application is for—
 - (a) a licence authorising the sale of alcohol for consumption off the premises, or
 - (b) an extension of off-sales hours in relation to the premises.
- (2) That application is—
 - (a) a premises licence application,
 - (b) a premises licence variation application,
 - (c) an occasional licence application, or
 - (d) an extended hours application.
- (3) If the off-sales hours proposed in the application are such that alcohol would be sold for consumption off the premises—
 - (a) before 10am,
 - (b) after 10pm, or
 - (c) both,on any day, the Board must refuse the application.
- (4) The Scottish Ministers may by order substitute other times for the times specified in subsection (3).
- (5) Where subsection (3) does not apply, in considering whether the granting of the application would be inconsistent with any of the licensing objectives, the Board must, in particular, consider the effect (if any) which the off-sales hours proposed in the application would have on the occurrence of antisocial behaviour.

Status: This is the original version (as it was originally enacted).

- (6) In subsection (5), “antisocial behaviour” has the same meaning as in section 143 of the Antisocial Behaviour etc. (Scotland) Act 2004 ([asp 8](#)).
- (7) This section is without prejudice to the generality of sections 23(4), 30(4), 59(3) and 68(1).