



# Criminal Justice and Licensing (Scotland) Act 2010

2010 asp 13

## PART 8

### LICENSING UNDER CIVIC GOVERNMENT (SCOTLAND) ACT 1982

#### 178 Applications for licences

- (1) The 1982 Act is amended as follows.
- (2) In Schedule 1 (further provisions as to the general licensing system)—
  - (a) in paragraph 1(2)(b), for “and address” in both places where those words occur substitute “, address and date and place of birth ”,
  - (b) in paragraph 1(2)(c)—
    - (i) in sub-paragraph (iii), for “and private addresses” substitute “, private addresses and dates and places of birth ”, and
    - (ii) in sub-paragraph (iv), for “and address” substitute “, address and date and place of birth ”,
  - (c) in paragraph 2(3)(b), after “application” insert “ (other than the date and place of birth of any person) ”,
  - (d) in paragraph 2(8)(a), after “application” insert “ (other than the date and place of birth of any person) ”,
  - (e) in paragraph 3(1)(e), for “21” substitute “ 28 ”,
  - (f) in paragraph 4(2), for “7” substitute “ 14 ”,
  - (g) in paragraph 8, after sub-paragraph (5) insert—

“(5A) On good cause being shown, a licensing authority may, for the purposes of sub-paragraph (5), deem an application for renewal of a licence made up to 28 days after the expiry of the licence to be an application made before the expiry.”,
  - (h) in paragraph 11(8), for “21” substitute “ 14 ”, and
  - (i) in paragraph 17(2), for “28” substitute “ 21 ”.
- (3) In Schedule 2 (control of sex shops)—

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*Changes to legislation: There are currently no known outstanding effects for the Criminal Justice and Licensing (Scotland) Act 2010, Section 178. (See end of Document for details)*

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- (a) in paragraph 6(2), for paragraph (b) substitute—  
     “(b) the date and place of birth of the applicant;”,
- (b) in paragraph 6(2)(c), for “age” substitute “ date and place of birth ”,
- (c) in paragraph 6(3)—
  - (i) in paragraph (c), for “and private addresses” substitute “ , private addresses and dates and places of birth ”, and
  - (ii) in paragraph (d), for “age” substitute “ date and place of birth ”,
- (d) in paragraph 8(7), after “them” insert “ and, where they propose to do so, must, within such reasonable period (not being less than 14 days) of the date of the hearing, notify the applicant and each such person of that date ”,
- (e) in paragraph 9(3), in both paragraphs (e) and (f), for “the United Kingdom” substitute “ a member state of the European Union ”,
- (f) in paragraph 12, after sub-paragraph (3) insert—  
     “(3A) On good cause being shown, a local authority may, for the purposes of sub-paragraph (3), deem an application for renewal of a licence made up to 28 days after the expiry of the licence to be an application made before the expiry.”,
- (g) in paragraph 13(6), for “21” substitute “ 14 ”, and
- (h) in paragraph 23(2), for “28” substitute “ 21 ”.

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**Commencement Information**

- I1** S. 178(1)(2)(3)(a)-(d)(f)-(h) in force at 28.2.2011 by [S.S.I. 2010/413](#), [art. 2](#), [Sch.](#) (with [Sch.](#))
- I2** S. 178(3)(e) in force at 16.8.2010 for specified purposes by [S.S.I. 2010/297](#), [art. 2](#)
- I3** S. 178(3)(e) in force at 28.2.2011 in so far as not already in force by [S.S.I. 2010/413](#), [art. 2](#), [Sch.](#) (with [Sch.](#))

**Changes to legislation:**

There are currently no known outstanding effects for the Criminal Justice and Licensing (Scotland) Act 2010, Section 178.