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SCOTTISH STATUTORY INSTRUMENTS

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**2007 No. 545**

**LICENSING (LIQUOR)**

**The Licensing (Vessels etc.) (Scotland) Regulations 2007**

*Made* - - - - 28th November 2007  
*Laid before the Scottish*  
*Parliament* - - - - 4th December 2007  
*Coming into force* - - 1st February 2008

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 126(10) and 146(2) of the Licensing (Scotland) Act 2005<sup>(1)</sup> and all other powers enabling them to do so.

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Licensing (Vessels etc.) (Scotland) Regulations 2007 and come into force on 1st February 2008.

(2) In these Regulations, “the Act” means the Licensing (Scotland) Act 2005.

**Sale of alcohol on certain vessels**

2. It is not an offence under section 1(1) of the Act (prohibition of unlicensed sale of alcohol) for alcohol to be sold on a vessel which does not constitute licensed premises while—

- (a) the vessel is not moored or berthed in any place; and
- (b) there are no more than 50 persons on board the vessel.

**Relevant premises**

3. A vessel on which alcohol is being sold but which, by virtue of regulation 2, does not require to have a premises licence is to constitute “relevant premises” as defined in section 122(2) of the Act (interpretation of Part 8).

**Premises manager of vessels**

4. The prohibition in section 19(2) of the Act (premises manager) is not to prevent an individual being the premises manager of two or more licensed premises if each of those premises is a vessel which is not permanently moored or berthed.

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(1) 2005 asp 16.

### **Submission of layout plans**

5. The requirement in section 20(2)(b)(ii) of the Act (application for premises licence) that a premises licence application must be accompanied by a layout plan is not to apply in the case of an application relating to—

- (a) a vessel which is not permanently moored or berthed;
- (b) a vehicle; or
- (c) any other moveable structure.

St Andrew's House,  
Edinburgh  
28th November 2007

*KENNY MACASKILL*  
A member of the Scottish Executive

## EXPLANATORY NOTE

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

Section 126(10) of the Licensing (Scotland) Act 2005 (“the Act”) provides power to modify the operation of that statute in the case of vessels, vehicles and other moveable structures. Subject to such modifications and certain specific exemptions in the Act, the licensing regime created by the Act is to apply in its entirety to vessels, vehicles and moveable structures on or from which alcohol is sold.

These Regulations make relevant modifications of the Act as follows. Regulation 2 allows the sale of alcohol on vessels without a licence in certain circumstances. In these circumstances, regulation 3 provides that the vessel is still to constitute “relevant premises” for the purposes of Part 8 of the Act (offences). Regulation 4 allows the same person to be the premises manager of more than one licensed vessel, whilst regulation 5 removes the requirement for a layout plan to be submitted with an application for a premises licence for certain vessels and all vehicles and moveable structures.