POLICY NOTE

THE CRIMINAL JUSTICE AND LICENSING (SCOTLAND) ACT 2010 (INCIDENTAL PROVISIONS) ORDER 2012

SSI 2012/304

This order will, if approved, be made by Scottish Minister in exercise of the powers conferred by sections 201(2)(a) and 204(1) and (2) of the Criminal Justice and Licensing (Scotland) Act 2010.

The order is incidental to changes made by the Equality Act 2010. Section 179 of the Criminal Justice and Licensing (Scotland) Act 2010 amends section 20 of the Licensing (Scotland) Act 2005 to provide for a statement of disabled access and facilities to be included in applications for a premises licence. The definition of a "disabled person" used in the Criminal Justice and Licensing (Scotland) 2010 Act makes reference to the Disability Discrimination Act 1995. As the 1995 Act has been repealed by the Equality Act 2010 it is necessary to redefine the definition of "disabled person" used in section 179 legislation by referring to section 6 of the Equality Act 2010.

The order is technical and has no financial effects on the Scottish Government, local government or on business. A Business Regulatory Impact Assessment has not been produced as this Order has no impact on the cost of business.

Law Reform Division
Justice Directorate
June 2012