STATUTORY INSTRUMENTS

1977 No. 718 (C. 27) (S. 58)

LICENSING (LIQUOR)

The Licensing (Scotland) Act 1976 (Commencement No. 3) Order 1977

Made - - - - 18*th April* 1977

In exercise of the powers conferred on me by section 141(2) of the Licensing (Scotland) Act 1976(**a**) and of all other powers enabling me in that behalf I hereby make the following order:—

1. This order may be cited as the Licensing (Scotland) Act 1976 (Commencement No. 3) Order 1977.

2.—(1) The Interpretation Act 1889(**b**) shall apply for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

(2) In this order:—

"the Act" means the Licensing (Scotland) Act 1976; and

"the appointed day", in relation to any provision of the Act, means the day appointed by this order as the day upon which that provision comes into force to the extent hereinafter mentioned.

(3) Unless otherwise expressly provided, any reference in this order to a numbered section or Schedule shall be construed as a reference to the section or Schedule bearing that number in the Act.

3. The appointed day shall be 1st May 1977 in relation to the following provisions of the Act:—

section 63;

section 119;

section 136(2) to the extent necessary to bring into operation the provisions of Schedule 8 specified in this Article;

Schedule 5, the entry in respect of section 119 of the Act;

Schedule 8 in the entry in respect of the Licensing (Scotland) Act 1959(**c**), the repeal of section 130 of that Act; and in the entry in respect of the Licensing (Scotland) Act 1962(**d**) the repeal of section 20 of that Act.

4. Subject to Article 5 of this order, the appointed day shall be 1st July 1977 in relation to the provisions of the Act, except in so far as they have already been brought into operation by section 141(2) of the Act, the Licensing (Scotland) Act 1976 (Commencement No. 1) Order 1976(**e**) or the Licensing (Scotland) Act 1976 (Commencement No. 2) Order 1977(**f**) or except in so far as they will have been brought into operation by that date by virtue of Article 3 of this order.

(**a**) 1976 c. 66. (**b**) 1889 c. 63. (**c**) 1959 c. 51.
(**d**) 1962 c. 51. (**e**) S.I. 1976/2068 (1976 III, p. 5678).
(**f**) S.I. 1977/212 (1977 I, p. 591).

5. The appointed day shall be 1st October 1977 in relation to the following provisions of the Act:—

section 133(4);

section 136(2) to the extent necessary to bring into operation the provisions of Schedule 8 specified in this Article;

Schedule 8 in the entry in respect of the Betting Gaming and Lotteries Act 1963(**a**), the repeal of paragraph 24(2) of Schedule 1 to that Act; and in the entry in respect of the Gaming Act 1968(**b**), the repeal of paragraph 33(2) and (3) and paragraph 34(2) of Schedule 2 to that Act.

Bruce Millan,
One of Her Majesty's Principal Secretaries of State.

New St Andrew's House,
Edinburgh.
18th April 1977.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order provides for the coming into force on three different dates of the remaining provisions of the Licensing (Scotland) Act 1976. Those provisions brought into force on 1st May 1977 relate to exemptions from permitted hours in international airports and to trading hours for off-sales premises, while those brought into force on 1st October 1977 concern appeals to the Sheriff under the Betting, Gaming and Lotteries Act 1963 and the Gaming Act 1968. The other outstanding provisions of the Act which introduce a new system of licensing the retail sale and supply of alcoholic liquor are brought into force on 1st July 1977.

(**a**) 1963 c. 2. (**b**) 1968 c. 65.

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