STATUTORY INSTRUMENTS

1990 No. 997 (C.30)

SCOTCH WHISKY

The Scotch Whisky Act 1988 (Commencement and Transitional Provisions) Order 1990

Made - - - - 30th April 1990

The Minister of Agriculture, Fisheries and Food and the Secretary of State, acting jointly, in exercise of the powers conferred by sections 3(1) and 5(2) and (3) of the Scotch Whisky Act 1988(**a**) and of all other powers enabling them in that behalf hereby make the following Order:

Title and interpretation

1.—(1) This Order may be cited as the Scotch Whisky Act 1988 (Commencement and Transitional Provisions) Order 1990.

(2) In this Order–

"the Act" means the Scotch Whisky Act 1988; and

"exempt Scotch whisky" means Scotch whisky bottled and labelled for retail sale before 15th December 1990.

Commencement of provisions

2. The Act, except section 4, shall come into force on 30th April 1990.

Transitional provisions

3. Notwithstanding the provisions of section 2(1)(b) of the Act, it shall be lawful–

(a) to sell by wholesale or retail exempt Scotch whisky until 14th December 1991; and

(b) to sell by retail such exempt Scotch whisky as is held in stock by a retailer on 14th December 1991 until such stock is exhausted,

at an alcoholic strength less than any such strength specified in an order made by the Ministers under that section (being also transitional measures relating to the sale of spirit drinks contained in Article 1 of Commission Regulation (EEC) No 3773/89 laying down transitional measures relating to spirituous beverages(**b**)).

(**a**) 1988 c.22; section 3(1) contains a definition of "the Ministers".
(**b**) OJ No. L 365, 15.12.89, p.48.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 27th April 1990.

L.S.

John Selwyn Gummer
Minister of Agriculture, Fisheries and Food

30th April 1990

Sanderson of Bowden
Minister of State, Scottish Office

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force the provisions of sections 1, 2, 3 and 5 of the Scotch Whisky Act 1988 ("the Act"); section 4 (which relates to the making of corresponding provision for Northern Ireland) came into force on Royal Assent (28th June 1988) (article 2).

There are transitional provisions under which the sale of Scotch whisky at a strength less than that specified in an order made by the Minister of Agriculture, Fisheries and Food and the Secretary of State under section 2(1) of the Act remains lawful for limited periods in certain circumstances (article 3).

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