

Changes to legislation: Civic Government (Scotland) Act 1982, Paragraph 10 is up to date with all changes known to be in force on or before 09 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 1

LICENSING—FURTHER PROVISIONS AS TO THE GENERAL SYSTEM

Modifications etc. (not altering text)

- C1** Sch. 1: power to apply conferred (18.11.1996) by 1996 c. 58, ss. 33(3), 48(6)
- C1** Sch. 1 applied (with modifications) (1.3.2022) by The Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022 (S.S.I. 2022/32), arts. 1, 5(b), sch. 2 Pt. 2 (with art. 7)

[^{F1}Variation, suspension and revocation of licences]

Textual Amendments

- F1** Sch. 1 para. 10 cross-heading substituted (1.11.2016) by Air Weapons and Licensing (Scotland) Act 2015 (asp 10), ss. 78(3)(a), 88(2); S.S.I. 2016/307, art. 2, sch. (with art. 5)

- 10 (1) A licensing authority may, at any time, whether or not upon an application made to them by the holder of the licence, vary the terms of a licence on any grounds they think fit.
- (2) A licensing authority, before proceeding to vary the terms of a licence under sub-paragraph (1) above—
- (a) shall, not later than 7 days before the day on which the proposed variation is to be considered, notify the holder of the licence, the chief constable and, where the licence relates to an activity wholly or mainly carried on in premises, the [^{F1}Scottish Fire and Rescue Service] of the proposed variation; and
- (b) shall give each of the persons [^{F2}required to be notified under] sub-sub-paragraph (a) above an opportunity to be heard by the authority on that day.
- [^{F3}(2A) Where the premises mentioned in sub-paragraph (2)(a) above are premises to which Part 3 of the Fire (Scotland) Act 2005 (asp 5) applies, that sub-paragraph applies as if the reference to the [^{F4}Scottish Fire and Rescue Service] were a reference to the enforcing authority]
- (3) A licensing authority shall have complied with sub-paragraph (2)(b) above if they have invited each of the persons whom they must notify under that sub-paragraph to attend and to be heard by the authority when the variation of the licence is to be considered.
- (4) A licensing authority shall, within 7 days of their decision under sub-paragraph (1) above, send written notice of their decision to the holder of the licence and the chief constable and, where the licence relates to an activity wholly or mainly carried on

Changes to legislation: Civic Government (Scotland) Act 1982, Paragraph 10 is up to date with all changes known to be in force on or before 09 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- [^{F5}(a) in premises to which Part 3 of the [Fire \(Scotland\) Act 2005 \(asp 5\)](#) applies, the enforcing authority;
- (b) in any other premises] , to the [^{F6}Scottish Fire and Rescue Service] .

(5) A variation in the terms of a licence shall come into force—

- (a) when the time within which an appeal under paragraph 18 below may be made has elapsed; or
- (b) where such an appeal has been lodged, when the appeal has been abandoned or determined in favour of the variation.

[^{F7}(6) Sub-paragraph (5) does not apply to a deemed variation of the terms of a licence under section 3(4).]

Textual Amendments

- F1** Words in Sch. 1 para. 10(2)(a) substituted (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), s. 129(2), [sch. 7 para. 53\(6\)](#); S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)
- F2** Words in Sch. 1 para. 10(2)(b) substituted (1.10.2006) by [The Fire \(Scotland\) Act 2005 \(Consequential Modifications and Savings\) Order 2006 \(S.S.I. 2006/475\)](#), art. 1, [sch. 1 para. 11\(6\)\(f\)\(i\)](#)
- F3** Sch. 1 para. 10(2A) inserted (1.10.2006) by [The Fire \(Scotland\) Act 2005 \(Consequential Modifications and Savings\) Order 2006 \(S.S.I. 2006/475\)](#), art. 1, [sch. 1 para. 11\(6\)\(f\)\(ii\)](#)
- F4** Words in Sch. 1 para. 10(2A) substituted (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), s. 129(2), [sch. 7 para. 53\(6\)](#); S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)
- F5** Words in Sch. 1 para. 10(4) substituted (1.10.2006) by [The Fire \(Scotland\) Act 2005 \(Consequential Modifications and Savings\) Order 2006 \(S.S.I. 2006/475\)](#), art. 1, [sch. 1 para. 11\(6\)\(f\)\(iii\)](#)
- F6** Words in Sch. 1 para. 10(4)(b) substituted (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), s. 129(2), [sch. 7 para. 53\(6\)](#); S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)
- F7** Sch. 1 para. 10(6) inserted (1.5.2017) by [Air Weapons and Licensing \(Scotland\) Act 2015 \(asp 10\)](#), [ss. 77\(4\)](#), 88(2); S.S.I. 2016/307, art. 2, [sch.](#) (with art. 4)

Changes to legislation:

Civic Government (Scotland) Act 1982, Paragraph 10 is up to date with all changes known to be in force on or before 09 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 22(1)(c) repealed by [2015 asp 10 s. 65\(3\)](#)
- s. 49(9) added by [2010 asp 13 s. 200\(1\)\(b\)](#)