

Draft Order laid before the Scottish Parliament under section 2(4) of the Alcohol (Minimum Pricing) (Scotland) Act 2012 for approval by resolution of the Scottish Parliament.

DRAFT SCOTTISH STATUTORY INSTRUMENTS

2024 No.

**PUBLIC HEALTH
FOOD**

**The Alcohol (Minimum Pricing) (Scotland)
Act 2012 (Continuation) Order 2024**

Made - - - - 2024
Coming into force - - 30th April 2024

The Scottish Ministers make the following Order in exercise of the powers conferred by section 2(2) of the Alcohol (Minimum Pricing) (Scotland) Act 2012(1) (“the 2012 Act”) and all other powers enabling them to do so.

There has been a consultation as required by Article 9 of Regulation (EC) No. 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety(2).

In accordance with section 2(4) of the 2012 Act, a draft of this instrument has been laid before and approved by resolution of the Scottish Parliament.

Citation and commencement

1. This Order may be cited as the Alcohol (Minimum Pricing) (Scotland) Act 2012 (Continuation) Order 2024 and comes into force on 30 April 2024.

Continuation of minimum pricing provisions

2. Despite section 2(1) of the Alcohol (Minimum Pricing) (Scotland) Act 2012, the minimum pricing provisions are to continue in effect after the end of the 6 year period(3).

(1) 2012 asp 4.

(2) EUR 178/2002, as amended by S.I. 2019/641.

(3) “The minimum pricing provisions” and “the 6 year period” are defined terms per section 2(5) of the Alcohol (Minimum Pricing) (Scotland) Act 2012.

Draft Legislation: This is a draft item of legislation. This draft has since been made as a Scottish Statutory
Instrument: *The Alcohol (Minimum Pricing) (Scotland) Act 2012 (Continuation) Order 2024 No. 127*

St Andrew's House,
Edinburgh
Date

Name
Authorised to sign by the Scottish Ministers

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is made under section 2(2) of the Alcohol (Minimum Pricing) (Scotland) Act 2012 (“the 2012 Act”). It comes into force on 30 April 2024.

Section 1 of the 2012 Act inserted provisions into schedules 3 and 4 of the Licensing (Scotland) Act 2005, introducing a further mandatory condition of premises licences and occasional licences. The condition is that alcohol must not be sold on the premises at a price below its minimum price. These provisions are the “minimum pricing provisions”.

Section 2(1) of the 2012 Act provides that the minimum pricing provisions expire 6 years after section 1 of the 2012 Act came fully into force unless an Order is made under section 2(2) of that Act to continue the effect of those provisions. Section 1 of the 2012 Act came fully into force on 1 May 2018. This Order continues the effect of the minimum pricing provisions.

A full Business and Regulatory Impact Assessment has been prepared by the Scottish Government and is published on the Scottish Government website. Copies may be obtained from the Scottish Government Directorate for Population Health, St Andrew’s House, Edinburgh EH1 3DG.