



# Civic Government (Scotland) Act 1982

## 1982 CHAPTER 45

### PART II

#### LICENSING AND REGULATION—PARTICULAR ACTIVITIES

##### *Miscellaneous licences*

#### **41 Public entertainment licences**

- (1) A licence, to be known as a " public entertainment licence ", shall be required for the use of premises as a place of public entertainment.
- (2) In this section, " place of public entertainment " means any place where, on payment of money or money's worth, members of the public are admitted or may use any facilities for the purposes of entertainment or recreation but does not include—
  - (a) an athletic or sports ground while being used as such ;
  - (b) an educational establishment while being used as such ;
  - (c) premises belonging to or occupied by any religious body while being used wholly or mainly for purposes connected with that body;
  - (d) premises licensed under the Theatres Act 1968, the Cinematograph Act 1909 or Part II of the Gaming Act 1968;
  - (e) premises in respect of which there is a permit under section 16 of the Lotteries and Amusements Act 1976 while being used in pursuance of the permit;
  - (f) licensed premises within the meaning of the Licensing (Scotland) Act 1976 in which public entertainment is being provided during the permitted hours within the meaning of that Act; or
  - (g) premises in which machines for entertainment or amusement are being provided incidentally to the main purpose or use of the premises where that main purpose or use is not as a place of public entertainment.
- (3) Without prejudice to paragraph 5 of Schedule 1 to this Act, a licensing authority may attach conditions to a public entertainment licence—

---

*Status: This is the original version (as it was originally enacted).*

---

- (a) restricting the use of the premises to a specified kind or specified kinds of entertainment or recreation ;
  - (b) limiting the number of persons to be admitted to the premises;
  - (c) fixing the days and times when the premises may be open for the purposes of the entertainment or recreation.
- (4) In this section, " educational establishment " has the meaning given by paragraphs (i) and (ii) of the definition of that expression in section 135(1) of the Education (Scotland) Act 1980 but includes a university and a theological college.