

**CRIMINAL JUSTICE AND LICENSING
(SCOTLAND) BILL – OVERVIEW OF
REGULATORY IMPACT ASSESSMENT OF
THE PROVISIONS WITHIN THE BILL**

CRIMINAL JUSTICE AND LICENSING (SCOTLAND) BILL – OVERVIEW OF REGULATORY IMPACT ASSESSMENT OF THE PROVISIONS WITHIN THE BILL

1. The Criminal Justice and Licensing (Scotland) Bill (“the Bill”) was introduced into Parliament on Thursday 5 March 2009. We have considered for all provisions within the Bill whether our policies being taken forward through the Bill will have an impact on businesses, charities or voluntary bodies.
2. This publication provides details of assessments that have been carried out. Where a policy has led to a need to carry out a full Regulatory Impact Assessment (RIA), links to these assessments are included.
3. The Bill is split into 11 main Parts. A summary of the Regulatory Impact Assessment of each Part of the Bill follows below.

Part 1 - Sentencing

4. Part 1 of the Bill has no financial impact for business, charities and the voluntary sector.

Part 2 – Criminal law

5. Part 2 of the Bill has no financial impact for business, charities and the voluntary sector.

Part 3 – Criminal procedure

6. Part 3 of the Bill has no financial impact for business, charities and the voluntary sector.

Part 4 – Evidence

7. Part 4 of the Bill has no financial impact on business, charities and the voluntary sector.

Part 5 – Criminal justice

8. Part 5 of the Bill has no financial impact on business, charities and the voluntary sector.

Part 6 – Disclosure

9. Part 6 of the Bill has no financial impact on business, charities and the voluntary sector.

Part 7 – Mental disorder and unfitness for trial

10. Part 7 of the Bill has no financial impact on business, charities and the voluntary sector.

Part 8 – Licensing under the Civic Government (Scotland) Act 1982

11. Part 8 of the Bill contains provisions that implement a Task Group report's recommendations to review the licensing provisions of the Civic Government (Scotland) Act 1982. The provisions make improvements to the 1982 Act, regulate the licensing of metal dealers, market operators, public entertainment and late hours catering establishments are largely of a technical nature affecting procedural aspects of current licensing regime.

[RIA for Part 8 provisions – changes to Civic Government \(Scotland\) Act 1982](#)

Part 9 – Alcohol licensing

12. Part 9 of the Bill contains provisions changing the Licensing (Scotland) Act 2005.

[RIA for section 129 of the Bill \(“Sale of alcohol to persons under 21 etc.”\)](#)

[RIA for section 131 of the Bill \(“Premises licence applications: modification of layout plans”, section 134 of the Bill \(“Occasional licences” and section 135 of the Bill \(“Extended hours applications: variation of conditions”\)](#)

Part 10 – Miscellaneous

13. Section 140 of the Bill contains provisions relating to “Licensed premises: social responsibility levy”. The provisions provide for the introduction of an enabling power for Scottish Ministers to bring forward a Social Responsibility Levy on licensed premises. There is no immediate financial impact of these provisions, but there will be a financial impact if and when Scottish Ministers use the enabling power. Therefore, a RIA will be required to be undertaken at that time to explore and consider the financial impact on businesses.

Part 11 – General

14. Part 11 of the Bill has no financial impact on business, charities and the voluntary sector.

Conclusion

15. All provisions within the Bill have been considered for their regulatory impact on businesses, charities and voluntary bodies. Where it has been considered necessary to complete a full RIA, these are provided within this document.

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