Alcohol (Minimum Pricing) (Scotland) Bill

Marshalled List of Amendments selected for Stage 3

The Bill will be considered in the following order—

Sections 1 to 4

Amendments marked * are new (including manuscript amendments) or have been altered.

Section 1

Dr Richard Simpson

3 In section 1, page 1, line 27, at end insert—

<(  ) In this paragraph, “unit” means 10 millilitres of pure alcohol.”.>.

Dr Richard Simpson

4 In section 1, page 2, line 22, at end insert—

<(  ) In this paragraph, “unit” means 10 millilitres of pure alcohol.”.>.

After section 1

Dr Richard Simpson

5 After section 1, insert—

<Scheme for recovery of sums in relation to certain licensed premises

(1) The Scottish Ministers must by order establish a scheme for the recovery of the sum mentioned in subsection (3) from relevant persons in relation to licensed premises of such type or size as may be specified in the order (“relevant licensed premises”).

(2) A person is a relevant person if the person is—

(a) the holder of a premises licence in respect of licensed premises, or

(b) a person to whom any profit arising from the operation of licensed premises accrues.

(3) The sum is whichever of the following is higher—

(a) an estimate of the total amount of increased revenue (if any) produced by relevant licensed premises as a result of the operation of the minimum pricing provision,

(b) an estimate of the total amount of increased revenue (if any) that would have been so produced but for the taking of steps by relevant persons to counterbalance the effect on their businesses of the operation of the minimum pricing provision.

(4) The estimates mentioned in subsection (3) are to be based on such research and modelling as the Scottish Ministers consider appropriate.
(5) Amounts payable under the scheme are to be paid to the local authority within whose area the relevant licensed premises to which the amount payable relates are located.

(6) An order under subsection (1) must include provision about—
(a) the period (or periods) to which estimates under subsection (3) are to relate,
(b) how the amount payable in respect of each relevant licensed premises is to be determined,
(c) when and how amounts payable under the scheme are to be paid,
(d) the penalties for failure to pay amounts payable under the scheme, and
(e) how long the scheme is to exist.

(7) An order under subsection (1) may include such other provision in relation to the scheme as the Scottish Ministers consider appropriate.

(8) Before making an order under subsection (1) the Scottish Ministers must consult—
(a) such persons as appear to them representative of the interests of holders of premises licences granted under the 2005 Act, and
(b) such other persons (if any) as they consider appropriate.

(9) An order under subsection (1) is subject to the affirmative procedure.

(10) In this section—
“the 2005 Act” means the Licensing (Scotland) Act 2005,
“licensed premises” means licensed premises in respect of which a premises licence granted under the 2005 Act has effect,
“the minimum pricing provision” means paragraph 6A of schedule 3 to the 2005 Act.

Section 1B

Dr Richard Simpson

6 In section 1B, page 3, line 7, at end insert—
( ) as soon as practicable after—
(i) 1 January 2015, and
(ii) each subsequent 1 January until such time as the report mentioned above has been published,
lay before the Scottish Parliament an analysis of any data collected (whether in connection with the preparation of that report or otherwise) that may show the effect (or lack of effect) of the minimum pricing provisions.

Dr Richard Simpson

7 In section 1B, page 3, line 7, at end insert—
 as soon as practicable after the Bill for this Act receives Royal Assent, commission research, to be published no later than 30 April 2016, on how producers and retailers of alcohol have responded to the introduction of the minimum pricing provisions (for example, in terms of changes made to the price of alcoholic products, the alcoholic products sold or the advertising of alcoholic products undertaken in Scotland in comparison with the actions of producers and retailers in relation to parts of the United Kingdom where the minimum pricing provisions do not apply).>

Nicola Sturgeon

1 In section 1B, page 3, line 11, after <Act”),> insert—

<(aa) such categories of person as the Scottish Ministers consider appropriate,> 

Dr Richard Simpson

1A As an amendment to amendment 1, line 2, leave out <such> and insert <children and young people and such other>

Nicola Sturgeon

2 In section 1B, page 3, line 14, at end insert—

<( ) The categories mentioned in subsection (2)(aa) may be determined by reference to characteristics including—

(a) age,
(b) gender,
(c) social and economic deprivation,
(d) alcohol consumption, and
(e) such other characteristics as the Scottish Ministers consider appropriate.>