



Alcohol (Licensing, Public Health and Criminal Justice) (Scotland) Bill

Bill Number: SP Bill 65
Introduced on: 1 April 2015
Introduced by: Richard Simpson MSP (Member's Bill)
Fell: 4 February 2015

Passage of the Bill

The Alcohol (Licensing, Public Health and Criminal Justice) (Scotland) Bill was a Member's Bill. It was introduced in the Scottish Parliament by Dr Richard Simpson MSP on 1 April 2015. The [Bill as introduced](#) was accompanied by [Explanatory Notes](#) and a [Policy Memorandum](#).

The Health and Sport Committee conducted Stage 1 scrutiny of the Bill at meetings in October and November 2015. Further information about the evidence considered at Stage 1, including letters from the member in charge, is available from the dedicated [Committee webpage](#).

The Finance Committee [reported](#) on the Financial Memorandum to the Bill (Report on the Alcohol (Licensing, Public Health and Criminal Justice) (Scotland) Bill's Financial Memorandum, 2015 (Session 4)).

The Delegated Powers and Law Reform Committee [reported](#) on the delegated powers contained in the Bill (66th Report, 2015 (Session 4)).

The Health Committee produced its [Stage 1 Report](#) on 13 January 2016 (2nd Report, 2016 (Session 4)). The majority of members did not support the Bill's general principles.

Dr Simpson [responded](#) to the Stage 1 Report in a letter to Duncan McNeil MSP, Committee Convener, dated 19 January 2016. The Scottish Government also [set out its views in a letter](#) from Maureen Watt MSP, Minister for Public Health, dated January 2016.

The Stage 1 debate was held on 4 February 2016. Members did not support the Bill's general principles, so it fell at this stage.

Purpose and objectives of the Bill

The Bill's purpose was to promote public health and reduce alcohol-related offending. It contained ten separate proposals, covering licensing, public health and criminal justice matters.

Provisions of the Bill

1. **Minimum price for packages containing more than one alcoholic product** – extending the existing ban on discounted alcohol sales by preventing retailers from selling larger multipacks of alcohol at a discount in comparison to smaller multipacks.
2. **Alcoholic drinks containing caffeine** –banning pre-mixed alcoholic drinks containing caffeine above a specified limit.
3. **Age discrimination in off-sales** –preventing licensing boards putting in place a higher age limit than 18 for the sale of alcohol as a condition of an off-sales licence.
4. **Container marking in off-sales** – this is better known as “bottle-tagging”. The provision would allow licensing boards to require off-licences to mark alcohol containers with a code. It would then be possible to trace alcohol consumed by underage drinkers back to the shop that sold it.
5. **Community involvement in licensing decisions** –changing the requirements to notify people about licence applications and variations. The intention would be to increase community involvement in licencing decisions.
6. **Restrictions on alcohol advertising** – banning most alcohol advertising near places (such as schools) used by children and at events targeted at children. The provisions would also limit alcohol advertising on retail premises.
7. **Alcohol education policy statements** – requiring the Scottish Government to publish, and review, an alcohol education policy statement every five years.
8. **Drinking banning orders** – enabling the courts to restrict the behaviour of those who engage in criminal or disorderly behaviour when drunk.
9. **Alcohol awareness training as an alternative to a fixed penalty fine** – enabling training to be offered as an alternative to a fine when an offence is committed under the influence of alcohol.
10. **Notification of offender's GP** – requiring that an offender's GP is notified by the courts where the consumption of alcohol has been a contributory factor in their offending behaviour.

Parliamentary consideration

The majority of members of the Health and Sport Committee concluded that the Bill was not “an effective and workable package of measures to tackle alcohol misuse”¹. They argued that the Scottish Government’s alcohol strategy was a more effective route to make changes.

As a result the majority of Committee members did not support the general principles of the Bill at Stage 1. The Bill went on to be rejected in the Chamber at Stage 1.

¹ Scottish Parliament Health and Sport Committee. (2016) [Stage 1 Report on Alcohol \(Licensing, Public Health and Criminal Justice\) \(Scotland\) Bill, 2nd Report, 2016 \(Session 4\)](#). Paragraph 251.