



# Licensing (Scotland) Act 2005

## 2005 asp 16

### LICENSING (SCOTLAND) ACT 2005

#### PART 1

##### CORE PROVISIONS

- 1 Prohibition of unlicensed sale of alcohol
- 2 Meaning of “alcohol”
- 3 Certain supplies of alcohol to be treated as sales
- 4 The licensing objectives

#### PART 2

##### LICENSING BODIES AND OFFICERS

###### *Licensing Boards*

- 5 Licensing Boards
- 6 Statements of licensing policy
- 7 Duty to assess overprovision
- 8 Applicants attempting to influence Board members
- 9 Licensing Board's duty to keep a public register
- 9A Annual functions report
- 9B Annual financial report

###### *Local Licensing Forums*

- 10 Local Licensing Forums
- 11 General functions of Local Licensing Forums
- 12 Licensing Boards' duties in relation to Local Licensing Forums

###### *Chief constables' reports*

- 12A Chief constable's reports to Licensing Boards and Local Licensing Forums

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### *Licensing Standards Officers*

- 13 Licensing Standards Officers
- 14 General functions of Licensing Standards Officers
- 15 Powers of entry, inspection and seizure
- 16 Training of Licensing Standards Officers

## **PART 3**

### **PREMISES LICENCES**

#### *Introductory*

- 17 Premises licence
- 18 Meaning of “appropriate Licensing Board”
- 19 Premises manager

#### *Premises licence applications*

- 20 Application for premises licence
- 21 Notification of application
- 22 Objections and representations
- 23 Determination of premises licence application
- 24 Applicant's duty to notify Licensing Board of convictions
- 24A Power to request antisocial behaviour report
- 25 Further application after refusal of premises licence application
- 26 Issue of licence and summary

#### *Conditions of premises licence*

- 27 Conditions of premises licence
- 27A Power of Board to vary premises licence conditions

#### *Duration of premises licence*

- 28 Period of effect of premises licence

#### *Variation of premises licence*

- 29 Application to vary premises licence
- 30 Determination of application for variation
- 31 Variation to substitute new premises manager
- 32 Further application after refusal of application for variation

#### *Transfer of premises licence*

- 33 Transfer on application of licence holder
- 34 Transfer on application of person other than licence holder
- 35 Variation on transfer

#### *Review of premises licence*

- 36 Application for review of premises licence
- 37 Review of premises licence on Licensing Board's initiative
- 38 Review hearing
- 39 Licensing Board's powers on review
- 39A Notification of determinations
- 39B Recall of revocation of licence under section 39(2A)

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40 Review of Licensing Board's decision to vary or suspend licence

*Connected persons*

40A Connected persons: licence holder's duty to notify changes

*Conviction of licence holder etc. for relevant or foreign offence*

- 41 Duty to notify court of premises licence
- 42 Court's duty to notify Licensing Board of convictions
- 43 Licence holder's duty to notify Licensing Board of convictions
- 44 Procedure where Licensing Board receives notice of conviction

*Premises under construction or conversion*

- 45 Provisional premises licence
- 46 Confirmation of provisional premises licence
- 47 Temporary premises licence

*Updating of licence*

- 48 Notification of change of name or address
- 49 Licensing Board's duty to update premises licence

*Miscellaneous*

- 50 Certificates as to planning, building standards and food hygiene
- 51 Notification of determinations
- 52 Duty to keep, display and produce premises licence
- 53 Theft, loss etc. of premises licence or summary
- 54 Dismissal, resignation, death etc. of premises manager
- 55 Certified copies

**PART 4**

OCCASIONAL LICENCES

- 56 Occasional licence
- 57 Notification of application to chief constable and Licensing Standards Officer
- 58 Objections and representations
- 59 Determination of application
- 60 Conditions of occasional licence
- 61 Notification of determinations

**PART 5**

LICENSED HOURS

*General*

- 62 Licensed hours
- 63 Prohibition of sale, consumption and taking away of alcohol outwith licensed hours
- 64 24 hour licences to be granted only in exceptional circumstances
- 65 Licensed hours: off-sales
- 66 Effect of start and end of British Summer Time

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### *Occasional extensions*

- 67 Power for Licensing Board to grant general extensions of licensed hours
- 68 Extended hours applications
- 69 Notification of extended hours application
- 70 Determination of extended hours application
- 70A Extended hours applications: variation of conditions

## **PART 6**

### **PERSONAL LICENCES**

#### *Introductory*

- 71 Personal licence

#### *Grant and renewal of personal licence*

- 72 Application for personal licence
- 73 Notification of application to chief constable
- 73A Notification of application to Licensing Standards Officer
- 74 Determination of personal licence application
- 75 Applicant's duty to notify Licensing Board of convictions
- 76 Issue of licence
- 77 Period of effect of personal licence
- 78 Renewal of personal licence
- 79 Notification of determinations

#### *Conviction of licence holder for relevant or foreign offence*

- 80 Duty to notify court of personal licence
- 81 Court's duty to notify Licensing Board of convictions
- 82 Licence holder's duty to notify Licensing Board of convictions
- 83 Procedure where Licensing Board receives notice of conviction

#### *Conduct inconsistent with licensing objectives*

- 84 Conduct inconsistent with the licensing objectives
- 84A Power of chief constable to report conduct inconsistent with the licensing objectives
- 84B Power of Licensing Standards Officers to report conduct inconsistent with the licensing objectives

#### *Endorsements*

- 85 Expiry of endorsements
- 86 Suspension of licence after multiple endorsements

#### *Licence holder's duty to undertake training*

- 87 Licence holder's duty to undertake training

#### *Update of licence*

- 88 Notification of change of name or address
- 89 Licensing Board's duty to update licence

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### *Miscellaneous*

- 90 Power to specify which Licensing Board is to exercise functions under this Part
- 91 Power to prescribe licensing qualifications
- 92 Theft, loss etc. of personal licence
- 93 Licence holder's duty to produce licence

## **PART 7**

### **CONTROL OF ORDER**

#### *Exclusion of violent offenders*

- 94 Exclusion orders
- 95 Breach of exclusion order
- 96 Exclusion orders: supplementary provision

#### *Closure of premises*

- 97 Closure orders
- 98 Termination of closure orders
- 99 Extension of emergency closure order
- 100 Regulations as to closure orders
- 101 Interpretation of sections 97 to 100

## **PART 8**

### **OFFENCES**

#### *Offences relating to children and young people*

- 102 Sale of alcohol to a child or young person
- 103 Allowing the sale of alcohol to a child or young person
- 104 Sale of liqueur confectionery to a child
- 104A Supply of alcohol to a child
- 104B Supply of alcohol to a young person
- 105 Purchase of alcohol by a child or young person
- 106 Consumption of alcohol by a child or young person
- 107 Unsupervised sale of alcohol by a child or young person
- 108 Delivery of alcohol by or to a child or young person
- 109 Sending a child or young person to obtain alcohol
- 110 Duty to display notice

#### *Drunkenness and disorderly conduct*

- 111 Drunk persons entering or in premises on which alcohol is sold
- 112 Obtaining of alcohol by or for a drunk person
- 113 Sale of alcohol to a drunk person
- 114 Premises manager, staff etc. not to be drunk
- 115 Disorderly conduct
- 116 Refusal to leave premises

#### *Miscellaneous offences*

- 117 Offences relating to sale of alcohol to trade
- 118 Prohibition of unauthorised sale of alcohol on moving vehicles
- 119 Delivery of alcohol from vehicles etc.

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- 120 Prohibition of late-night deliveries of alcohol
- 121 Keeping of smuggled goods

### *Interpretation of Part*

- 122 Interpretation of Part 8

## **PART 9**

### MISCELLANEOUS AND GENERAL

#### *Excluded and exempt premises*

- 123 Excluded premises
- 124 Exempt premises

#### *Special provision for certain clubs*

- 125 Special provisions for certain clubs

#### *Vessels, vehicles and moveable structures*

- 126 Vessels, vehicles and moveable structures
- 127 Power to prohibit sale of alcohol on trains
- 128 Power to prohibit sale of alcohol on ferries

#### *Relevant and foreign offences*

- 129 Relevant offences and foreign offences
- 130 Effect of appeal against conviction for relevant or foreign offence

#### *Appeals*

- 131 Appeals
- 132 Appeals: supplementary provision

#### *Procedures, forms etc.*

- 133 Hearings
- 133A How hearings may be held
- 134 Form etc. of applications, proposals, notices and other communications
- 134A Offence of knowingly making a false statement in an application
- 135 Power to relieve failure to comply with rules and other requirements
- 136 Fees

#### *Miscellaneous*

- 137 Inspection of premises before grant of licence etc.
- 138 Police powers of entry
- 139 Remote sales of alcohol
- 140 Presumption as to liquid contents of containers
- 141 Offences by bodies corporate etc.
- 141A Defence of due diligence for certain offences
- 141B Vicarious liability of premises licence holders and interested parties

#### *General*

- 142 Guidance

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- 143 Crown application
- 144 Modification of enactments
- 145 Ancillary provision
- 146 Orders and regulations
- 147 Interpretation
- 148 Index of defined expressions
- 149 Repeals
- 150 Short title and commencement

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## SCHEDULE 1 — Licensing Boards

### *Membership*

- 1 (1) A Licensing Board is to consist of such number...

### *Election of members*

- 2 (1) Each council must, at their first meeting after each...

### *Disqualification from membership*

- 3 (1) A councillor is disqualified from election as, and from...

### *Tenure of office etc.*

- 4 (1) A member of a Licensing Board—

### *Removal of members from office*

- 5 The relevant council may remove a member from office if...

### *Convener*

- 6 (1) A Licensing Board must, at their first meeting after...

### *Removal of convener*

- 7 (1) The convener of a Licensing Board may be removed...

### *Administrative support*

- 8 (1) In relation to each Licensing Board, the relevant council...

### *Committees*

- 9 A Licensing Board may establish committees for or in connection...

### *Delegation of functions*

- 10 (1) A Licensing Board may authorise (whether generally or specifically)  
—...

### *Training of members*

- 11 (1) Each member of a Licensing Board must, no later...

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### *Proceedings*

- 12 (A1) A Licensing Board may determine that a meeting is...

### *Validity of proceedings*

- 13 The proceedings of a Licensing Board are not affected by—...

### *Transitional and transitory provision*

- 14 (1) Until the end of the day of the first...

## SCHEDULE 2 — Local Licensing Forums

### *Introductory*

- 1 In this schedule, “Forum” means a Local Licensing Forum established...

### *Membership*

- 2 (1) A Forum is to consist of such number (being...

### *Convener*

- 3 (1) At their first meeting in each calendar year, a...

### *Administrative support*

- 4 A council must provide each Forum established by them, or...

### *Meetings and proceedings*

- 5 (1) Each Forum must, in each calendar year, hold at...

## SCHEDULE 3 — Premises licences: mandatory conditions

### *Interpretation*

- 1 In this schedule, “the premises” means, in relation to any...

### *Compliance with the operating plan*

- 2 (1) Alcohol is to be sold on the premises only...  
3 Any other activity to be carried on in the premises...

### *The premises manager*

- 4 (1) Alcohol is not to be sold on the premises...

### *Authorisation of sales of alcohol*

- 5 Every sale of alcohol made on the premises must be...

### *Training of staff*

- 6 (1) No person (other than a person who holds a...  
6A (1) Alcohol must not be sold on the premises at...  
6B (1) A package containing two or more alcoholic products (whether...



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### *Pricing of alcohol*

- 7 Where the price at which any alcohol sold on the...
- 7A Where the price at which any alcohol sold on the...

### *Irresponsible drinks promotions*

- 8 (1) An irresponsible drinks promotion must not be carried on...

### *Provision of non-alcoholic drinks*

- 9 (1) The conditions specified in this paragraph apply only to...

### *Age verification policy*

- 9A (1) There must be an age verification policy in relation...

### *Payment of annual or recurring fees*

- 10 (1) The condition specified in sub-paragraph (2) applies only in...

### *Notices – admission of persons under 18*

- 11 (1) The condition specified in this paragraph applies only in...

### *Baby changing facilities*

- 12 (1) The condition specified in this paragraph applies only in...

### *Display, or promotion of the sale, of alcohol for consumption off the premises*

- 13 (1) Subject to sub-paragraph (3), alcohol which is for sale...

## SCHEDULE 4 — Occasional licences: mandatory conditions

### *Interpretation*

- 1 In this schedule, “the premises” means, in relation to any...

### *Compliance with licence*

- 2 (1) Alcohol may be sold on the premises only in...
- 3 Any other activity to be carried on in the premises...

### *Authorisation of sales of alcohol*

- 4 (1) The condition specified in sub-paragraph (2) applies only to...

### *Voluntary organisations*

- 5 (1) The condition specified in sub-paragraph (2) applies only to...
- 5A (1) Alcohol must not be sold on the premises at...
- 5B (1) A package containing two or more alcoholic products (whether...

### *Pricing of alcohol*

- 6 Where the price at which any alcohol sold on the...
- 6A Where the price at which any alcohol sold on the...

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*Irresponsible drinks promotions*

- 7 (1) An irresponsible drinks promotion must not be carried on...

*Provision of non-alcoholic drinks*

- 8 (1) The conditions specified in this paragraph apply only to...

*Age verification policy*

- 9 (1) There must be an age verification policy in relation...

SCHEDULE 5 — Appeals

Part 1 — APPEALS TO THE SHERIFF PRINCIPAL

Part 2 — APPEALS TO THE SHERIFF

SCHEDULE 6 — Modification of enactments

*Children and Young Persons Act 1963 (c. 37)*

- 1 In section 37(2)(b)(ii) (restriction on persons under 16 taking part...

*Countryside (Scotland) Act 1967 (c. 86)*

- 2 In section 78(1) (interpretation) of the Countryside (Scotland) Act 1967,...

*New Towns (Scotland) Act 1968 (c. 16)*

- 3 (1) The New Towns (Scotland) Act 1968 is amended as...

*Water (Scotland) Act 1980 (c. 45)*

- 4 In section 50(1)(b) (power to require supply by meter to...

*Local Government, Planning and Land Act 1980 (c. 65)*

- 5 In section 146 (disposal of land by urban development corporation)...

*Civic Government (Scotland) Act 1982 (c. 45)*

- 6 (1) The Civic Government (Scotland) Act 1982 is amended as...

*Criminal Law (Consolidation) (Scotland) Act 1995 (c. 39)*

- 7 (1) The Criminal Law (Consolidation) (Scotland) Act 1995 is amended...

*Crime and Punishment (Scotland) Act 1997 (c. 48)*

- 8 (1) Section 61 (confiscation of alcohol from persons under 18)...

*Scottish Public Services Ombudsman Act 2002 (asp 11)*

- 9 In paragraph 10 of Part 1 of schedule 2 (authorities...

*Freedom of Information (Scotland) Act 2002 (asp 13)*

- 10 In paragraph 23 of Part 3 of schedule 1 (local...

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## SCHEDULE 7 — Repeals

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**Changes and effects yet to be applied to :**

- s. 28(2) word substituted by [2015 asp 10 Sch. 2 para. 4\(2\)](#)
- s. 33 title substituted by [2015 asp 10 s. 49\(3\)](#)
- s. 33(4) words inserted by [2015 asp 10 s. 49\(2\)\(b\)](#)
- s. 34 repealed by [2015 asp 10 s. 49\(5\)](#)
- s. 35(1) words repealed by [2015 asp 10 Sch. 2 para. 4\(4\)](#)
- s. 35(3)(b) words repealed by [2015 asp 10 Sch. 2 para. 4\(4\)](#)
- s. 49(1)(c) words repealed by [2015 asp 10 Sch. 2 para. 4\(6\)](#)
- s. 129(4) repealed by [2015 asp 10 s. 52](#)
- Sch. 5 Pt. 1 words inserted by [2015 asp 10 s. 49\(6\)\(b\)](#)
- Sch. 5 Pt. 1 words inserted by [2015 asp 10 s. 49\(6\)\(c\)](#)
- Sch. 5 Pt. 1 words repealed by [2015 asp 10 s. 49\(6\)\(a\)](#)
- specified provision(s) Appointed Day(s) by [S.S.I. 2006/239 art. 2](#) (This S.S.I. is revoked on 25.5.2006 by S.S.I. 2006/286, art. 6)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 33(1)(1A) substituted for s. 33(1)-(3) by [2015 asp 10 s. 49\(2\)\(a\)](#)
- s. 33(8)(za) inserted by [2015 asp 10 s. 49\(2\)\(c\)](#)
- s. 33(8A) inserted by [2015 asp 10 s. 49\(2\)\(d\)](#)
- s. 33A inserted by [2015 asp 10 s. 49\(4\)](#)
- s. 134ZA-134ZC inserted by [2015 asp 10 s. 61\(2\)](#)