

*These notes relate to the Licensing (Scotland) Act 2005
(asp 16) which received Royal Assent on 21 December 2005*

LICENSING (SCOTLAND) ACT 2005

EXPLANATORY NOTES

COMMENTARY ON PARTS

Part 8 – Offences

Section 105 – Purchase of alcohol by or for a child or young person

216. Subsection (1) makes it an offence for a child or young person to buy or attempt to buy alcohol whether or not on licensed premises.
217. Subsection (2) gives the child or young person immunity from committing an offence under this section where the child or young person is taking part in test purchasing authorised by a chief constable.
218. Subsection (3) places an obligation on the chief constable to avoid any risk to the welfare of the child or young person who has been authorised to buy or attempt to buy alcohol.
219. Subsection (4) makes it an offence for an adult to act as an agent for a child or young person in purchasing or attempting to purchase alcohol (for example, if a child gives money to an adult to buy alcohol on their behalf). It is also an offence to buy alcohol for a child or young person to consume on relevant premises. The offence also applies where a member of a club has alcohol supplied to a child or attempts to do so.
220. Subsection (5) provides that it is not an offence to buy beer, wine, cider or perry for a person aged 16 or 17 to consume with a table meal on relevant premises.