



# Licensing (Scotland) Act 2005

## 2005 asp 16

### PART 8

#### OFFENCES

##### *Miscellaneous offences*

#### **121 Keeping of smuggled goods**

- (1) Any responsible person who <sup>F1</sup>... keeps or allows to be kept on licensed premises any goods which—
  - (a) have been imported without any duty payable on their importation having been paid, or
  - (b) have otherwise been unlawfully imported,commits an offence.
- (2) A person guilty of an offence under subsection (1) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (3) The court by or before which a person is convicted of an offence under subsection (1) may order the goods in question to be—
  - (a) forfeited, and
  - (b) destroyed or otherwise dealt with in such manner as the court may order.

#### **Textual Amendments**

- F1** Word in s. 121(1) repealed (13.12.2010) by [Criminal Justice and Licensing \(Scotland\) Act 2010 \(asp 13\)](#), [ss. 195\(2\)\(g\)](#), 206(1); [S.S.I. 2010/413](#), [art. 2](#), [Sch.](#)

#### **Commencement Information**

- II** S. 121 in force at 1.9.2009 at 5.00 a.m. by [S.S.I. 2007/472](#), [art. 3](#)

**Changes to legislation:**

Licensing (Scotland) Act 2005, Section 121 is up to date with all changes known to be in force on or before 18 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

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

- 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\(2\)](#)