



# Licensing (Scotland) Act 2005

## 2005 asp 16

### PART 3

#### PREMISES LICENCES

#### *[<sup>F1</sup><sup>F2</sup>Connected persons]*

#### Textual Amendments

- F1** S. 40A inserted (13.12.2010 for specified purposes, 29.6.2018 in so far as not already in force) by [Criminal Justice and Licensing \(Scotland\) Act 2010 \(asp 13\)](#), **ss. 184(2)**, 206(1); S.S.I. 2010/413, art. 2, sch.; S.S.I. 2018/102, art. 2(a)
- F2** S. 40A cross-heading substituted (29.6.2018) by [Air Weapons and Licensing \(Scotland\) Act 2015 \(asp 10\)](#), **ss. 59(3)**, 88(2); S.S.I. 2018/102, **art. 3**

#### **40A** [<sup>F3</sup>Connected persons: licence holder's duty to notify changes]

- (1) A premises licence holder must, not later than one month after a person becomes or ceases to be—
- (a) a connected person in relation to the licence holder, <sup>F4</sup>...
  - <sup>F5</sup>(b) .....  
give the appropriate Licensing Board notice of that fact.
- (2) A notice under subsection (1) that a person has become a connected person <sup>F6</sup>... must specify—
- (a) the name and address of the person, and
  - (b) if the person is an individual, the person's date of birth.
- (3) Where a Licensing Board receives a notice under subsection (1), the Board must give a copy of the notice to the [<sup>F7</sup>chief constable].
- (4) A premises licence holder who fails, without reasonable excuse, to comply with subsection (1) commits an offence.
- (5) A person guilty of an offence under subsection (4) is liable on summary conviction to a fine not exceeding level 2 on the standard scale.]

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**Changes to legislation:** Licensing (Scotland) Act 2005, Cross Heading: Connected persons 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. (See end of Document for details) View outstanding changes

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### Textual Amendments

- F3** S. 40A heading substituted (29.6.2018) by [Air Weapons and Licensing \(Scotland\) Act 2015 \(asp 10\)](#), [ss. 59\(2\)\(c\)](#), 88(2); S.S.I. 2018/102, [art. 3](#)
- F4** Word in s. 40A(1) repealed (29.6.2018) by [Air Weapons and Licensing \(Scotland\) Act 2015 \(asp 10\)](#), [ss. 59\(2\)\(a\)\(i\)](#), 88(2); S.S.I. 2018/102, [art. 3](#)
- F5** S. 40A(1)(b) repealed (29.6.2018) by [Air Weapons and Licensing \(Scotland\) Act 2015 \(asp 10\)](#), [ss. 59\(2\)\(a\)\(ii\)](#), 88(2); S.S.I. 2018/102, [art. 3](#)
- F6** Words in s. 40A(2) repealed (29.6.2018) by [Air Weapons and Licensing \(Scotland\) Act 2015 \(asp 10\)](#), [ss. 59\(2\)\(b\)](#), 88(2); S.S.I. 2018/102, [art. 3](#)
- F7** Words in s. 40A(3) substituted (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), s. 129(2), sch. 7 para. 29(2), (3); S.S.I. 2013/51, [art. 2](#) (with transitional provisions and savings in S.S.I. 2013/121)

**Changes to legislation:**

Licensing (Scotland) Act 2005, Cross Heading: Connected persons 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.

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**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\(2\)](#)