



Licensing (Scotland) Act 2005

2005 asp 16

PART 8

OFFENCES

Offences relating to children and young people

[^{F1}104B Supply of alcohol to a young person

- (1) A person, other than a child or young person, who knowingly—
 - (a) buys or attempts to buy alcohol—
 - (i) on behalf of a young person, or
 - (ii) for a young person, or
 - (b) gives alcohol (or otherwise makes it available) to a young person, commits an offence.
- (2) Subsection (1)(a)(ii) and (b) does not apply to—
 - (a) the buying of alcohol for, or (as the case may be) giving or making available of alcohol to, a young person—
 - (i) for consumption other than in a public place, or
 - (ii) for the purposes of religious worship, or
 - (b) the buying, or (as the case may be) giving or making available, of beer, wine, cider or perry for consumption by a young person along with a meal supplied on relevant premises.
- (3) In subsection (2)(a)(i), “public place” includes—
 - (a) relevant premises,
 - (b) any place to which the public have access for the time being (whether on payment of a fee or otherwise), and
 - (c) any place to which the public do not have access but to which the young person unlawfully gains access.
- (4) A person who commits an offence under subsection (1) is liable on summary conviction to—
 - (a) a fine not exceeding level 5 on the standard scale,

Changes to legislation: Licensing (Scotland) Act 2005, Section 104B is up to date with all changes known to be in force on or before 03 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](#)

- (b) imprisonment for a term not exceeding 3 months, or
- (c) both.]

Textual Amendments

F1 Ss. 104A, 104B inserted (15.5.2017) by [Air Weapons and Licensing \(Scotland\) Act 2015 \(asp 10\)](#), **ss. 53(1)**, 88(2); S.S.I. 2017/119, art. 2, sch.

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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\(2\)](#)