



# Licensing (Scotland) Act 2005

## 2005 asp 16

### PART 8

#### OFFENCES

##### *Interpretation of Part*

#### **122 Interpretation of Part 8**

- (1) This section has effect for the purpose of the interpretation of this Part.
- (2) “Relevant premises” means—
  - (a) any licensed premises,
  - (b) any exempt premises on which alcohol is sold, and
  - (c) any premises used for the selling of alcohol to trade.
- (3) “Responsible person” means, in relation to relevant premises—
  - (a) in the case of licensed premises in respect of which a premises licence has effect, the premises manager,
  - (b) in the case of licensed premises in respect of which an occasional licence has effect, the holder of the licence,
  - (c) in the case of other relevant premises, the person having management and control of the premises, and
  - (d) in any of those cases, any person aged 18 or over who works on the premises in a capacity (whether paid or unpaid) which—
    - (i) authorises the person to sell alcohol, or
    - (ii) in relation to any offence under this Part of allowing something to be done, authorises the person to prevent the doing of the thing.

#### **Modifications etc. (not altering text)**

- C1** S. 122(2) modified (1.2.2008) by [Licensing \(Vessels etc.\) \(Scotland\) Regulations 2007 \(S.S.I. 2007/545\)](#), regs. 1(1), 3

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**Changes to legislation:** Licensing (Scotland) Act 2005, Section 122 is up to date with all changes known to be in force on or before 03 June 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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#### Commencement Information

**II** S. 122 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 122 is up to date with all changes known to be in force on or before 03 June 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\(2\)](#)