



# Licensing (Scotland) Act 2005

## 2005 asp 16

### PART 9

#### MISCELLANEOUS AND GENERAL

##### *Vessels, vehicles and moveable structures*

#### **127 Power to prohibit sale of alcohol on trains**

- (1) A sheriff may—
  - (a) on the application of a senior police officer, and
  - (b) if satisfied that it is necessary to do so to prevent disorder, make an order under subsection (2).
- (2) That is an order prohibiting, during such period as may be specified in the order, the sale of alcohol on any railway vehicle—
  - (a) at such station or stations within the sheriff's sheriffdom as may be so specified, or
  - (b) whilst travelling between such stations as may be so specified, at least one of which is in that sheriffdom.
- (3) An order under subsection (2) has no effect in relation to any railway vehicle unless a copy of it has been given by a senior police officer to the train operator (or each train operator) responsible for the vehicle.
- (4) A person who knowingly—
  - (a) sells or attempts to sell alcohol in breach of an order under subsection (2), or
  - (b) allows the sale of alcohol in breach of such an order, commits an offence.
- (5) A person guilty of an offence under subsection (4) is liable on summary conviction to—
  - (a) a fine not exceeding £20,000,
  - (b) imprisonment for a term not exceeding 3 months, or
  - (c) both.

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*Status: This is the original version (as it was originally enacted).*

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(6) In this section—

“station” has the meaning given in section 83 of the Railways Act 1993, and  
“train operator” means a person authorised by a licence under section 8 of that  
Act to operate railway assets (within the meaning of section 6 of that Act).