



Licensing (Scotland) Act 2005

2005 asp 16

PART 3

PREMISES LICENCES

Conviction of licence holder etc. for relevant or foreign offence

41 Duty to notify court of premises licence

- (1) Subsection (2) applies where—
 - (a) a person who holds a premises licence is charged with a relevant offence, or
 - (b) a person charged with a relevant offence is granted a premises licence after the person's first appearance in court in connection with the offence but before—
 - (i) conviction and sentencing for the offence or acquittal, or
 - (ii) where an appeal is brought against conviction, sentence or acquittal, the disposal of the appeal.
- (2) The person must, not later than the person's first appearance or, as the case may be, next appearance in court in connection with the offence—
 - (a) produce to the court the premises licence, or
 - (b) if that is not practicable, notify the court of—
 - (i) the existence of the premises licence,
 - (ii) the identity of the Licensing Board which issued it, and
 - (iii) the reasons why it is not practicable to produce the licence.
- (3) A person who, without reasonable excuse, fails to comply with subsection (2) commits an offence.
- (4) A person guilty of an offence under subsection (3) is liable on summary conviction to a fine not exceeding level 2 on the standard scale.

Commencement Information

II S. 41 in force at 1.2.2008 by [S.S.I. 2007/472](#), art. 2, [Sch. 1](#)

Status:

Point in time view as at 01/02/2008.

Changes to legislation:

Licensing (Scotland) Act 2005, Section 41 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.