



# Licensing (Scotland) Act 2005

## 2005 asp 16

### PART 3

#### PREMISES LICENCES

##### *Conviction of licence holder etc. for relevant or foreign offence*

#### **43 Licence holder's duty to notify Licensing Board of convictions**

- (1) This section applies where any of the persons specified in subsection (2) is convicted of a relevant or foreign offence.
- (2) Those persons are—
  - (a) the holder of a premises licence, and
  - (b) where—
    - (i) the holder of such a licence is neither an individual nor a council, or
    - (ii) the premises in respect of which such a licence is held are used wholly or mainly for the purposes of a club,any connected person.
- (3) The holder of the premises licence must, no later than one month after the date of the conviction, give notice of the conviction to the Licensing Board which issued the premises licence held by the licence holder.
- (4) A notice of conviction under subsection (3) must—
  - (a) specify—
    - (i) the nature of the offence, and
    - (ii) the date of conviction, and
  - (b) be accompanied by—
    - (i) the premises licence held by the licence holder, or
    - (ii) if that is not practicable, a statement of the reasons for failure to produce the licence.
- (5) A premises licence holder who fails, without reasonable excuse, to comply with subsection (3) commits an offence.

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*Status: This is the original version (as it was originally enacted).*

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- (6) A person guilty of an offence under subsection (5) is liable on summary conviction to a fine not exceeding level 4 on the standard scale.