Air Weapons and Licensing (Scotland) Act 2015

2015 asp 10

PART 2

ALCOHOL LICENSING

Supply of alcohol to a child or young person

53 Offences of supplying alcohol to a child or young person

(1) After section 104 of the 2005 Act insert—

"**104A Supply of alcohol to a child**

(1) A person, other than a child or young person, who—
- (a) buys or attempts to buy alcohol—
  - (i) on behalf of a child, or
  - (ii) for a child, or
- (b) gives alcohol (or otherwise makes it available) to a child,

commits an offence.

(2) Subsection (1)(a)(ii) and (b) does not apply to the buying of alcohol for, or (as the case may be) giving or making available of alcohol to, a child—
- (a) for consumption other than in a public place, or
- (b) for the purposes of religious worship.

(3) In subsection (2)(a), "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 child 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,
- (b) imprisonment for a term not exceeding 3 months, or
- (c) both.

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

(2) In section 105 of the 2005 Act (purchase of alcohol by or for a child or young person)—
- (a) subsections (4), (5) and (7) are repealed,
- (b) the section title becomes " **Purchase of alcohol by a child or young person** ".

Commencement Information

I1 S. 53 in force at 15.5.2017 by S.S.I. 2017/119, art. 2, **sch.**

Changes to legislation:
There are currently no known outstanding effects for the Air Weapons and Licensing (Scotland) Act 2015, Cross Heading: Supply of alcohol to a child or young person.