



# Licensing (Scotland) Act 2005

## 2005 asp 16

### PART 2

#### LICENSING BODIES AND OFFICERS

##### *Licensing Standards Officers*

#### **15 Powers of entry and inspection**

- (1) A Licensing Standards Officer for a council area may, for the purpose of determining whether the activities being carried on in any licensed premises in the area are being carried on in accordance with—
  - (a) the premises licence or, as the case may be, occasional licence in respect of the premises, and
  - (b) any other requirements of this Act,exercise the powers specified in subsection (2).
- (2) The powers referred to subsection (1) are—
  - (a) power to enter the premises at any time for the purpose of exercising the power specified in paragraph (b), and
  - (b) power to carry out such inspection of the premises and of any substances, articles or documents found there as the Officer thinks necessary.
- (3) Where a Licensing Standards Officer exercises either of those powers in relation to any licensed premises, the persons specified in subsection (4) must—
  - (a) give the Officer such assistance,
  - (b) provide the Officer with such information, and
  - (c) produce to the Officer such documents,as the Officer may reasonably require.
- (4) The persons referred to in subsection (3) are—
  - (a) the holder of the premises licence or, as the case may be, occasional licence in respect of the premises,
  - (b) in the case of licensed premises in respect of which a premises licence has effect, the premises manager, and

---

*Status: This is the original version (as it was originally enacted).*

---

- (c) in any case, any person working on the premises at the time the Officer is exercising the power.
- (5) A person who—
- (a) intentionally obstructs a Licensing Standards Officer in the exercise of any power under subsection (2), or
  - (b) refuses or fails, without reasonable excuse, to comply with a requirement made under subsection (3),
- commits an offence.
- (6) A person guilty of an offence under subsection (5) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.