

*These notes relate to the Licensing (Scotland) Act 2005
(asp 16) which received Royal Assent on 21 December 2005*

LICENSING (SCOTLAND) ACT 2005

EXPLANATORY NOTES

COMMENTARY ON PARTS

Part 8 – Offences

Section 115 – Disorderly conduct

238. Subsection (1) makes it an offence for any person to behave in a disorderly manner or to annoy others with offensive language on relevant premises.
239. Subsection (2) makes it an offence for any responsible person in relation to relevant premises to allow disorderly conduct on the premises. Subsection (3) provides a “due diligence” defence for a person charged with an offence under subsection (2).
240. Subsections (4) and (5) confirm the penalties for offences committed under this section.