

*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 9 – Miscellaneous and General

Section 129 – Relevant offences and foreign offences

264. This section provides a definition of the term “foreign offence” for the purposes of this Act and provides a power for the Scottish Ministers to set out by way of regulations a list of “relevant offences” for the purposes of this Act.
265. Subsection (3) allows the persistent commission of a lower level offence - which would not by itself be sufficiently serious - to amount to a “relevant offence”. Convictions for a “relevant offence” may result in refusal by the Board to grant a licence or the review of a licence. One of the uses to which this regulation making power is intended to be put is to make additional links between the Licensing Act and the [Smoking, Health and Social Care \(Scotland\) Act 2005 \(asp 13\)](#).