



Licensing (Scotland) Act 2005

2005 asp 16

PART 6

PERSONAL LICENCES

Endorsements

85 Expiry of endorsements

- (1) In this section and section 86, “endorsement” means an endorsement made in a personal licence by virtue of an order under—
 - (a) section 83(9)(c), or
 - (b) section 84(7)(c).
- (2) An endorsement expires at the end of the period of 5 years beginning with the date on which the endorsement was made.
- (3) The holder of a personal licence containing an endorsement which has expired under subsection (2) may apply to the Licensing Board which issued the licence for removal of the endorsement.
- (4) An application under subsection (3) must be accompanied by the personal licence to which it relates.
- (5) Where a Licensing Board receives an application under subsection (3) in relation to any personal licence, the Board must amend the licence so as to remove the endorsement from it.
- (6) For the purposes of this Act, any endorsement which has expired under subsection (2) is to be disregarded (whether or not the endorsement has been removed under subsection (5)).

86 Suspension of licence after multiple endorsements

- (1) Where 3 endorsements have been made in any personal licence, the Licensing Board which issued the licence must hold a hearing.
- (2) At the hearing, the Licensing Board may—

Status: This is the original version (as it was originally enacted).

- (a) after giving—
 - (i) the holder of the licence, and
 - (ii) such other persons as the Board considers appropriate, an opportunity to be heard, and
 - (b) if they consider it necessary to do so for the purposes of any of the licensing objectives,
make an order under subsection (3).
- (3) That is an order—
- (a) suspending the licence for such period, not exceeding 6 months, as the Board considers appropriate, or
 - (b) revoking the licence.
- (4) Where the Licensing Board makes an order under subsection (3), the Board must give the licence holder notice of the order and of the reasons for making it.