



Licensing (Scotland) Act 2005

2005 asp 16

PART 6

PERSONAL LICENCES

Update of licence

88 Notification of change of name or address

- (1) A personal licence holder must, no later than one month after any change in the licence holder's name or address, give the Licensing Board which issued the licence notice of the change.
- (2) A notice under subsection (1) must be accompanied by the personal licence or, if that is not practicable, by a statement of the reasons for the failure to produce the licence.
- (3) A personal licence holder who fails, without reasonable excuse, to comply with subsection (1) commits an offence.
- (4) A person guilty of an offence under subsection (3) is liable on summary conviction to a fine not exceeding level 2 on the standard scale.

89 Licensing Board's duty to update licence

- (1) In this section, the "issuing Licensing Board" means, in relation to a personal licence, the Licensing Board which issued the licence.
- (2) Where the issuing Licensing Board grants a personal licence renewal application made in respect of any personal licence, the Board must make the necessary amendment to the expiry date specified in the licence.
- (3) Where a personal licence is suspended by virtue of any provision in this Act, the issuing Licensing Board must amend the licence so as to specify in it—
 - (a) the date, and
 - (b) period,of the suspension.

Status: This is the original version (as it was originally enacted).

- (4) Where the issuing Licensing Board receives a notice of conviction in relation to any personal licence holder, the Board must amend the personal licence held by the licence holder so as to specify in it—
- (a) the date of the conviction, and
 - (b) the nature of the offence,
- unless the Board has already done so by virtue of any previous such notice.
- (5) Where the issuing Licensing Board—
- (a) makes an order under section 83(9)(c) or 84(7)(c) in relation to any personal licence holder, or
 - (b) receives notice under section 83(10)(c) or 84(8)(c) of such an order made by another Licensing Board,
- the Board must amend the personal licence held by the licence holder so as to include in it a statement that it is endorsed together with the details of the conviction or conduct giving rise to the making of the order.
- (6) Where the issuing Licensing Board receives a notice under section 88(1) from a personal licence holder, the Board must amend the personal licence of the licence holder so that it specifies the licence holder’s new name or address.
- (7) Where the issuing Licensing Board receives evidence of training produced by a personal licence holder in accordance with section 87(1), the Board must amend the personal licence held by the licence holder so as to include in it the prescribed details of the training.
- (8) Where the issuing Licensing Board is not in possession of a personal licence and—
- (a) the licence has been revoked under any provision of this Act, or
 - (b) the Board requires the licence for the purpose of complying with any duty under this section in relation to the licence,
- the Board may require the holder of the licence to produce it to the Board within 14 days from the date on which the requirement is notified.
- (9) A personal licence holder who fails, without reasonable excuse, to comply with a requirement made under subsection (8) commits an offence.
- (10) A person guilty of an offence under subsection (9) is liable on summary conviction to a fine not exceeding level 2 on the standard scale.
- (11) In this section, “notice of conviction” means a notice under section 81(2) or 82(2).