
Changes to legislation: Licensing (Scotland) Act 2005, Paragraph 3 is up to date with all changes known to be in force on or before 25 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

SCHEDULE 1 LICENSING BOARDS

Disqualification from membership

- 3 (1) A councillor is disqualified from election as, and from being, a member of a Licensing Board if the councillor is—
- (a) a premises licence holder,
 - (b) an employee of a premises licence holder and works as such in licensed premises,
 - (c) whether alone or in partnership with another person, engaged in the business of producing or selling alcohol,
 - (d) a director or other officer of a company so engaged, or
 - (e) an employee of any person so engaged and works as such in that business.
- (2) A councillor who knowingly acts or purports to act as a member of a Licensing Board at a time when the councillor is disqualified from being such a member by virtue of sub-paragraph (1) commits an offence.
- (3) A person guilty of an offence under sub-paragraph (2) is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

Commencement Information

II Sch. 1 para. 3 in force at 1.5.2007 by S.S.I. 2007/129, art. 3, **Sch.**

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Changes and effects yet to be applied to :

- specified provision(s) Appointed Day(s) by [S.S.I. 2006/239 art. 2](#) (This S.S.I. is revoked on 25.5.2006 by S.S.I. 2006/286, art. 6)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 33(1)(1A) substituted for s. 33(1)-(3) by [2015 asp 10 s. 49\(2\)\(a\)](#)
- s. 33(8)(za) inserted by [2015 asp 10 s. 49\(2\)\(c\)](#)
- s. 33(8A) inserted by [2015 asp 10 s. 49\(2\)\(d\)](#)
- s. 33A inserted by [2015 asp 10 s. 49\(4\)](#)
- s. 134ZA-134ZC inserted by [2015 asp 10 s. 61\(2\)](#)