



Licensing (Scotland) Act 2005

2005 asp 16

PART 1

CORE PROVISIONS

1 Prohibition of unlicensed sale of alcohol

- (1) Alcohol is not to be sold on any premises except under and in accordance with—
 - (a) a premises licence, or
 - (b) an occasional licence,granted under this Act in respect of the premises.
- (2) Subsection (1) does not apply to the selling of alcohol—
 - (a) on exempt premises, or
 - (b) to trade.
- (3) A person who—
 - (a) sells alcohol, or
 - (b) ^{F1}... allows alcohol to be sold,in breach of subsection (1) commits an offence.
- (4) A person guilty of an offence under subsection (3) is liable on summary conviction to—
 - (a) a fine not exceeding £20,000,
 - (b) imprisonment for a term not exceeding 6 months, or
 - (c) both.

Textual Amendments

- F1** Word in s. 1(3)(b) repealed (13.12.2010) by [Criminal Justice and Licensing \(Scotland\) Act 2010 \(asp 13\)](#), [ss. 195\(2\)\(a\)](#), 206(1); [S.S.I. 2010/413](#), [art. 2](#), [Sch.](#)

Commencement Information

- II** S. 1 in force at 1.9.2009 at 5.00 a.m. by [S.S.I. 2007/472](#), [art. 3](#)

Changes to legislation:

Licensing (Scotland) Act 2005, Section 1 is up to date with all changes known to be in force on or before 24 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.

[View outstanding changes](#)

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\(2\)](#)