



Licensing (Scotland) Act 2005

2005 asp 16

PART 8

OFFENCES

Offences relating to children and young people

105 **[^{F1}Purchase of alcohol by a child or young person]**

- (1) A child or young person who buys or attempts to buy alcohol (whether for himself or herself or another person) commits an offence.
- (2) It is not an offence under subsection (1) for a child or young person to buy or attempt to buy alcohol if the child or young person is authorised to do so by the chief constable for the purpose of determining whether an offence is being committed under section 102.
- (3) [^{F2}The chief constable] may authorise a child or young person to buy or attempt to buy alcohol as mentioned in subsection (2) only if satisfied that all reasonable steps have been or will be taken to avoid any risk to the welfare of the child or young person.

^{F3}(4)

^{F3}(5)

- (6) A child or young person guilty of an offence under subsection (1) is liable on summary conviction to a fine not exceeding level 1 on the standard scale.

^{F4}(7)

Textual Amendments

- F1** S. 105 heading substituted (15.5.2017) by [Air Weapons and Licensing \(Scotland\) Act 2015 \(asp 10\)](#), **ss. 53(2)(b)**, 88(2); S.S.I. 2017/119, art. 2, sch.
- F2** Words in s. 105(3) substituted (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), s. 129(2), **sch. 7 para. 29(7)**; S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)
- F3** S. 105(4)(5) repealed (15.5.2017) by [Air Weapons and Licensing \(Scotland\) Act 2015 \(asp 10\)](#), **ss. 53(2)(a)**, 88(2); S.S.I. 2017/119, art. 2, sch.

Changes to legislation: Licensing (Scotland) Act 2005, Section 105 is up to date with all changes known to be in force on or before 07 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](#)

F4 S. 105(7) repealed (15.5.2017) by [Air Weapons and Licensing \(Scotland\) Act 2015 \(asp 10\)](#), **ss. 53(2)(a)**, [88\(2\)](#); [S.S.I. 2017/119](#), **art. 2**, sch.

Commencement Information

- I1** S. 105(1)-(3) (6) in force at 1.6.2006 by [S.S.I. 2006/286](#), **art. 2(a)** (with [arts. 3-5](#)) (as amended (1.5.2007) by [S.S.I. 2007/128](#), **art. 6**)
- I2** S. 105(4)(5)(7) 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 105 is up to date with all changes known to be in force on or before 07 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\(2\)](#)