



Licensing (Scotland) Act 2005

2005 asp 16

PART 2

LICENSING BODIES AND OFFICERS

Licensing Standards Officers

15 Powers of entry and inspection

- (1) A Licensing Standards Officer for a council area may, for the purpose of determining whether the activities being carried on in any licensed premises in the area are being carried on in accordance with—
 - (a) the premises licence or, as the case may be, occasional licence in respect of the premises, and
 - (b) any other requirements of this Act,exercise the powers specified in subsection (2).
- (2) The powers referred to subsection (1) are—
 - (a) power to enter the premises at any time for the purpose of exercising the power specified in paragraph (b), and
 - (b) power to carry out such inspection of the premises and of any substances, articles or documents found there as the Officer thinks necessary.
- (3) Where a Licensing Standards Officer exercises either of those powers in relation to any licensed premises, the persons specified in subsection (4) must—
 - (a) give the Officer such assistance,
 - (b) provide the Officer with such information, and
 - (c) produce to the Officer such documents,as the Officer may reasonably require.
- (4) The persons referred to in subsection (3) are—
 - (a) the holder of the premises licence or, as the case may be, occasional licence in respect of the premises,
 - (b) in the case of licensed premises in respect of which a premises licence has effect, the premises manager, and

Status: This is the original version (as it was originally enacted).

- (c) in any case, any person working on the premises at the time the Officer is exercising the power.
- (5) A person who—
 - (a) intentionally obstructs a Licensing Standards Officer in the exercise of any power under subsection (2), or
 - (b) refuses or fails, without reasonable excuse, to comply with a requirement made under subsection (3),commits an offence.
- (6) A person guilty of an offence under subsection (5) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.