



Licensing (Scotland) Act 2005

2005 asp 16

PART 3

PREMISES LICENCES

Conviction of licence holder etc. for relevant or foreign offence

41 Duty to notify court of premises licence

- (1) Subsection (2) applies where—
 - (a) a person who holds a premises licence is charged with a relevant offence, or
 - (b) a person charged with a relevant offence is granted a premises licence after the person's first appearance in court in connection with the offence but before—
 - (i) conviction and sentencing for the offence or acquittal, or
 - (ii) where an appeal is brought against conviction, sentence or acquittal, the disposal of the appeal.
- (2) The person must, not later than the person's first appearance or, as the case may be, next appearance in court in connection with the offence—
 - (a) produce to the court the premises licence, or
 - (b) if that is not practicable, notify the court of—
 - (i) the existence of the premises licence,
 - (ii) the identity of the Licensing Board which issued it, and
 - (iii) the reasons why it is not practicable to produce the licence.
- (3) A person who, without reasonable excuse, fails to comply with subsection (2) 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.