



# Licensing (Scotland) Act 2005

## 2005 asp 16

### PART 6

#### PERSONAL LICENCES

##### *Conviction of licence holder for relevant or foreign offence*

#### **82 Licence holder's duty to notify Licensing Board of convictions**

- (1) This section applies where a personal licence holder is convicted of a relevant or foreign offence.
- (2) The licence holder must, no later than one month after the date of the conviction, give notice of the conviction to—
  - (a) the Licensing Board which issued the personal licence held by the licence holder, and
  - (b) if different, the Licensing Board for the area in which are situated any licensed premises in which the licence holder is working.
- (3) A notice of conviction under subsection (2) must—
  - (a) specify—
    - (i) the nature of the offence, and
    - (ii) the date of the conviction, and
  - (b) be accompanied by—
    - (i) the personal licence held by the licence holder, or
    - (ii) if that is not practicable, a statement of the reasons for failure to produce the licence.
- (4) Where—
  - (a) a Licensing Board receives a notice under subsection (2) (“the receiving Board”), and
  - (b) that Board has reason to believe that the personal licence holder in respect of whom the notice is given is working in licensed premises situated in the area of another Licensing Board (“the other Board”),the receiving Board must give notice of the conviction to the other Board.

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**Changes to legislation:** Licensing (Scotland) Act 2005, Section 82 is up to date with all changes known to be in force on or before 11 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](#)

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- (5) A licence holder who fails, without reasonable excuse, to comply with subsection (2) commits an offence.
- (6) A person guilty of an offence under subsection (5) is liable on summary conviction to a fine not exceeding level 4 on the standard scale.

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**Modifications etc. (not altering text)**

- C1** S. 82(2) modified (1.2.2008) by [Licensing \(Relevant Offences\) \(Scotland\) Regulations 2007 \(S.S.I. 2007/513\)](#), regs. 1(1), **3**
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**Commencement Information**

- I1** S. 82 in force at 1.2.2008 by [S.S.I. 2007/472](#), art. 2, **Sch. 1**

**Changes to legislation:**

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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\(2\)](#)