

Status: Point in time view as at 07/04/2020.

Changes to legislation: Licensing (Scotland) Act 2005, Paragraph 11 is up to date with all changes known to be in force on or before 12 June 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)

SCHEDULE 1 LICENSING BOARDS

Training of members

- 11 (1) Each member of a Licensing Board must, no later than one month after the expiry of each 3 month period, produce to the clerk of the Board evidence that the member has, during the period, complied with such requirements as to the training of members of Licensing Boards as may be prescribed.
- (2) In sub-paragraph (1), “3 month period” means, in relation to a member of a Licensing Board—
- (a) the period of 3 months beginning on the day on which the member is elected, and
 - (b) if the member is re-elected, the period of 3 months beginning with the day on which the member is re-elected.
- [^{F1}(2A) Sub-paragraph (2B) applies if, for a reason relating to coronavirus, a member of a Licensing Board cannot produce to the clerk of the Board evidence of having complied with the requirements mentioned in sub-paragraph (1) within the period mentioned in sub-paragraph (1).
- (2B) The member must, no later than one month after the expiry of each 9 month period, produce to the clerk evidence that the member has, during the period, complied with the requirements mentioned in sub-paragraph (1).
- (2C) In sub-paragraph (2B), “9 month period” means, in relation to a member of a Licensing Board—
- (a) the period of 9 months beginning on the day on which the member is elected, and
 - (b) if the member is re-elected, the period of 9 months beginning with the day on which the member is re-elected.]

(3) A member of a Licensing Board must not take part in any proceedings of the Board until the member has produced the evidence required by sub-paragraph (1).

[^{F2}(3A) Where sub-paragraph (2B) applies in relation to a member of a Licensing Board—

 - (a) sub-paragraph (3) does not apply to the member,
 - (b) the member must not take part in any proceedings of the Board until the clerk of the Board has briefed the member (in person or otherwise) about—
 - (i) the role of a member of the Board,
 - (ii) decision-making by public authorities, and
 - (iii) the different licences governed by this Act.]

(4) If a member of a Licensing Board fails to comply with sub-paragraph (1), the member ceases to hold office as a member of the Board.

(5) Regulations under sub-paragraph (1) prescribing training requirements may, in particular—

 - (a) provide for accreditation by the Scottish Ministers of—
 - (i) courses of training, and
 - (ii) persons providing such courses,for the purposes of the regulations,

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- (b) prescribe different requirements in relation to different descriptions of members, and
- (c) require that any person providing training or any particular description of training in accordance with the regulations holds such qualification as may be prescribed in the regulations.

Textual Amendments

- F1** Sch. 1 para. 11(2A)-(2C) inserted (temp.) (7.4.2020) by virtue of [Coronavirus \(Scotland\) Act 2020 \(asp 7\)](#), s. 17(1), **sch. 5 para. 4(5)(b)(i)** (with ss. 11-13) (which affecting provision expires (1.10.2022) by virtue of [Coronavirus \(Scotland\) Act 2020 \(asp 7\)](#), s. **12(1)**)
- F2** Sch. 1 para. 11(3A) inserted (temp.) (7.4.2020) by virtue of [Coronavirus \(Scotland\) Act 2020 \(asp 7\)](#), s. 17(1), **sch. 5 para. 4(5)(b)(ii)** (with ss. 11-13) (which affecting provision expires (1.10.2022) by virtue of [Coronavirus \(Scotland\) Act 2020 \(asp 7\)](#), s. **12(1)**)

Modifications etc. (not altering text)

- C1** Sch. 1 para. 11(3) restricted (1.5.2007) by [Licensing \(Appointed Day and Transitional Provisions\) \(Scotland\) Order 2007 \(S.S.I. 2007/128\)](#), arts. 1, 4

Commencement Information

- I1** Sch. 1 para. 11 in force at 1.5.2007 by [S.S.I. 2007/129](#), art. 3, **Sch.**

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