



# Licensing (Scotland) Act 2005

## 2005 asp 16

### PART 1

#### CORE PROVISIONS

VALID FROM 01/09/2009

#### **1 Prohibition of unlicensed sale of alcohol**

- (1) Alcohol is not to be sold on any premises except under and in accordance with—
  - (a) a premises licence, or
  - (b) an occasional licence,granted under this Act in respect of the premises.
- (2) Subsection (1) does not apply to the selling of alcohol—
  - (a) on exempt premises, or
  - (b) to trade.
- (3) A person who—
  - (a) sells alcohol, or
  - (b) knowingly allows alcohol to be sold,in breach of subsection (1) commits an offence.
- (4) A person guilty of an offence under subsection (3) is liable on summary conviction to—
  - (a) a fine not exceeding £20,000,
  - (b) imprisonment for a term not exceeding 6 months, or
  - (c) both.

**Status:**

Point in time view as at 30/07/2009. This version of this provision is not valid for this point in time.

**Changes to legislation:**

Licensing (Scotland) Act 2005, Section 1 is up to date with all changes known to be in force on or before 11 August 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.