



Licensing (Scotland) Act 2005

2005 asp 16

PART 9

MISCELLANEOUS AND GENERAL

Miscellaneous

[^{F1}141A Defence of due diligence for certain offences

- (1) It is a defence for a person charged with an offence to which this section applies to prove that the person—
 - (a) did not know that the offence was being committed, and
 - (b) exercised all due diligence to prevent the offence being committed.
- (2) This section applies to an offence under any of the following provisions of this Act—
 - section 1(3)(b),
 - section 103(1),
 - section 106(2),
 - section 107(1),
 - section 118(1),
 - section 120(2) or (3),
 - section 121(1),
 - section 127(4),
 - section 128(5).]

Textual Amendments

- F1** Ss. 141A, 141B inserted (13.12.2010 for specified purposes, 1.11.2011 in so far as not already in force) by [Criminal Justice and Licensing \(Scotland\) Act 2010 \(asp 13\)](#), **ss. 195(3)**, 206(1); S.S.I. 2010/413, [art. 2](#), [Sch.](#); S.S.I. 2011/354, [art. 2](#), [Sch.](#)

Changes to legislation:

Licensing (Scotland) Act 2005, Section 141A is up to date with all changes known to be in force on or before 26 May 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.

[View outstanding changes](#)

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\(2\)](#)