



Licensing (Scotland) Act 2005

2005 asp 16

PART 3

PREMISES LICENCES

[^{F1}^{F1}Connected persons]

[^{F1}40A [^{F2}Connected persons: licence holder's duty to notify changes]

- (1) A premises licence holder must, not later than one month after a person becomes or ceases to be—
 - (a) a connected person in relation to the licence holder, ^{F3}...
 - ^{F4}(b)
give the appropriate Licensing Board notice of that fact.
- (2) A notice under subsection (1) that a person has become a connected person ^{F5}... must specify—
 - (a) the name and address of the person, and
 - (b) if the person is an individual, the person's date of birth.
- (3) Where a Licensing Board receives a notice under subsection (1), the Board must give a copy of the notice to the [^{F6}chief constable].
- (4) A premises licence holder who fails, without reasonable excuse, to comply with subsection (1) commits an offence.
- (5) A person guilty of an offence under subsection (4) is liable on summary conviction to a fine not exceeding level 2 on the standard scale.]

Textual Amendments

- F1** S. 40A inserted (13.12.2010 for specified purposes, 29.6.2018 in so far as not already in force) by [Criminal Justice and Licensing \(Scotland\) Act 2010 \(asp 13\)](#), ss. **184(2)**, 206(1); S.S.I. 2010/413, art. 2, sch.; S.S.I. 2018/102, art. 2(a)
- F2** S. 40A heading substituted (29.6.2018) by [Air Weapons and Licensing \(Scotland\) Act 2015 \(asp 10\)](#), ss. **59(2)(c)**, 88(2); S.S.I. 2018/102, art. 3

Changes to legislation: Licensing (Scotland) Act 2005, Section 40A is up to date with all changes known to be in force on or before 19 July 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](#)

- F3** Word in s. 40A(1) repealed (29.6.2018) by [Air Weapons and Licensing \(Scotland\) Act 2015 \(asp 10\)](#), [ss. 59\(2\)\(a\)\(i\)](#), 88(2); S.S.I. 2018/102, [art. 3](#)
- F4** S. 40A(1)(b) repealed (29.6.2018) by [Air Weapons and Licensing \(Scotland\) Act 2015 \(asp 10\)](#), [ss. 59\(2\)\(a\)\(ii\)](#), 88(2); S.S.I. 2018/102, [art. 3](#)
- F5** Words in s. 40A(2) repealed (29.6.2018) by [Air Weapons and Licensing \(Scotland\) Act 2015 \(asp 10\)](#), [ss. 59\(2\)\(b\)](#), 88(2); S.S.I. 2018/102, [art. 3](#)
- F6** Words in s. 40A(3) substituted (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), s. 129(2), sch. 7 para. 29(2), [\(3\)](#); S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)

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\(2\)](#)