



Licensing (Scotland) Act 2005

2005 asp 16

PART 6

PERSONAL LICENCES

Update of licence

89 Licensing Board's duty to update licence

- (1) In this section, the “issuing Licensing Board” means, in relation to a personal licence, the Licensing Board which issued the licence.
- (2) Where the issuing Licensing Board grants a personal licence renewal application made in respect of any personal licence, the Board must make the necessary amendment to the expiry date specified in the licence.
- (3) Where a personal licence is suspended by virtue of any provision in this Act, the issuing Licensing Board must amend the licence so as to specify in it—
 - (a) the date, and
 - (b) period,of the suspension.
- (4) Where the issuing Licensing Board receives a notice of conviction in relation to any personal licence holder, the Board must amend the personal licence held by the licence holder so as to specify in it—
 - (a) the date of the conviction, and
 - (b) the nature of the offence,unless the Board has already done so by virtue of any previous such notice.
- (5) Where the issuing Licensing Board—
 - (a) makes an order under section 83(9)(c) or 84(7)(c) in relation to any personal licence holder, or
 - (b) receives notice under section 83(10)(c) or 84(8)(c) of such an order made by another Licensing Board,

Changes to legislation: Licensing (Scotland) Act 2005, Section 89 is up to date with all changes known to be in force on or before 21 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. (See end of Document for details) View outstanding changes

the Board must amend the personal licence held by the licence holder so as to include in it a statement that it is endorsed together with the details of the conviction or conduct giving rise to the making of the order.

- (6) Where the issuing Licensing Board receives a notice under section 88(1) from a personal licence holder, the Board must amend the personal licence of the licence holder so that it specifies the licence holder's new name or address.
- (7) Where the issuing Licensing Board receives evidence of training produced by a personal licence holder in accordance with section 87(1), the Board must amend the personal licence held by the licence holder so as to include in it the prescribed details of the training.
- (8) Where the issuing Licensing Board is not in possession of a personal licence and—
 - (a) the licence has been revoked under any provision of this Act, or
 - (b) the Board requires the licence for the purpose of complying with any duty under this section in relation to the licence,the Board may require the holder of the licence to produce it to the Board within 14 days from the date on which the requirement is notified.
- (9) A personal licence holder who fails, without reasonable excuse, to comply with a requirement made under subsection (8) commits an offence.
- (10) A person guilty of an offence under subsection (9) is liable on summary conviction to a fine not exceeding level 2 on the standard scale.
- (11) In this section, “notice of conviction” means a notice under section 81(2) or 82(2).

Commencement Information

II S. 89 in force at 1.2.2008 by [S.S.I. 2007/472](#), art. 2, [Sch. 1](#)

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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\(2\)](#)