



Licensing Act 1964

1964 CHAPTER 26

PART I

THE GENERAL LICENSING SYSTEM

Miscellaneous

36 Proof of justices' licence and provisions as to forgery thereof

- (1) Any document purporting to be a justices' licence and—
 - (a) to be signed by the majority of the justices present when the licence was granted, or
 - (b) to be sealed or stamped with an official seal or stamp affixed or impressed under the authority of the licensing justices and to contain a certificate signed by the clerk to the licensing justices verifying that authority,shall be received in evidence.
- (2) Any document purporting to be a copy of a justices' licence certified under the hand of the clerk to the licensing justices by whom the licence was granted to be a true copy shall be received in evidence—
 - (a) by licensing justices on an application for the renewal, transfer or removal of the licence, and
 - (b) by justices of the peace on an application for a protection order,if the justices are satisfied by evidence that the original has been lost or unlawfully withheld.
- (3) If any person forges a justices' licence or tenders a justices' licence knowing it to have been forged, he shall be liable to imprisonment for a term not exceeding six months or a fine not exceeding twenty pounds.
- (4) Any excise licence granted in pursuance of a forged justices' licence shall be void.

Status: This is the original version (as it was originally enacted).

37 Power to extend existing on-licence to additional types of liquor

- (1) Subject to sections 112(4) and 123(3) of this Act, on an application by the holder of a justices' on-licence, or on the renewal or transfer of a justices' on-licence and at the request of the person applying for the renewal or transfer, the licensing justices, if satisfied that the application or request is made with the consent of the registered owner, shall vary the licence so as to add to the descriptions of intoxicating liquor authorised to be sold on the licensed premises.
- (2) On the variation of a licence under this section the licensing justices shall have the like power to attach conditions as they would have if they were granting the licence (with the variation) as a new justices' on-licence, and any conditions attached may be in addition to or in substitution for any conditions previously attached to the licence.

38 Rules

The Secretary of State may make rules for carrying into effect the provisions of this Act about the renewal, transfer or removal of old on-licences and the payment of compensation for not renewing, transferring or removing such licences and about the attachment of conditions to new justices' on-licences, and may by those rules among other things—

- (a) provide for the provisional renewal, transfer or removal of old on-licences which are referred by the licensing justices to the compensation authority under section 13 of this Act, and for consultation between the compensation authority and the licensing justices on the reports of the justices thereon, and for the time and manner of the consideration of those reports and for the time and manner of the payment of compensation, and
- (b) provide for the manner in which the compensation authority may borrow on the security of the compensation fund, and
- (c) provide for the enforcement of any security given for money borrowed by the compensation authority, and for the time, not exceeding fifteen years, within which money borrowed is to be repaid, and
- (d) regulate the management and application of the compensation fund and the audit of the accounts of the compensation authority, and
- (e) provide for the constitution, where requisite, of committees of quarter sessions as standing committees, and for the employment of officers for the purposes of the provisions of this Act authorising the reference to the compensation authority of the question of the renewal, transfer or removal of old on-licences and the payment of compensation on refusal to renew, transfer or remove such licences, and authorising the attachment of conditions to new justices' licences, and
- (f) regulate the procedure of the compensation authority on the consideration of the reports of licensing justices under the said section 13 and on any hearing under this Act for the purpose of determining whether to renew, transfer or remove an old on-licence or the amount or division of the compensation payable on refusal to renew, transfer or remove, and
- (g) provide for the authentication of any documents on behalf of compensation authorities.