
Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Licensing Act 1964 (repealed), Cross Heading: Objections, etc.. (See end of Document for details)

SCHEDULES

SCHEDULE 6

PROCEDURE ON APPLICATIONS AND COMPLAINTS RELATING TO REGISTRATION CERTIFICATES

PART I

ISSUE, RENEWAL AND SURRENDER OF REGISTRATION CERTIFICATES

Objections, etc.

- 6 (1) Subject to sub-paragraph (2) of this paragraph, an objection to an application for the issue or renewal of a registration certificate shall be made by lodging with the clerk to the justices two copies in writing of the objection not later than twenty-eight days after the making of the application or, if the application is amended, after the making of the amended application.
- (2) If a magistrates' court extends the time allowed under section 45 of this Act to the chief officer of police, fire authority or local authority for inspecting premises to which the application relates, that court shall also extend the time in which the chief officer or authority may make objections to the application.
- 7 On receipt of an objection to an application for the issue or renewal of a registration certificate the clerk to the justices shall forthwith send a copy to the person signing the application at any address furnished by him for communications relating to the application or, in default of such an address, at the address given in the application as that of the club.
- 8 Paragraphs 6 and 7 of this Schedule shall apply in relation to any notice of intention, on an application for the issue, renewal or variation of a registration certificate, to make representations as to conditions relating to the sale of intoxicating liquor as they apply to objections to an application for the issue or renewal of a registration certificate (with the substitution of references to giving the notice for references to making the objection).
- 9 Where any such objection is made or any such notice is given, the magistrates' court may make such order as it thinks just and reasonable for the payment of costs to the club by the person making the objection or giving the notice or by the club to that person; and for purposes of enforcement the order shall be treated as an order for the payment of a sum enforceable as a civil debt.
- 10 Where a club applies for a renewal of a registration certificate and the magistrates' court under paragraph 6(2) of this Schedule extends the time for any person to make objection to the application, the court may order that the certificate to be renewed

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shall not continue in force by virtue of section 40(5) of this Act beyond a date specified in the order.

- 11 (1) Subject to sub-paragraph (2) of this paragraph, an objection to an application for the issue or renewal of a registration certificate shall specify the ground of objection with such particulars as are sufficient to indicate the matters relied on to make it out.
- (2) Where objection is made to an application for the issue or renewal of a registration certificate on the ground that the application does not give the information required by this Act, or the information is incomplete or inaccurate, or the application is otherwise not in conformity with this Act, it shall be sufficient for the objection to state the ground as a matter of suspicion, and to indicate the reasons for the suspicion.
- 12 Where, on an objection to an application for the issue or renewal of a registration certificate, there appears to the court to be good reason to suspect that the application does not give the information required by this Act, or that the information is incomplete or inaccurate, or the application is otherwise not in conformity with this Act, it shall be for the applicant to satisfy the court that the ground of objection cannot be made out, unless the applicant desires and is permitted to amend the application so as to remove the ground of objection.

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