

SCHEDULES

SCHEDULE 1

Section 12.

PROVISIONS WITH RESPECT TO LICENCES

Grant, renewal and transfer of licences

- 1
- (1) The licensing authority may grant to any applicant and from time to time renew a licence under this Act for the use of any premises specified therein for the public performance of plays on such terms and conditions and subject to such restrictions as, subject to section 1(2) of this Act, may be so specified.
 - (2) Subject to sub-paragraph (3) below, paragraph 4 of this Schedule and section 14(3) of this Act, a licence granted under this Act shall, unless previously cancelled under paragraph 5 of this Schedule or revoked under section 13(5) of this Act, remain in force for one year or for such shorter period specified in the licence as the licensing authority may think fit.
 - (3) The licensing authority may grant a licence under this Act in respect of such one or more particular occasions only as may be specified in the licence.
 - (4) Where a licence has been granted under this Act to any person, then, subject to section 1(2) of this Act, the licensing authority may, if they think fit, transfer that licence to any other person on the application of that person or the holder of the licence.

Notice in respect of applications for grant, renewal or transfer of licences

- 2
- (1) An applicant for the grant or transfer of a licence under this Act in respect of any premises shall give to the licensing authority and to the chief officer of police in whose area the premises are situated not less than twenty-one days' notice of his intention to make the application and furnish such particulars and give such other notices as the licensing authority may by regulations prescribe.
 - (2) An applicant for the renewal of a licence under this Act in respect of any premises shall give to the licensing authority not less than twenty-eight days' notice of his intention to make the application.
 - (3) In relation to such a licence under this Act as is authorised by paragraph 1(3) of this Schedule—
 - (a) sub-paragraphs (1) and (2) above shall have effect as if for the reference to twenty-one or, as the case may be, twenty-eight days' notice there were substituted a reference to fourteen days' notice ; and
 - (b) sub-paragraph (1) above shall have effect as if the requirement as to notice to the chief officer of police were omitted.

Status: This is the original version (as it was originally enacted).

Fees

- 3
- (1) The person making an application for the grant, renewal or transfer of a licence under this Act shall on doing so pay to the licensing authority such fee as may be prescribed by the Secretary of State by order made by statutory instrument, except that no fee shall be payable under this paragraph on an application for the grant or transfer of a licence under this Act in respect of one or more particular occasions if the licensing authority are satisfied as regards that occasion or each of those occasions that the play or plays to be performed are of an educational or other like character or are to be performed for a charitable or other like purpose.
 - (2) An order under this paragraph may make different provision for different circumstances, and may be revoked or varied by a subsequent order thereunder.
 - (3) A statutory instrument containing an order under this paragraph shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Transmission of licence on death of holder

- 4
- In the event of the death of the holder of a licence under this Act in respect of any premises, that licence shall be deemed to have been granted to his personal representatives in respect of those premises and shall, unless previously transferred to some other person or cancelled or revoked, remain in force until the end of the period of three months beginning with the death and shall then expire, so however that the licensing authority may from time to time, on the application of those representatives, extend or further extend the said period of three months if the authority are satisfied that the extension is necessary for the purpose of winding up the deceased's estate and that no other circumstances make it undesirable.

Cancellation of licences

- 5
- The licensing authority upon receiving from the holder of a licence under this Act which is for the time being in force a written request in that behalf accompanied by the licence may cancel the licence.

Provisional grant of licences

- 6
- (1) Where an application is made to the licensing authority for the grant of a licence under this Act in respect of premises which are to be, or are in the course of being, constructed, extended or altered and the authority are satisfied that the premises would, if completed in accordance with plans deposited in accordance with the requirements of the authority, be such that the authority would grant the licence, the authority may grant the licence subject to a condition that it shall be of no effect until confirmed by the authority.
 - (2) The licensing authority shall confirm any licence granted by virtue of the foregoing sub-paragraph if and when they are satisfied that the premises have been completed in accordance with the plans aforesaid, or in accordance with those plans as modified with the approval of the authority, and that the licence is held by a fit and proper person.

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

Variation of terms of licence

- 7 The holder of a licence under this Act in respect of any premises may at any time apply to the licensing authority for such variations of the terms, conditions or restrictions on or subject to which the licence is held as may be specified in the application ; and, subject to section 14 of this Act, on any such application the licensing authority may (subject to section 1(2) of this Act) make such variations (whether specified in the application or not) in any of those terms, conditions or restrictions as they think appropriate, or may refuse the application.

SCHEDULE 2

Section 19.

CONSEQUENTIAL AMENDMENTS

<i>Enactment</i>	<i>Amendment</i>
The Burgh Police (Scotland) Act 1892 (55 & 56 Vict. c. 55).	<p>In section 395, the words " stage plays or other " shall be omitted; after the word " representations " there shall be inserted the words " (other than plays within the meaning of the Theatres Act 1968); after the word " exhibitions " there shall be inserted the words " (other than such plays as aforesaid) " ; and the words from " without prejudice " to the end shall be omitted.</p> <p>In section 398, after the word " performances " there shall be inserted the words " (other than a performance of a play within the meaning of the Theatres Act 1968) " ; and for the words " duly licensed " there shall be substituted the words " licensed under this Act " .</p> <p>In section 399, for the words " due licensing " there shall be substituted the words " licensing under this Act " .</p> <p>In section 400, after the words " the holder of the licence " there shall be inserted the words " granted under this Act in respect thereof " ; for the words " licence thereof " there shall be substituted the words " said licence " ; and for the words " to be unlicensed " there shall be substituted the words " not to be licensed under this Act " .</p> <p>In section 401, in paragraph (1), after the word " entertainment " there shall be inserted the words " (including any premises in respect of which a licence under the Theatres Act 1968 is for the time being in force) " .</p>

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

<i>Enactment</i>	<i>Amendment</i>
<p>The Burgh Police (Scotland) Act 1903 (3 Edw. 7. c. 33).</p> <p>The Theatrical Employers Registration Act 1925 (15 & 16 Geo. 5. c. 51).</p> <p>The Local Government (Scotland) Act 1947 (10 & 11 Geo. 6. c. 43).</p> <p>The Customs and Excise Act 1952 (15 & 16 Geo. 6. & 1 Eliz. 2. c. 44).</p> <p>The Hypnotism Act 1952 (15 & 16 Geo. 6. & 1 Eliz. 2. c. 46).</p>	<p>In section 402, the words " stage plays or " shall be omitted; after the word " entertainments " there shall be inserted the words " (other than plays within the meaning of the Theatres Act 1968) "; and for the words "licensed theatre or circus " there shall be substituted the words " theatre or circus licensed under this Act ".</p> <p>In section 80, for the words " due licensing " there shall be substituted the words " licensing under the principal Act ".</p> <p>In section 11, for the words " section seven of the Theatres Act 1843" there shall be substituted the words " the Theatres Act 1968 ".</p> <p>In section 313, subsection (1) shall be omitted.</p> <p>In section 313(2), the words from the beginning to " county, and " shall be omitted.</p> <p>In section 313(3), the words "county council or " shall be omitted.</p> <p>In section 313(4) the words from " and such regulations " to " Theatres Act 1843 " shall be omitted.</p> <p>In section 313, subsection (5) shall be omitted. '</p> <p>In section 162(4) (as amended by the Finance Act 1967) in its application to England and Wales, for the words " in any theatre " there shall be substituted the words " on any premises ", and the words " at that theatre " shall be omitted.</p> <p>In section 2, after subsection (1) the following shall be inserted as subsection (1A):—</p> <p>“(1A) The foregoing subsection shall not apply to an exhibition, demonstration or performance of hypnotism that takes place in the course of a performance of a play (within the meaning of the Theatres Act 1968) given either at premises in respect of which a licence under that Act is in force or under the authority of any such letters patent as are mentioned in section 17(1) of that Act.”</p>

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<i>Enactment</i>	<i>Amendment</i>
<p>The Licensing Act 1964 (1964 c. 26).</p>	<p>In section 199, as amended by the Finance Act 1967, the following shall be substituted for paragraph (c)—</p> <p style="padding-left: 40px;">“(c) make unlawful the sale or exposure for sale by retail without a justices' licence of any intoxicating liquor at any premises in respect of which a licence under the Theatres Act 1968 is for the time being in force, or which by virtue of any letters patent of the Crown may lawfully be used for the public performance of plays without a licence under that Act being held in respect thereof, if the proprietor of those premises has given to the clerk to the licensing justices notice in writing of the intention to sell such liquor by retail at those premises and that notice has not been withdrawn;”.</p>
<p>The Private Places of Entertainment (Licensing) Act 1967 (1967 c. 19).</p>	<p>In section 200(1), as amended by the Finance Act 1967, for the word " theatre " there shall be substituted the word " premises ".</p> <p>In section 2(3), for the words " stage play within the meaning of the Theatres Act 1843 " there shall be substituted the words " play within the meaning of the Theatres Act 1968 ".</p>

SCHEDULE 3

Section 19.

REPEALS

Chapter	Short Title	Extent of Repeal
2 & 3 Vict. c. 47.	The Metropolitan Police Act 1839.	Section 46.
2 & 3 Vict. c. xciv.	The City of London Police Act 1839.	Section 30.
6 & 7 Vict. c. 68.	The Theatres Act 1843.	The whole Act.

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Chapter	Short Title	Extent of Repeal
51 & 52 Vict. c. 41.	The Local Government Act 1888.	Section 7(a), In section 28(2), the words from "the licensing" to "plays. and ".
55 & 56 Vict. c. 55.	The Burgh Police (Scotland) Act 1892.	In section 395, the words " stage plays or other" and the words from " without prejudice " to the end. In section 402, the words " stage plays or ".
57 & 58 Vict. c. lx.	The Cambridge University and Corporation Act 1894.	Section 8.
9 Edw. 7. c. 30.	The Cinematograph Act 1909.	Section 7(1).
15 & 16 Geo. 5 c. 86.	The Criminal Justice Act 1925.	Section 43.
10 & 11 Geo. 6 c. 43.	The Local Government (Scotland) Act 1947.	In section 313, subsection (1); in subsection (2), the words from the beginning to "county, and"; in subsection (3), the words "county council or"; in subsection (4), the words from " and such regulations" to "Theatres Act 1843 "; and subsection (5).
12, 13 & 14 Geo. 6. c. 101.	The Justices of the Peace Act 1949.	Section 41(5)(b). In Schedule 7, in Part III, the entry relating to the Theatres Act 1843.
1963 c. 33.	The London Government Act 1963.	Section 52(1). In Schedule 12, paragraphs 13 to 16; in paragraph 1(6) the words from " or the licence " onwards; in paragraph 17 the words "the , Theatres Act 1843 "; in ' paragraph 18 the words "the Theatres Act 1843 or"; and paragraph 19(1) (a)(ii).
1966 c. 42.	The Local Government Act 1966.	In Schedule 3, in column 1 of Part II, paragraph 6

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Chapter	Short Title	Extent of Repeal
1966 c. 51.	The Local Government (Scotland) Act 1966.	In Schedule 4, in column 1 of Part II, paragraph 5
1966 c. xxviii.	The Greater London Council (General Powers) Act 1966.	Section 19.
1967 c. 54.	The Finance Act 1967.	In Schedule 7, paragraph 19.