Licensing Act 2003

CHAPTER 17

LICENSING ACT 2003

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**Changes to legislation:** Licensing Act 2003 is up to date with all changes known to be in force on or before 30 October 2019. 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

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Sunday Observance Act 1780 (c. 49)

3 The Sunday Observance Act 1780 ceases to have effect.

Town Police Clauses Act 1847 (c. 89)

4 Section 35 of the Town Police Clauses Act 1847 (harbouring...
Cambridge Award Act 1856 (c. xvii)

5 The following provisions of the Cambridge Award Act 1856 cease...

Inebriates Act 1898 (c. 60)

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Licensing Act 1902 (c. 28)

7 The Licensing Act 1902 is amended as follows.
8 (1) Section 6 (prohibition of sale of alcohol to person...
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Celluloid and Cinematograph Film Act 1922 (c. 35)

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Sunday Entertainments Act 1932 (c. 51)

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Children and Young Persons Act 1933 (c. 12)

12 The Children and Young Persons Act 1933 is amended as...
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Public Health Act 1936 (c. 49)

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Hypnotism Act 1952 (c. 46)

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Obscene Publications Act 1959 (c. 66)

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Betting, Gaming and Lotteries Act 1963 (c. 2)

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31 In Schedule 4 (rules for licensed betting offices), in paragraph...

Children and Young Persons Act 1963 (c. 37)

32 For section 37(2)(b) of the Children and Young Persons Act...

Offices, Shops and Railway Premises Act 1963 (c. 41)

33 In section 90 of the Offices, Shops and Railway Premises...

Greater London Council (General Powers) Act 1966 (c. xxviii)

34 The Greater London Council (General Powers) Act 1966 is amended...
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Criminal Appeal Act 1968 (c. 19)

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Theatres Act 1968 (c. 54)

43 The Theatres Act 1968 is amended as follows.
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46 Section 17 (existing letters patent) ceases to have effect.
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Gaming Act 1968 (c. 65)

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50 For section 7(2) (offence to allow child to take part...
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City of London (Various Powers) Act 1968 (c. xxxvii)

53 For section 5(3) of the City of London (Various Powers)...

Finance Act 1970 (c. 24)

54 In section 6(2)(b) of the Finance Act 1970 (Angostura bitters)—...

Sunday Theatre Act 1972 (c. 26)

55 The Sunday Theatre Act 1972 ceases to have effect.

Local Government Act 1972 (c. 70)

56 The Local Government Act 1972 is amended as follows.
57 In section 78(1)(supplementary provision relating to changes in local government...
58 In section 101 (arrangements for discharge of functions by local...
59 In section 145(4) (provision of entertainment), for “intoxicating liquor” substitute...
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Lotteries and Amusements Act 1976 (c. 32)

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64 In paragraph 8 (appeals)— (a) in sub-paragraphs (2) and (3),...
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66 In paragraph 18 (fees), for “proper officer” substitute “clerk”.

Rent Act 1977 (c. 42)

67 In section 11 of the Rent Act 1977 (tenancy of...

Greater London Council (General Powers) Act 1978 (c. xiii)

68 The Greater London Council (General Powers) Act 1978 is amended...
69 Section 3 (human posing to be treated as entertainment) ceases...
70 In section 5(4)(a) (definition of “booking office”)—

Alcoholic Liquor Duties Act 1979 (c. 4)

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73 In section 71 (exception to penalty for misdescribing alcohol as...

Licensed Premises (Exclusion of Certain Persons) Act 1980 (c. 32)

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Magistrates’ Courts Act 1980 (c. 43)

75 In Part 3 of Schedule 6 to the Magistrates’ Courts...
Local Government, Planning and Land Act 1980 (c. 65)
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78 In section 133 (miscellaneous provision about new towns), in...
79 In section 146 (disposal of land by urban development corporation)—...

Indecent Displays (Control) Act 1981 (c. 42)
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New Towns Act 1981 (c. 64)
81 In section 18 of the New Towns Act 1981 (disposal...
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102 The Housing Act 1985 is amended as follows.
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104 In Schedule 1 (tenancies which are not secure tenancies), in...

Sex Discrimination Act 1986 (c. 59)
105 Section 5 of the Sex Discrimination Act 1986 (discrimination required...

Fire Safety and Safety of Places of Sport Act 1987 (c. 27)
106 After section 33(2) of the Fire Safety and Safety of...

Norfolk and Suffolk Broads Act 1988 (c. 4)
107 In paragraph 40(1) of Schedule 3 to the Norfolk and...

Housing Act 1988 (c. 50)
108 In Schedule 1 to the Housing Act 1988 (tenancies which...

Town and Country Planning Act 1990 (c. 8)
109 Section 334 of the Town and Country Planning Act 1990...

Sunday Trading Act 1994 (c. 20)
110 (1) Schedule 1 to the Sunday Trading Act 1994 (restrictions...

Criminal Justice and Public Order Act 1994 (c. 33)
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Deregulation and Contracting Out Act 1994 (c. 40)
112 Section 21 of the Deregulation and Contracting Out Act 1994...

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113 In section 14 of the London Local Authorities Act 1995...

Employment Rights Act 1996 (c. 18)
114 In section 232(7) of the Employment Rights Act 1996 (definition...
London Local Authorities Act 2000 (c. vii)

117 In section 32 of the London Local Authorities Act 2000...

Private Security Industry Act 2001 (c. 12)

118 (1) Paragraph 8 of Schedule 2 to the Private Security...

Criminal Justice and Police Act 2001 (c. 16)

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2 (1) This paragraph applies where, in respect of any premises,...

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3 (1) Where a person makes an application under paragraph 2,...

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4 (1) This paragraph applies where an application is made in...

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5 (1) Where an application is granted (in whole or in...

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10 (1) A person commits an offence if he knowingly or...

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11 (1) This paragraph applies where— (a) within such period (of...

Provisional licences

12 (1) Where— (a) during such period as may be specified...

Part 2 — CLUB PREMISES CERTIFICATES

Introductory

13 (1) In this Part— “existing club certificate” means a certificate...

Application for conversion of existing club certificate

14 (1) This paragraph applies where, in respect of any premises,...

Police consultation

15 (1) Where a person makes an application under paragraph 14,...

Determination of application

16 (1) This paragraph applies where an application is made in...

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17 (1) Where an application is granted under paragraph 16, the...

The new certificate

18 (1) The new certificate is to be treated as if...

Variation of new certificate

19 (1) A person who makes an application under paragraph 14...

Existing club certificate revoked after grant of new certificate

20 Where the relevant licensing authority grants a new certificate under...

Appeals

21 (1) Where an application under paragraph 14 is rejected by...

False statements

22 (1) A person commits an offence if he knowingly or...

Part 3 — PERSONAL LICENCES
Introductory

23 (1) Paragraphs 24 to 27 apply where—

Section 120 disapplied

24 Section 120 (determination of application for grant) does not apply...

Police objections

25 (1) Sub-paragraph (2) applies where— (a) the applicant has been...

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26 (1) The relevant licensing authority must grant the application if—...

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27 (1) Where a licensing authority rejects an application under paragraph...

Interpretation of Part 3

28 For the purposes of this Part— “relevant date”, in relation...

Part 4 — MISCELLANEOUS AND GENERAL

Consultation on licensing policy

29 Until such time as section 59 of the 1964 Act...

Meaning of “methylated spirits” (transitory provision)

30 Until such time as an order is made under subsection...

Savings

31 Notwithstanding the repeal by this Act of Schedule 12 to...

32 (1) In Schedule 3 to the Local Government (Miscellaneous Provisions)... 

33 Notwithstanding that by virtue of this Act the Cinemas Act...

Interpretation

34 In this Schedule— “justices' licence” means a justices' licence under...
Changes to legislation:
Licensing Act 2003 is up to date with all changes known to be in force on or before 30 October 2019. 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.

View outstanding changes

<table>
<thead>
<tr>
<th>Changes and effects yet to be applied to:</th>
</tr>
</thead>
<tbody>
<tr>
<td>– s. 172A-172E and cross-heading inserted by 2010 c. 17 s. 55(2) (This amendment not applied to legislation.gov.uk. S. 55 repealed (31.10.2012) without ever being in force by 2011 c. 13, s. 119(4); S.I. 2012/2670, art. 2(a))</td>
</tr>
<tr>
<td>– s. 7(2)(aa) inserted by 2010 c. 17 s. 55(3) (This amendment not applied to legislation.gov.uk. S. 55 repealed (31.10.2012) without ever being in force by 2011 c. 13, s. 119(4); S.I. 2012/2670, art. 2(a))</td>
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<tr>
<td>– s. 7(9) applied by 2017 anaw 2 Sch. 3 para. 21(2)(a)</td>
</tr>
<tr>
<td>– s. 10 applied by 2017 anaw 2 Sch. 3 para. 21(2)(b)</td>
</tr>
<tr>
<td>– s. 10(4)(c) word omitted by 2011 c. 13 s. 121(3)(a)</td>
</tr>
<tr>
<td>– s. 16(3) words omitted by 2012 c. 7 Sch. 14 para. 88</td>
</tr>
<tr>
<td>– s. 120(8)(c) words omitted by S.I. 2019/742 reg. 125</td>
</tr>
<tr>
<td>– s. 131(5)(a) words substituted by 2018 c. 33 Sch. para. 24</td>
</tr>
<tr>
<td>– s. 136(5) words inserted by 2015 c. 20 s. 67(3)</td>
</tr>
<tr>
<td>– s. 140(2) word omitted by 2015 c. 20 s. 67(4)(a)</td>
</tr>
<tr>
<td>– s. 141(2) word omitted by 2015 c. 20 s. 67(5)(a)</td>
</tr>
<tr>
<td>– s. 141(3) words inserted by 2015 c. 20 s. 67(5)(c)</td>
</tr>
<tr>
<td>– s. 143(2) word omitted by 2015 c. 20 s. 67(6)(a)</td>
</tr>
<tr>
<td>– s. 144(2) word omitted by 2015 c. 20 s. 67(7)(a)</td>
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<tr>
<td>– s. 147A(1)(b) words substituted by 2015 c. 20 s. 67(8)(a)</td>
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<tr>
<td>– s. 153(4) word omitted by 2015 c. 20 s. 67(9)(a)</td>
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<tr>
<td>– s. 159 words inserted by 2015 c. 20 s. 67(10)</td>
</tr>
<tr>
<td>– s. 161(7) words substituted by S.I. 2015/664 Sch. 4 para. 33(7) (This amendment superseded by the repeal of s. 161)</td>
</tr>
<tr>
<td>– s. 165(8) words substituted by S.I. 2015/664 Sch. 4 para. 33(8) (This amendment superseded by the repeal of s. 165)</td>
</tr>
<tr>
<td>– s. 194 words inserted by 2015 c. 20 s. 67(11)</td>
</tr>
<tr>
<td>– s. 195 applied (with modifications) by 2018 anaw 5 s. 23</td>
</tr>
<tr>
<td>– s. 197(4) words inserted by 2015 c. 20 s. 67(12)(b)(i)</td>
</tr>
<tr>
<td>– s. 197(4) words inserted by 2015 c. 20 s. 67(12)(b)(ii)</td>
</tr>
</tbody>
</table>

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):
– Pt. 5A inserted by 2015 c. 20 s. 67(2)Sch. 17
– s. 2(1A) inserted by 2015 c. 20 s. 67(1)
– s. 10(4)(e) and word inserted by 2011 c. 13 s. 121(3)(b)
– s. 140(2)(e) inserted by 2015 c. 20 s. 67(4)(b)
– s. 141(2)(e) inserted by 2015 c. 20 s. 67(5)(b)
– s. 143(2)(e) inserted by 2015 c. 20 s. 67(6)(b)
– s. 144(2)(e) inserted by 2015 c. 20 s. 67(7)(b)
– s. 147A(4)(c) inserted by 2015 c. 20 s. 67(8)(b)
– s. 153(4)(d) inserted by 2015 c. 20 s. 67(9)(b)
– s. 197(3)(cza) inserted by 2015 c. 20 s. 67(12)(a)
– s. 197A197B inserted by 2011 c. 13 s. 121(2)
– Sch. 4 para. 2A inserted by 2018 anaw 5 s. 2(6)