

*These notes refer to the Licensing Act 2003 (c.17)  
which received Royal Assent on 10 July 2003*

# **LICENSING ACT 2003**

---

## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### **PART 7: Offences**

##### ***Section 139 - Defence of due diligence***

223. This section provides that a person who is charged with the offence of carrying on an unauthorised licensable activity, exposing alcohol for unauthorised sale or keeping alcohol in premises for unauthorised sale or supply has a defence if his act or omission was mistaken, was due to his relying on information given to him, was the fault of another person or was due to some cause beyond his control, and he took all reasonable precautions and exercised all due diligence to avoid committing the offence.