



Licensing Act 1872

CHAPTER 94

LICENSING ACT 1872

Preliminary

- 1 Short title.
- 2 Extent of Act.

Illicit Sales

- 3 Prohibition of sale of intoxicating liquors without license.
- 4 Occupier of unlicensed premises liable for sale of liquor.
- 5 Seller liable for drinking on premises contrary to license.
- 6 Evasion of law as to drinking on premises contrary to license.
- 7 Sale of spirits to children.
- 8 Sale to be by standard measure.
- 9 Penalty on internal communication between licensed premises and house of public resort.
- 10 Penalty on illicit storing of liquor.
- 11 Names of licensed persons to be affixed to premises.

Offences against Public Order

- 12 Penalty on persons found drunk.
- 13 Penalty for permitting drunkenness.
- 14 Penalty for keeping disorderly house.
- 15 Penalty for permitting premises to be a brothel.
- 16 Penalty for harbouring constable.
- 17 Penalty for permitting gaming.
- 18 Power to exclude drunkards from licensed premises.

Status: This is the original version (as it was originally enacted).

Adulteration

- 19 Penalty on adulteration of intoxicating liquor.
- 20 Possession of adulterated liquor or deleterious ingredients.
- 21 Schedule of deleterious ingredients.
- 22 Analysis of intoxicating liquor.

Closing Licensed Premises in case of Riot

- 23 Power of justices to close licensed premises in case of riot.

Closing of Premises

- 24 Times of closing.
- 25 Penalty on person found on premises during closing hours.
- 26 Exemption from closing by order of local authority in respect of certain trades.
- 27 Intoxicating liquors not to be drunk at refreshment house during the hours when the house would be closed if it were an inn.
- 28 Amendment of law as to refreshment houses.
- 29 Local authority may grant occasional licenses exempting from provisions relating to closing during certain hours.

Repeated Convictions

- 30 Forfeiture of license on repeated convictions.
- 31 Disqualification of premises.
- 32 Conviction after five years not to increase penalty.
- 33 Omission to record conviction on license.
- 34 Penalty for defacing record of conviction on license.

Entry on Premises

- 35 Entry on premises by constables.

Registers

- 36 Register of licenses to be kept in licensing district.

Amendment of Law as to Grant of Licenses

- 37 Licensing committee of justices in counties.
- 38 Licensing committee of justices in boroughs.
- 39 Stipendiary magistrates may act as licensing justices.
- 40 Regulations as to new licenses and transfer of licenses.
- 41 Amendment of 5 & 6 Vict. c.44, with respect to licenses wilfully withheld.
- 42 Provisions as to renewal of licenses.
- 43 Confirmation of licenses.
- 44 Disqualifications for licenses.
- 45 Qualification of premises for licenses.
- 46 Annual value necessary for obtaining grant of license.
- 47 Mode of ascertaining annual value.
- 48 Regulations as to form of licenses.
- 49 Provisions as to six-day licenses.
- 50 Licenses may be removed from one part of a district to another, &c.

Legal Proceedings

- 51 Summary proceedings for offences under this Act, &c.
- 52 Appeal to quarter sessions.
- 53 Continuance of license during pendency of appeal against justices refusal to renew.
- 54 Conviction, &c. not to be quashed for want of form, or removed by certiorari.
- 55 As to record of convictions of licensed persons for offences under Act.
- 56 For protection of owners of licensed premises in cases of offences committed by tenants.
- 57 As to conviction of licensed persons of more than one offence on same day.
- 58 Evidence of endorsements and register.
- 59 Saving for indictments, &c. under other Acts.

Miscellaneous

- 60 Disqualification of justices to act under this Act.
- 61 Extension of jurisdiction of justices over river or water, &c.
- 62 Evidence of sale or consumption of intoxicating liquor.
- 63 Avoidance of excise license on forfeiture of license.
- 64 Production of license by holder, and penalty on non-production.
- 65 Population to be according to last census.
- 66 Moiety of penalties may be awarded to police superannuation fund.
- 67 Limit of mitigation of penalties.
- 68 Regulations as to retail licenses of wholesale dealers.
- 69 Licenses for sale of liqueurs, &c. by retail not to be consumed on the premises.
- 70 Notices may be served by post.
- 71 Schedules to be part of Act.

Saving Clauses

- 72 Saving of certain privileges, rights, &c.
- 73 License as denned by this Act not required for certain retail sales.

Definitions

- 74 Interpretation of terms, &c.

Repeal

- 75 Repeal of Acts mentioned in second schedule.

Application of certain of the preceding Provisions of this Act to Ireland

- 76 Mode of reference to particular provisions of Act.
- 77 Application to Ireland of certain provisions of the Act, with modifications.
- 78 Closing of premises at certain hours on Sunday, Christmas Day, Good Friday, &c.
- 79 Recovery and application of penalties.
- 80 Repeal of section 4 of 34 & 35 Vict. c. 38.
- 81 Interpretation of "spirit grocer," "excise license," &c, as applying to Ireland.

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

- 82 No renewal of license to be granted to spirit grocers without certificate of justices.
- 83 Penalty on spirit grocer if liquor drunk on or near to the premises.
- 84 Penalty on evasion of law as to drinking on premises of spirit grocer.
- 85 Penalty on internal communication between premises of spirit grocer and house of public resort.
- 86 Limitation of hours during which spirit grocers may sell intoxicating liquors.
- 87 Justices and constables may enter premises of spirit grocer during prohibited hours.
- 88 Provisions as to repeated convictions to apply to spirit grocers, &c.
- 89 Application of provisions as to legal proceedings, penalties, &c.
- 90 No license to be granted to disqualified persons or for disqualified premises.

SCHEDULES to which this Act refers.

FIRST SCHEDULE — Deleterious Ingredients

SECOND —
SCHEDULE