



Licensing (Retail Sales) Act 1988

1988 CHAPTER 25

An Act to amend the definition of “sale by retail” in section 201 of the Licensing Act 1964; and for connected purposes. [29th July 1988]

Be it enacted by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Amendment of definition of “sale by retail” in Licensing Act 1964.

(1) In section 201 of the Licensing Act 1964 (interpretation), for the definition of “sale by retail” there shall be substituted—

““sale by retail”, in relation to any intoxicating liquor, means a sale of any such liquor at any one time to any one person, except where the sale is—

- (a) to a trader for the purposes of his trade;
- (b) to a registered club for the purposes of the club;
- (c) to any canteen or mess;
- (d) to the holder of an occasional permission within the meaning of the Licensing (Occasional Permissions) Act 1983 for the purposes of sales authorised by that permission; or
- (e) of not less than the following quantities—

- (i) in the case of spirits, wine or made-wine, 9 litres or 1 case; or
- (ii) in the case of beer or cider, 20 litres or 2 cases,

and is made from premises owned by the vendor, or occupied by him under a lease to which the provisions of Part 2 of the Landlord and Tenant Act 1954 apply.”.

(2) In paragraph (e) above the expressions “beer”, “case”, “cider”, “spirits”, “wine” and “made-wine” have the same meaning as in the Alcoholic Liquor Duties Act 1979.

Status: This is the original version (as it was originally enacted).

2 Repeal of section 181 of Licensing Act 1964.

In consequence of section 1 of this Act, section 181 of the Licensing Act 1964 (which enables a wholesaler to sell by retail without a justices' licence in certain circumstances) is hereby repealed.

3 Further consequential repeals

The following enactments are hereby repealed—

- (a) paragraph 16 of Schedule 7 to the Finance Act 1967;
- (b) paragraph 5(3)(a) of Schedule 3 to the Alcoholic Liquor Duties Act 1979; and
- (c) paragraph 24 of Schedule 8 to the Finance Act 1981.

4 Short title, commencement and extent

- (1) This Act may be cited as the Licensing (Retail Sales) Act 1988.
 - (2) This Act shall come into force on such day as the Secretary of State may appoint by order made by statutory instrument.
- (3) This Act does not extend to Scotland or Northern Ireland.