



# Licensing Act 2003

## 2003 CHAPTER 17

### PART 9

#### MISCELLANEOUS AND SUPPLEMENTARY

##### *Rights of entry*

#### **179 Rights of entry to investigate licensable activities**

(1) Where a constable or an authorised person has reason to believe that any premises are being, or are about to be, used for a licensable activity, he may enter the premises with a view to seeing whether the activity is being, or is to be, carried on under and in accordance with an authorisation.

[<sup>F1</sup>(1A) Where an immigration officer has reason to believe that any premises are being used for a licensable activity within section 1(1)(a) or (d), the officer may enter the premises with a view to seeing whether an offence under any of the Immigration Acts is being committed in connection with the carrying on of the activity.]

(2) An authorised person [<sup>F2</sup>or an immigration officer] exercising [<sup>F3</sup>a power] conferred by this section must, if so requested, produce evidence of his authority to exercise the power.

(3) A person exercising [<sup>F4</sup>a power] conferred by this section may, if necessary, use reasonable force.

(4) A person commits an offence if he intentionally obstructs an authorised person [<sup>F5</sup>or an immigration officer] exercising a power conferred by this section.

(5) A person guilty of an offence under subsection (4) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(6) In this section—

“authorisation” means—

(a) a premises licence,

**Changes to legislation:** Licensing Act 2003, Cross Heading: Rights of entry is up to date with all changes known to be in force on or before 23 April 2024. 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

- (b) a club premises certificate, or
- (c) a temporary event notice in respect of which the conditions of section 98(2) to (4) are satisfied; <sup>F6</sup>...

“authorised person” means an authorised person within the meaning of Part 3 or 4 or an authorised officer within the meaning of section 108(5).

[<sup>F7</sup>“immigration officer” means a person appointed as an immigration officer under paragraph 1 of Schedule 2 to the Immigration Act 1971.]

- (7) Nothing in this section applies in relation to premises in respect of which there is a club premises certificate but no other authorisation.

#### Textual Amendments

- F1** S. 179(1A) inserted (6.4.2017) by Immigration Act 2016 (c. 19), s. 94(1), **Sch. 4 para. 22(2)**; S.I. 2017/380, reg. 2(b)
- F2** Words in s. 179(2) inserted (6.4.2017) by Immigration Act 2016 (c. 19), s. 94(1), **Sch. 4 para. 22(3)(a)**; S.I. 2017/380, reg. 2(b)
- F3** Words in s. 179(2) substituted (6.4.2017) by Immigration Act 2016 (c. 19), s. 94(1), **Sch. 4 para. 22(3)(b)**; S.I. 2017/380, reg. 2(b)
- F4** Words in s. 179(3) substituted (6.4.2017) by Immigration Act 2016 (c. 19), s. 94(1), **Sch. 4 para. 22(4)**; S.I. 2017/380, reg. 2(b)
- F5** Words in s. 179(4) inserted (6.4.2017) by Immigration Act 2016 (c. 19), s. 94(1), **Sch. 4 para. 22(5)**; S.I. 2017/380, reg. 2(b)
- F6** Word in s. 179(6) omitted (6.4.2017) by virtue of Immigration Act 2016 (c. 19), s. 94(1), **Sch. 4 para. 22(6)(a)**; S.I. 2017/380, reg. 2(b)
- F7** Words in s. 179(6) inserted (6.4.2017) by Immigration Act 2016 (c. 19), s. 94(1), **Sch. 4 para. 22(6)(b)**; S.I. 2017/380, reg. 2(b)

## 180 Right of entry to investigate offences

- (1) A constable may enter and search any premises in respect of which he has reason to believe that an offence under this Act has been, is being or is about to be committed.
- (2) A constable exercising a power conferred by this section may, if necessary, use reasonable force.

#### Modifications etc. (not altering text)

- C1** S. 180 extended (1.1.2006) by 2002 c. 30, Sch. 4 para. 8A (as inserted by Serious Organised Crime and Police Act 2005 (c. 15), ss. 122, 178, **Sch. 8 para. 9**); S.I. 2005/3495, **art. 2(1)** (subject to art. 2(2))

**Changes to legislation:**

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**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\(2\)](#)