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# SCHEDULES

## SCHEDULE 1

### PROVISION OF REGULATED ENTERTAINMENT

#### PART 1

##### GENERAL DEFINITIONS

###### *The provision of regulated entertainment*

- 1 [F<sup>1</sup>(1) For the purposes of this Act, the “provision of regulated entertainment” means the provision of entertainment of a description falling within paragraph 2 where the conditions in sub-paragraphs (2) and (3) are satisfied.]
- (2) The first condition is that the entertainment is F<sup>2</sup>... provided—
- (a) to any extent for members of the public or a section of the public,
  - (b) exclusively for members of a club which is a qualifying club in relation to the provision of regulated entertainment, or for members of such a club and their guests, or
  - (c) in any case not falling within paragraph (a) or (b), for consideration and with a view to profit.
- [F<sup>3</sup>(3) The second condition is that the premises on which the entertainment is provided are made available for the purpose, or for purposes which include the purpose, of enabling the entertainment concerned to take place.]
- [F<sup>4</sup>(4) For the purposes of sub-paragraph (2)(c), entertainment is to be regarded as provided for consideration only if any charge—
- (a) is made by or on behalf of any person concerned in the organisation or management of that entertainment, and
  - (b) is paid by or on behalf of some or all of the persons for whom that entertainment is provided.]
- (5) In sub-paragraph (4), “charge” includes any charge for the provision of goods or services.
- (6) For the purposes of sub-paragraph (4)(a), where the entertainment consists of the performance of live music or the playing of recorded music, a person performing or playing the music is not concerned in the organisation or management of the entertainment by reason only that he does one or more of the following—
- (a) chooses the music to be performed or played,
  - (b) determines the manner in which he performs or plays it,
  - F<sup>5</sup>(c) .....
- (7) This paragraph is subject to Part 2 of this Schedule (exemptions).

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### Textual Amendments

- F1** Sch. 1 para. 1(1) substituted (1.10.2012) by [Live Music Act 2012 \(c. 2\)](#), **ss. 2(2)**, 4(2); S.I. 2012/2115, [art. 2](#)
- F2** Words in Sch. 1 para. 1(2) omitted (1.10.2012) by virtue of [Live Music Act 2012 \(c. 2\)](#), **ss. 2(3)**, 4(2); S.I. 2012/2115, [art. 2](#)
- F3** Sch. 1 para. 1(3) substituted (1.10.2012) by [Live Music Act 2012 \(c. 2\)](#), **ss. 2(4)**, 4(2); S.I. 2012/2115, [art. 2](#)
- F4** Sch. 1 para. 1(4) substituted (1.10.2012) by [Live Music Act 2012 \(c. 2\)](#), **ss. 2(5)**, 4(2); S.I. 2012/2115, [art. 2](#)
- F5** Sch. 1 para. 1(6)(c) omitted (1.10.2012) by virtue of [Live Music Act 2012 \(c. 2\)](#), **ss. 2(6)**, 4(2); S.I. 2012/2115, [art. 2](#)

### *Entertainment*

- 2 (1) The descriptions of entertainment are—
- (a) a performance of a play,
  - (b) an exhibition of a film,
  - (c) an indoor sporting event,
  - (d) a boxing or wrestling entertainment,
  - (e) a performance of live music,
  - (f) any playing of recorded music,
  - (g) a performance of dance,
  - (h) entertainment of a similar description to that falling within paragraph (e), (f) or (g),
- where [<sup>F6</sup>the following conditions are satisfied (so far as relevant)].
- [<sup>F7</sup>(1A) The first condition is that the entertainment—
- (a) takes place in the presence of an audience, and
  - (b) is provided for the purpose, or for purposes which include the purpose, of entertaining that audience.
- (1B) The second condition is relevant only to a performance of a play, and is that one or more of the following applies—
- (a) the audience consists of more than 500 persons;
  - (b) the entertainment takes place before 8am on any day;
  - (c) the entertainment takes place after 11pm on any day.
- (1C) The third condition is relevant only to an indoor sporting event, and is that one or more of the following applies—
- (a) the audience consists of more than 1000 persons;
  - (b) the entertainment takes place before 8am on any day;
  - (c) the entertainment takes place after 11pm on any day.
- (1D) The fourth condition is relevant only to a performance of dance, and is that one or more of the following applies—
- (a) the audience consists of more than 500 persons;
  - (b) the entertainment takes place before 8am on any day;
  - (c) the entertainment takes place after 11pm on any day;

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- (d) the entertainment is relevant entertainment within the meaning of paragraph 2A of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 (meaning of “sexual entertainment venue”).
- (1E) So much of any entertainment of a description specified in paragraphs (a) to (h) of sub-paragraph (1) as does not satisfy the conditions in sub-paragraphs (1A) to (1D) (so far as relevant) is not to be regarded as falling within sub-paragraph (1).]
- (2) Any reference in [<sup>F8</sup>in this paragraph] to an audience includes a reference to spectators.
- (3) This paragraph is subject to Part 3 of this Schedule (interpretation).

**Textual Amendments**

- F6** Words in Sch. 1 para. 2(1) substituted (27.6.2013) by [The Licensing Act 2003 \(Descriptions of Entertainment\) \(Amendment\) Order 2013 \(S.I. 2013/1578\)](#), arts. 1(1), **2(2)** (with art. 5)
- F7** Sch. 1 para. 2(1A)-(1E) inserted (27.6.2013) by [The Licensing Act 2003 \(Descriptions of Entertainment\) \(Amendment\) Order 2013 \(S.I. 2013/1578\)](#), arts. 1(1), **2(3)** (with art. 5)
- F8** Words in Sch. 1 para. 2(2) substituted (27.6.2013) by [The Licensing Act 2003 \(Descriptions of Entertainment\) \(Amendment\) Order 2013 \(S.I. 2013/1578\)](#), arts. 1(1), **2(4)** (with art. 5)

*Entertainment facilities*

<sup>F9</sup>3 .....

**Textual Amendments**

- F9** Sch. 1 para. 3 omitted (1.10.2012) by virtue of [Live Music Act 2012 \(c. 2\)](#), ss. **2(7)**, 4(2); S.I. 2012/2115, art. 2

*Power to amend Schedule*

[<sup>F10</sup>4 The Secretary of State may by order amend this Schedule for the purposes of modifying the descriptions of entertainment specified in paragraph 2, and for this purpose “modify” includes adding, varying or removing any description.]

**Textual Amendments**

- F10** Sch. 1 para. 4 substituted (1.10.2012) by [Live Music Act 2012 \(c. 2\)](#), ss. **2(8)**, 4(2); S.I. 2012/2115, art. 2

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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\(2\)](#)