



Licensing Act 2003

2003 CHAPTER 17

PART 8

CLOSURE OF PREMISES

Closure of identified premises

170 Exemption of police from liability for damages

- (1) A constable is not liable for relevant damages in respect of any act or omission of his in the performance or purported performance of his functions in relation to a closure order or any extension of it.
- (2) A chief officer of police is not liable for relevant damages in respect of any act or omission of a constable under his direction or control in the performance or purported performance of a function of the constable's in relation to a closure order or any extension of it.
- (3) But neither subsection (1) nor (2) applies—
 - (a) if the act or omission is shown to have been in bad faith, or
 - (b) so as to prevent an award of damages in respect of an act or omission on the grounds that the act or omission was unlawful as a result of section 6(1) of the Human Rights Act 1998 (c. 42) (incompatibility of act or omission with Convention rights).
- (4) This section does not affect any other exemption from liability for damages (whether at common law or otherwise).
- (5) In this section, "relevant damages" means damages awarded in proceedings for judicial review, the tort of negligence or misfeasance in public office.

Status:

Point in time view as at 24/11/2005. This version of this provision has been superseded.

Changes to legislation:

Licensing Act 2003, Section 170 is up to date with all changes known to be in force on or before 11 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.