



# Licensing Act 1964

## 1964 CHAPTER 26

### PART I

#### THE GENERAL LICENSING SYSTEM

##### *Clerk to licensing justices and fees*

#### **28 Clerk to licensing justices**

- (1) The clerk to the justices acting for a petty sessions area shall be clerk to the licensing justices for the licensing district consisting of that area.
- (2) Section 118 (2) of the Magistrates' Courts Act 1952 (which provides for the case where there is more than one clerk to the justices for a petty sessions area) shall apply for the purposes of subsection (1) of this section as it applies for the purposes of that Act.
- (3) A clerk to licensing justices shall not himself or by his partner or clerk act as solicitor to, or agent for, any person—
  - (a) at any licensing sessions ; or
  - (b) before justices of the peace in proceedings under this Act, the Licensing Act 1872, or the Licensing Act 1902;and any person who contravenes this subsection shall be liable to a fine not exceeding one hundred pounds.
- (4) Where the clerk to licensing justices for any district was appointed before 1st April 1953, nothing in the preceding subsection shall prohibit him from acting at a licensing sessions for another licensing district' or before justices acting for a petty sessions area other than that licensing district, or from preparing notices or forms.

#### **29 Fees chargeable in licensing matters**

- (1) Subject to subsection (3) of this section, there may be charged by justices' clerks in respect of matters arising under this Act such fees as may be provided for by order of the Secretary of State and no others.

---

*Status: This is the original version (as it was originally enacted).*

---

- (2) This section shall apply to the fees chargeable in any stipendiary magistrate's court, and to those chargeable by a justices' clerk acting as clerk to licensing justices or in any other capacity, as it applies to fees chargeable by a justices' clerk acting as such.
- (3) This section shall not affect the court fees chargeable (under the Magistrates' Courts Act, 1952 or otherwise) in connection with prosecutions or with the enforcement of orders of a magistrates' court, nor the fees chargeable by a justices' clerk acting as secretary to a licensing planning committee.
- (4) An order under this section shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.