



# Licensing Act 1964

## CHAPTER 26

### LICENSING ACT 1964

#### PART I

##### THE GENERAL LICENSING SYSTEM

###### *Justices' licences and provisions as to licensing justices*

- 1 Justices' licences.
- 2 Licensing justices and districts.

###### *Grant of justices' licence*

- 3 Grant of justices' licence.
- 4 New licences.
- 5 Removals.
- 6 Provisional grant of new licence or removal.
- 7 Renewals.
- 8 Transfers.
- 8A Approval of prospective licensees.
- 9 Persons and premises disqualified for holding or receiving justices' licence.

###### *Interim authorities*

- 9A Interim authorities.
- 9B Supplementary provisions relating to interim authorities.

###### *Protection orders*

- 10 Protection orders.
- 11 Supplementary provisions relating to protection orders.

*Status: Point in time view as at 01/04/1996.*

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### *Old on-licences*

- 12 Restricted power of licensing justices to refuse renewal or transfer of old on-licences.
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- 15 Special removals of old on-licences.
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### *Control of licensing justices over structure of licensed premises*

- 19 Power to require structural alterations on renewal of on-licence.
- 20 Consent required for certain alterations to on-licensed premises.

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- 20A Revocation.

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- 21 Appeals.
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- 23 Powers of quarter sessions on appeals.
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### *Duration of Licences*

- 26 Duration of licences.
- 27 Effect on duration of opposition to grant of licence.

### *Clerk to licensing justices and fees*

- 28 Clerk to licensing justices.
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- 30 Register of licences.
- 31 Convictions, forfeitures and disqualifications to be entered in register.
- 32 Registration of owner, etc.
- 33 Notice of conviction of licence holder to be given to registered owner.
- 34 Inspection of register.
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- 37 Power to extend existing on-licence to additional types of liquor.
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## **PART II**

### **SALE AND SUPPLY OF INTOXICATING LIQUOR IN CLUBPREMISES**

#### *Conditions for supply of intoxicating liquor by clubs*

- 39 Conditions for supply of intoxicating liquor by clubs.

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### *Registered clubs*

- 40 Registration of clubs.
- 41 Qualifications for registration.
- 42 Modification of registration qualifications for certain clubs.
- 43 Disqualification for and refusal of registration certificate.
- 44 Objections to and cancellation of registration certificate.
- 45 Inspection of premises before first registration.
- 46 Rights of fire authorities in connection with registration of clubs.
- 47 Power to order disqualification of premises.
- 48 Notification of alteration in rules of registered club.
- 49 Sale of intoxicating liquor by registered clubs.
- 50 Appeal to quarter sessions.
- 51 Register of clubs.
- 52 Provisions as to different premises of same club.
- 53 Penalty for false statements.
- 54 Search warrants.

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- 55 Licensing of club premises.

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### **PERMITTED HOURS**

#### *Prohibition of sale, etc. of intoxicating liquor outside permitted hours*

- 59 Prohibition of sale, etc. of intoxicating liquor outside permitted hours.

#### *General provisions as to permitted hours*

- 60 Permitted hours in licensed premises.
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- 62 Permitted hours in clubs.

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- 63 Exceptions from prohibition of sale, etc. of intoxicating liquor outside permitted hours.

#### *Restrictions on permitted hours in licensed premises*

- 64 Seasonal licenses.
- 65 Six-day and early-closing licences.
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*Restriction orders with respect to licensed premises and clubs*

- 67A Restriction orders.
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- 68 Extension of permitted hours in restaurants, etc.
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- 71 Orders of licensing justices under s. 70.
- 72 Orders of magistrates' court under s. 70.
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- 74 Exemption orders.
- 75 Procedural provisions as to exemption orders outside metropolitan area.

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- 76 Permitted hours where special hours certificate in force.
- 77 Special hours certificates for licensed premises.
- 77A Provisional grant of special hours certificates by licensing justices
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- 78ZA Provisional grant of Special Hours Certificates by Magistrates' Court
- 78A Limitations on special hours certificates.
- 79 Licensing authority's certificate of suitability of club premises for music and dancing.
- 80 Special hours certificates limited to particular days or parts of the year.
- 81 Revocation of special hours certificates.
- 81A Special hours certificates: further powers to impose limitations as to hours.
- 81AA Special hours certificates: exclusion of Sundays in case of disturbance etc.
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- 83A Millennium licensing hours

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- 84 Prohibition of consumption of intoxicating liquor outside general licensing hours at parties organised for gain.
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- 86 Permitted hours in off-sales department of on-licensed premises.
- 86A International ports.
- 87 International airports.
- 87A Power to vary permitted hours in on-licensed vineyard premises.
- 88 Saving as to Sunday observance.

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- 90 Opening during permitted hours not obligatory.
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- 94 Conditions attached to Part IV licences for restaurants, guest houses, etc.
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- 97 Restrictions concerning justices' licences for restaurants and guest-houses, etc.
- 98 Grounds for refusing applications for Part IV licences.
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- 109 Formulation and submission to Minister of proposals by committee.
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- 117 Meaning of "new town" and effect of revocation or variation of order designating site of proposed new town.

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## PART VII

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- 132 Suspension of licence where business discontinued owing to war circumstances.
- 133 Restoration to full force of licence in suspense.
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- 136 .....
- 137 Discontinuance of business taking place during proceedings for renewal.
- 138 Transfer of licence in suspense to owner of licensed premises.
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## PART IX

### SUSPENSION OF LICENCES BY REASON OF COMPULSORY ACQUISITION, ETC.

- 141 Suspension of justices' licence where licensed premises compulsorily acquired or temporary premises cease to be available.
- 142 Restoration to full force of licence in suspense.
- 143 Extinguishment of licence in suspense when suspension no longer justified.
- 144 Extinguishment of licence in suspense on other grounds.
- 145 Transfer of licence in suspense.
- 146 Appeals to quarter sessions.
- 147 Rules, etc.

## PART X

### SEAMEN'S CANTEENS

*Status: Point in time view as at 01/04/1996.*

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*Canteen licences*

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- 149 Grant of canteen licences.
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- 155 Prohibition of sale, etc. of intoxicating liquor in canteens outside permitted hours.
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- 156A Restriction orders.
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- 158 Exemption of licensed canteens from restrictions under s. 214 of Merchant Shipping Act 1894.
- 159 .....

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- 163 Delivery from vehicles, etc.
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- 165 Long pull prohibited.
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- 169B Allowing the sale of intoxicating liquor to a person under 18.
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- 169D Exception to the section 169A-C offences.
- 169E Consumption of intoxicating liquor by a person under 18.
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- 169G Sending a person under 18 to obtain intoxicating liquor.
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- 170 Persons under 18 not to be employed in bars.
- 170A Employment in bars under approved training schemes
- 171 Exclusion from sections 168 to 170 of bars while in regular use for service of table meals.
- 171A Prohibition of unsupervised off-sales by persons under 18.

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- 172 Licence holder not to permit drunkenness, etc.
- 172A Other persons in authority not to permit drunkenness etc.
- 173 Procuring drink for drunken person.
- 174 Power to exclude drunkards, etc., from licensed premises.
- 175 Prostitutes not to be allowed to assemble on licensed premises.
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- 177 Gaming on licensed premises.

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- 178 Offences in relation to constables.

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- 179 Application of Part XII to seamen's canteens and premises for which occasional licence is in force.

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- 179A Closure order
- 179B Consideration of closure order by certain justices
- 179C Extensions of closure order
- 179D Cancellation of closure order
- 179E Revocation of justices' licence etc. after closure order
- 179F Procedural requirements
- 179G Rights of appeal
- 179H Enforcement
- 179I Exemption from liability for certain damages
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*Other*

- 180 Consent to grant of occasional licence.
- 181 .....
- 181A Sales to or by persons under 18 of intoxicating liquor on wholesale premises.



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- 182 Relaxation, with respect to licensed premises, of law relating to music and dancing licences and billiards.
- 183 Name of holder of licence, etc., to be affixed to licensed premises.
- 184 Communication between licensed premises and places of public resort.
- 185 Licence or exemption order to be produced on demand.
- 186 Right of constables to enter premises.
- 187 Search warrant.
- 188 Closing of licensed premises in case of riot.
- 189 Temporary licence pending appeal against conviction.
- 190 Magistrates' courts, etc. not to sit in licensed premises.
- 191 Procedure for amending certain rules of clubs established before 3rd August 1961.

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- 192 Jurisdiction of justices.
- 192A Power of justices at licensing sessions to act in divisions.
- 193 Disqualification of justices.
- 193A Power of clerk to licensing justices to grant unopposed renewals of justices' licences and canteen licences.
- 193AA Power of clerk to licensing justices to grant certain transfers etc.
- 193B Power of licensing justices to award costs.
- 194 Prosecution of offences and disposal of forfeited goods.
- 195 Application of s. 194 to offences under Licensing Act 1872 and Licensing Act 1902.
- 196 Proof of sale or consumption of intoxicating liquor.
- 196A Extension to certain proceedings under this Act of section 97 of the Magistrates' Courts Act 1980.
- 197 Service of notices, etc.
- 198 Orders, rules and regulations.
- 199 Exemptions and savings.
- 200 Meaning of "licensed premises" in this Act and s. 12 of Licensing Act 1872.
- 201 Interpretation of other expressions.
- 202 Application to Isles of Scilly.
- 203 †Amendments, transitional provisions and repeals.
- 204 Short title, commencement and extent.

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#### **SCHEDULES**

##### SCHEDULE 1 — Constitution and Procedure of Licensing Justices

###### Part I — LICENSING COMMITTEES

- 1 A licensing committee shall be appointed in the month of...
- 2 A licensing committee shall consist of such number of members...
- 2A The Secretary of State may direct that such number greater...
- 3 A casual vacancy arising in a licensing committee from death,...
- 4 The quorum of a licensing committee shall be three.
- 5 The members of the committee retiring at the end of...
- 6 Notwithstanding anything in section 2(2) of this Act, where, in...

###### Part II — LICENSING SESSIONS

- 7 The licensing sessions of each twelve months beginning with February...

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- 8 The licensing justices shall appoint the day, time and place...
- 9 The licensing justices may for the general annual licensing meeting...
- 10 A licensing sessions may, for the purpose of dealing with...
- 11 When licensing justices have appointed the time and place for...

SCHEDULE 2 — Applications for Justices’ Licences

- 1 A person proposing to apply at a licensing sessions for...
- 2 A person proposing to apply at transfer sessions for the...
- 3 With the notice given under sub-paragraph (a) of paragraph 1...
- 4 A notice under this Schedule— (a) shall be signed by...
- 5 The notice required by sub-paragraph (a) of paragraph 1 of...
- 6 The clerk to the licensing justices shall for each licensing...
- 7 Where the applicant for the grant of a justices’ licence...
- 8 On the consideration of an application for a justices’ licence...
- 9 . . . . .

SCHEDULES 3 and 4 — . . .

SCHEDULE 5 — Requirements to be Complied With by Club’s Application for Registration Certificate

- 1 The application shall specify the name, objects and address of...
- 2 The application shall state, in terms of subsections (1) and...
- 3 The application shall set out, or shall incorporate a document...
- 4 (1) The application shall state, or shall incorporate a document...
- 5 The application shall— (a) identify the premises for which the...
- 6 (1) The application shall give, or shall incorporate a document...
- 7 (1) The application shall give, or shall incorporate a document...
- 8 Where the interest held by or in trust for the...

SCHEDULE 6 — Procedure on Applications and Complaints relating to Registration Certificates

Part I — ISSUE, RENEWAL AND SURRENDER OF REGISTRATION CERTIFICATES

*Applications, etc.*

- 1 (1) An application by a club for the issue, renewal...
- 2 A registration certificate shall be surrendered by lodging with the...
- 3 (1) Any such application or amended application and any such...
- 4 On receipt of any such application or amended application or...
- 5 A club applying for the issue of a registration certificate...

*Objections, etc.*

- 6 (1) Subject to sub-paragraph (2) of this paragraph, an objection...
- 7 On receipt of an objection to an application for the...
- 8 Paragraphs 6 and 7 of this Schedule shall apply in...
- 9 Where any such objection is made or any such notice...
- 10 Where a club applies for a renewal of a registration...
- 11 (1) Subject to sub-paragraph (2) of this paragraph, an objection...
- 12 Where, on an objection to an application for the issue...

Part II — COMPLAINT FOR CANCELLATION OR VARIATION OF REGISTRATION CERTIFICATE

- 13 (1) A summons issued on a complaint made against a...

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- 14 Where it appears to a magistrates' court having jurisdiction to...
- 15 A complaint may be made against a club for the...  
Part III — GENERAL
- 16 (1) A magistrates' court may deal with an application by...
- 17 On any application or complaint made to a magistrates' court...
- 18 This Schedule, in so far as it relates to matters...

#### SCHEDULE 7 — Provisions as to Club Rules

##### *Management of club*

- 1 The affairs of the club, in matters not reserved for...

##### *General meetings*

- 2 (1) There must, under the rules, be a general meeting...

##### *Membership*

- 3 (1) Ordinary members must, under the rules, be elected either...

##### *Meaning of "elective committee"*

- 4 (1) In this Schedule "elective committee" means, subject to the...

#### SCHEDULE 8 — Polls in Wales and Monmouthshire

- 1 Subject to paragraph 3 below, the rules made by the...
- 2 Subsections (1) and (3) of section 243 of the Local...
- 3 The adaptations and alterations made by the Secretary of State...
- 4 . . . . .
- 5 (1) Regulations made under section 53 of the Representation of...
- 6.—(1) . . . . .
- 7 (1) At a poll in a county or county borough...
- (7A) In paragraphs 6 and 7 above "returning officer",...

#### — APPENDIX OF FORMS

##### **A.**

##### *FORM OF REQUISITION PAPER*

##### **B.**

##### *FORM OF, AND DIRECTIONS FOR PRINTING, BALLOT PAPER*

##### *(a)*

##### *(b)*

##### *(c)*

- 1 Nothing is to be printed on the ballot paper except...
- 2 The number on the back of the ballot paper is...

##### **C.**

- 1 The voter should see that the ballot paper, before it...

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- 2 The voter will go into one of the compartments and,...
- 3 The voter will then fold up the ballot paper so...
- 4 If the voter inadvertently spoils a ballot paper he can...
- 5 If the voter places any mark on the paper by...
- 6 If the voter fraudulently takes a ballot paper out of...

#### **D.**

*FORM OF DECLARATION TO BE MADE BY THE COMPANION OF A BLIND PERSON*

#### **E.**

*QUESTIONS WHICH MAY BE PUT TO VOTERS*

### SCHEDULE 8A — Procedure for Making, Varying or Revoking Restriction Orders Part I — APPLICATIONS TO LICENSING JUSTICES

*Notice of application*

- 1 (1) A person intending to apply to licensing justices for...

*Objections to applications for variation or revocation*

- 2 (1) A person intending to oppose an application to licensing...

*Evidence*

- 3 Evidence given on an application to licensing justices for the...  
Part II — APPLICATIONS TO MAGISTRATES' COURTS

*Notice of application*

- 4 (1) A magistrates' court shall not hear an application for...

*Objections to applications for variation or revocation*

- 5 (1) A person intending to oppose an application to a...

### SCHEDULE 8B — MILLENNIUM LICENSING HOURS

*Millennium licensing hours*

- 1 (1) The Millennium licensing hours shall (subject to any Millennium...

*Millennium restriction orders*

- 2 (1) An order under this paragraph (referred to in this...

*Applications for Millennium restriction orders: licensing justices*

- 3 (1) A person intending to apply to licensing justices for...

*Applications for Millennium restriction orders: magistrates' courts*

- 4 (1) A Magistrates' court shall not hear an application for...

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*Millennium restriction orders: appeals*

5 (1) Any holder of a justices' licence, any club or...

*Duty to post notice of Millennium restriction order on premises*

6 (1) Where a Millennium restriction order is in force with...

SCHEDULE 9 — ...

SCHEDULE 10 — Committee for New Town

- 1 (1) Subject to sub-paragraph (2) of this paragraph, a committee...
- 2 The members of a committee appointed under sub-paragraphs (b) and...
- 3 The appointment of a member of any such committee shall...
- 4 The quorum of any such committee shall be such as...
- 5 If the votes are equal on any question the chairman...
- 6 Subject to paragraphs 4 and 5 of this Schedule, the...
- 7 The proceedings of any such committee shall not be invalidated...

SCHEDULE 11 — Licensing Planning Committees

*General provisions*

- 1 A licensing planning committee shall consist of—
- 2 (1) The members of a licensing planning committee appointed under...
- 3 The appointment of a member of a licensing planning committee...
- 4 The provisions of paragraph 3 of this Schedule shall be...
- 5 If the votes are equal on any question the chairman...
- 6 The proceedings of a licensing planning committee shall not be...
- 7 The clerk to the licensing justices for the licensing district...
- 8 An order constituting a licensing planning area may provide—
- 9 Where an order under section 120 of this Act adds...
- 10 So far as any order makes any provision authorised by...
- 11—16 .....

SCHEDULE 12 — Applications for Grant and Transfer of Canteen Licences

*Applications for grant of licences*

- 1 (1) A person proposing to apply for the grant of...
- 2 A notice under paragraph 1 of this Schedule shall state...

*Applications for transfers and confirmation of transfers*

- 3 A person proposing to apply to the licensing justices for...
- 4 A person proposing to apply to justices of the peace...
- 5 A notice under paragraph 3 or paragraph 4 of this...

*General*

- 6 Where an applicant for the grant of a canteen licence...

SCHEDULE 12A — Children's Certificates: Supplementary Provisions

*Status: Point in time view as at 01/04/1996.*  
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*Applications*

- 1 (1) Licensing justices shall not entertain an application for a...
- 2 (1) Where a chief officer of police wishes to oppose...

*Refusal*

- 3 Where licensing justices refuse an application for a children’s certificate,...

*Conditions*

- 4 (1) It shall be a condition of the grant of...

*When operational*

- 5 (1) Subject to any condition attached by the licensing justices...

*Duration*

- 6 A children’s certificate shall remain in force until revoked.
- 7 (1) Licensing justices may, on their own motion or on...
- 8 If the holder of the justices’ licence for the licensed...
- 9 A children’s certificate shall be treated as revoked on the...

*Appeals*

- 10 (1) Any applicant for a children’s certificate who is aggrieved...
- 11 Where the Crown Court— (a) has awarded costs against an...

SCHEDULE 13 — . . .

SCHEDULE 14 — Transitional Provisions

- 1 Any reference in any enactment or document, whether expressed or...
- 2 Any regulation, order, rule, licence, appointment, direction, certificate or notice...
- 3 A conviction of an offence under an enactment repealed by...
- 4 Without prejudice to paragraph 3 of this Schedule, for the...
- 5 . . . . .
- 6 (1) Where at the commencement of this Act a justices’ ...
- 7 . . . . .
- 8 The mention of particular matters in this Schedule shall be...

SCHEDULE 15 — . . .

**Status:**

Point in time view as at 01/04/1996.

**Changes to legislation:**

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