



Licensing Act 1964

1964 CHAPTER 26

PART III

PERMITTED HOURS

Parties organised for gain

84 Prohibition of consumption of intoxicating liquor outside general licensing hours at parties organised for gain

- (1) It shall be unlawful before the beginning or after the end of the general licensing hours to supply or consume intoxicating liquor at any party organised for gain and taking place in premises kept or habitually used for the purpose of parties so organised at which intoxicating liquor is consumed ; but this subsection does not prohibit anything done at a party taking place in licensed premises or at any party for which an occasional licence has been granted nor anything done as part of the activities of a canteen, mess or club at the canteen, mess or the premises in respect of which the club is registered.
- (2) If any person—
- (a) supplies intoxicating liquor in contravention of subsection (1) of this section, or
 - (b) being the occupier of any premises, permits them to be used for a party, and that subsection is contravened at the party, or
 - (c) being a person concerned in the organisation of a party, permits any person to supply or consume intoxicating liquor at the party in contravention of that subsection, or
 - (d) being a person licensed to sell intoxicating liquor, delivers such liquor before the beginning or after the end of the general licensing hours to any premises kept or habitually used as mentioned in that subsection or permits it to be so delivered,

he shall be liable, on a first conviction to a fine not exceeding fifty pounds, and on a subsequent conviction to imprisonment for a term not exceeding three months or a fine not exceeding one hundred pounds or both.

Status: This is the original version (as it was originally enacted).

- (3) Any person who consumes intoxicating liquor in contravention of subsection (1) of this section shall be liable, on a first conviction to a fine not exceeding five pounds, and on a subsequent conviction to a fine not exceeding thirty pounds.
- (4) For the purposes of this section, a party shall be deemed to have been organised for gain if any pecuniary advantage accrued or was intended to accrue to any person concerned in its organisation as a result of the party; and in determining whether any such advantage so accrued or was intended to accrue no account shall be taken of any expenditure incurred in connection with the party; but a party shall not be deemed to have been organised for gain by reason only that any person concerned in its organisation took part or intended to take part in the playing of any game, or made or intended to make bets on any game, if the arrangements were such as to give him no greater chance of winning than any other person.
- (5) For the purposes of this section, a person shall be deemed to have been concerned in the organisation of a party if he took any part in procuring the assembly of the party or in acting as host or assisting the host at the party.
- (6) Nothing in this section shall affect the delivery or supply of intoxicating liquor to, or the consumption of intoxicating liquor by, a person in premises in which he is for the time being residing; and in determining for the purposes of this section whether a party is being held in any premises, or whether any premises are kept or habitually used for the purpose of holding parties, the presence of persons residing in the premises shall be disregarded.
- (7) The reference in subsection (1) of this section to licensed premises shall be construed as including a licensed canteen.

85 Supplemental provisions as to parties organised for gain

- (1) If a justice of the peace is satisfied by information on oath that there is reasonable ground for believing that any premises in the county or borough for which he is justice are kept or habitually used for the holding of parties at which the provisions of subsection (1) of section 84 of this Act are contravened, he may issue a search warrant under his hand to a constable authorising him at any time or times within one month from the date of the warrant to enter those premises, which shall be named in the warrant, by force if need be, and search them and to seize and remove any intoxicating liquor found there that the constable has reasonable grounds for supposing to be on the premises for the purpose of being supplied or consumed in contravention of the provisions of that section.
- (2) If any person found on premises in which intoxicating liquor is seized under subsection (1) of this section, on being asked by a constable for his name and address, refuses to give them or gives a false name or address, he shall be liable to a fine not exceeding five pounds.
- (3) If any person is convicted of an offence under section 84 of this Act in respect of the premises in which any liquor is seized under this section, the liquor so seized and the vessels containing it shall be forfeited.