



Licensing Act 1964

1964 CHAPTER 26

PART I

THE GENERAL LICENSING SYSTEM

Protection orders

11 Supplementary provisions relating to protection orders

- (1) A protection order may be made for any premises so as to supersede a previous protection order (other than one made under section 10(3) of this Act), if the justices making the order are satisfied that the person granted the previous protection order consents to its being superseded, or that he no longer proposes to apply for a transfer of the licence or is not qualified to do so, or that he is for any reason unable to carry on business under the protection order.
- (2) Justices of the peace to whom application is made for a protection order may examine on oath the applicant or any person giving evidence before them.
- (3) Justices of the peace shall not grant a protection order unless the applicant has, not less than seven days before the application, given notice in writing to the chief officer of police, signed by the applicant or his authorised agent, and stating his name and address and his trade or calling during the six months preceding the giving of the notice ; or, in an urgent case, unless the applicant has given such notice to the police as the justices think reasonable.
- (4) Justices of the peace granting a protection order shall cause a memorandum of the order to be endorsed on the licence, or, where a copy of the licence is admissible in evidence, on a copy of the licence; and a majority of the justices shall sign the memorandum or the justices shall cause the clerk to the justices to seal or stamp it with the official seal or stamp of the magistrates' court of which he is clerk and to verify the seal or stamp by his signature.
- (5) A memorandum purporting to be made under subsection (4) of this section shall be received in evidence.

Status: This is the original version (as it was originally enacted).

- (6) Where a protection order has been granted to any person, the proper officer of Customs and Excise shall endorse a memorandum of the order on the excise licence.
- (7) The power of justices of the peace to grant protection orders shall be exercisable by the number of justices, and in the place, required by the Magistrates' Courts Act 1952 for the hearing of a complaint.