



Licensing Act 1964

1964 CHAPTER 26

PART III

PERMITTED HOURS

Restrictions on permitted hours in licensed premises

67 Supplementary provisions for Welsh Sunday polls

- (1) The following provisions of this section shall apply in relation to a poll under section 66 of this Act.
- (2) Subject to the provisions of Schedule 8 to this Act—
 - (a) the poll shall be conducted, and the expenses thereof paid, in all respects as if polls were being held throughout the county or county borough at an ordinary election of county or county borough councillors; and
 - (b) all persons having any duties in connection with the conduct of such an election shall have the like duties in connection with the poll.
- (3) When the number of votes cast on either side has been ascertained for the whole of any county or county borough, the chairman of the county council or mayor shall declare the result of the poll, and shall deliver a certificate of the result, signed by him, to the clerk of the county council or town clerk.
- (4) If the decision on the poll is that subsection (1) of section 66 of this Act shall not apply where it applied before, or shall apply where it did not apply before, the decision shall take effect with the first Sunday not earlier than the fourth day after the date of the poll; and if the decision is that that subsection shall not apply where it applied before, any condition in a licence previously granted for premises in the county or county borough under which the licence is a six-day licence shall be void (but without prejudice to the right to have such a condition re-inserted on the next or any subsequent application for a licence).

Status: This is the original version (as it was originally enacted).

- (5) The following provisions of the Representation of the People Act 1949 shall apply as if the poll were a poll at an ordinary election of county or county borough councillors, that is to say—
- (a) section 47, section 48 except subsections (1) and (4), and in section 52 subsection (1), except paragraph (a), and subsection (5) (which relate to personation, plural voting and other frauds in connection with voting);
 - (b) section 53 (which contains provision for preventing disclosure of the candidate for whom a person votes and generally for securing the secrecy of the ballot);
 - (c) sections 99 to 101 (which make bribery, treating and undue influence corrupt practices);
 - (d) sections 146 to 148 and 151, so far as they relate to offences under any provision mentioned in the foregoing paragraphs prosecuted on indictment or in a magistrates' court;
- but as if—
- (i) in section 53 for the words " the candidate for whom " and for the words " the name of the candidate for whom " there were substituted the words " the result for which " and paragraph (b) of subsection (1) (which relates to the obligations of candidates and their agents) were omitted ; and
 - (ii) in section 99 for the references to procuring the return of any person at an election there were substituted references to procuring one or other result of the poll.
- (6) If, with intent to influence persons to give or refrain from giving their votes at the poll, any person, after the end of the period allowed for delivering requisition papers, publishes an advertisement in a newspaper or other periodical or procures an advertisement to be so published, he shall be guilty of an illegal practice, and sections 147 and 151 of the Representation of the People Act 1949 shall apply so far as they relate to offences prosecuted in a magistrates' court; but the court before whom a person is convicted under this subsection may, if it thinks it just in the special circumstances of the case, mitigate or entirely remit any incapacity imposed by virtue of section 151.