



Licensing Act 1964

1964 CHAPTER 26

PART III

PERMITTED HOURS

Extension of permitted hours in licensed premises and clubs

74 Exemption orders

- (1) Subject to the following provisions of this section, justices of the peace may—
 - (a) on an application by the holder of a justices' on-licence for premises situated in the immediate neighbourhood of a public market or place where people follow a lawful trade or calling, or
 - (b) on an application by the secretary of a club registered in respect of any premises so situated,make an order (in this Act referred to as a general order of exemption) adding, either generally or for such days as may be specified in the order, such hours as may be so specified to the permitted hours in those premises.
- (2) Justices of the peace shall not make a general order of exemption unless satisfied, after hearing evidence, that it is desirable to do so for the accommodation of any considerable number of persons attending the public market, or following the trade or calling.
- (3) Justices of the peace may revoke or vary a general order of exemption; but, unless it is proved that the holder of the justices' on-licence or, as the case may be, the secretary of the club had notice of the revocation or variation, a person shall not be guilty of an offence under section 59 of this Act in doing anything that would have been lawful had the revocation or variation not been made.
- (4) Justices of the peace may—
 - (a) on an application by the holder of a justices' on-licence for any premises, or
 - (b) on an application by the secretary of a club registered in respect of any premises,

Status: This is the original version (as it was originally enacted).

make an order (in this Act referred to as a special order of exemption) adding such hours as may be specified in the order to the permitted hours in those premises on such special occasion or occasions as may be so specified.

- (5) Any power conferred by this section to add to the permitted hours in any premises may be exercised in either or both of the following manners, that is to say, by adding to them any hour not comprised in them or by adding to them for all purposes any hour comprised in them for limited purposes by virtue of section 68 or section 70 of this Act.
- (6) In its application to premises in the City of London or the metropolitan police district this section shall have effect as if for references to justices of the peace there were substituted—
 - (a) if the premises are in the City of London, references to the Commissioner of Police for the City of London acting with the approval of the Lord Mayor;.
 - (b) if the premises are in the metropolitan police district, references to the Commissioner of Police for the Metropolis acting with the approval of the Secretary of State.