



# Licensing Act 1902

1902 CHAPTER 28 2 Edw 7

## PART I

### AMENDMENT OF LAW AS TO DRUNKENNESS

#### 2 Penalty for being drunk while in charge of child.

- (1) If any person is found drunk in any highway or other public place, whether a building or not, or on any licensed premises, while having the charge of a child apparently under the age of seven years, he <sup>F1</sup>... shall, if the child is under that age, be liable, on summary conviction, to a fine not exceeding [<sup>F2</sup>level 2 on the standard scale], or to imprisonment, . . . <sup>F3</sup> for any period not exceeding one month.
- (2) If the child appears to the court to be under the age of seven, the child shall, for the purposes of this section, be deemed to be under that age unless the contrary is proved.
- (3) The offence under this section shall be included in the list of offences mentioned in the First Schedule to the <sup>M1</sup>Inebriates Act 1898, . . . <sup>F3</sup>

#### Textual Amendments

- F1** Words in s. 2(1) repealed (1.1.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), s. 178(8), Sch. 7 para. 10(3), **Sch. 17 Pt. 2**; S.I. 2005/3495, art. 2(1)(m)(u)
- F2** Words substituted by virtue of [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), s. 46
- F3** Words repealed by [Statute Law \(Repeals\) Act 1976 \(c. 16\)](#), **Sch. 1 Pt. II**

#### Marginal Citations

- M1** 1898 c. 60.

**Changes to legislation:**

Licensing Act 1902, Section 2 is up to date with all changes known to be in force on or before 31 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- s. 2(1) words substituted by [2003 c. 44 Sch. 26 para. 5](#)