



Licensing Act 2003

2003 CHAPTER 17

PART 3

PREMISES LICENCES

Production of licence, rights of entry, etc.

56 Licensing authority's duty to update licence document

(1) Where—

- (a) the relevant licensing authority, in relation to a premises licence, makes a determination or receives a notice under this Part,
- (b) a premises licence lapses under this Part, or
- (c) an appeal against a decision under this Part is disposed of,

the relevant licensing authority must make the appropriate amendments (if any) to the licence and, if necessary, issue a new summary of the licence.

(2) Where a licensing authority is not in possession of the licence (or the appropriate part of the licence) it may, for the purposes of discharging its obligations under subsection (1), require the holder of a premises licence to produce the licence (or the appropriate part) to the authority within 14 days from the date on which he is notified of the requirement.

(3) A person commits an offence if he fails, without reasonable excuse, to comply with a requirement under subsection (2).

(4) A person guilty of an offence under subsection (3) is liable on summary conviction to a fine not exceeding level 2 on the standard scale.

57 Duty to keep and produce licence^[F1] etc.]

(1) This section applies whenever premises in respect of which a premises licence has effect are being used for one or more licensable activities authorised by the licence.

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- (2) The holder of the premises licence must secure that the licence or a certified copy of it [^{F2}and a list of any relevant mandatory conditions applicable to the licence are] kept at the premises in the custody or under the control of—
- (a) the holder of the licence, or
 - (b) a person who works at the premises and whom the holder of the licence has nominated in writing for the purposes of this subsection.

[^{F3}(2A) If the premises are being used for the sale by retail of alcohol for consumption off the licensed premises in reliance on the authorisation granted by virtue of section 172F(2), the holder of the premises licence must secure that a statement that that is the case, which also makes clear what are the off-sales authorised by virtue of section 172F(2) (within the meaning given in section 172G(5)), is kept at the premises in the custody or under the control of—

- (a) the holder of the licence, or
- (b) the person nominated for the purposes of subsection (2).

(2B) If the premises are being used for the sale by retail of alcohol for consumption off the licensed premises in reliance on one or more section 172F(5) conditions (within the meaning given in section 172G(6)), the holder of the premises licence must secure that a statement that that is the case, and of the section 172F(5) conditions relied on, is kept at the premises in the custody or under the control of—

- (a) the holder of the licence, or
- (b) the person nominated for the purposes of subsection (2).]

(3) The holder of the premises licence must secure that—

- (a) the summary of the licence or a certified copy of that summary [^{F4}and any section 172F statement], and
- (b) a notice specifying the position held at the premises by any person nominated for the purposes of subsection (2),

are prominently displayed at the premises.

(4) The holder of a premises licence commits an offence if he fails, without reasonable excuse, to comply with [^{F5}subsection (2)] [^{F5}any of subsections (2) to] or (3).

(5) A constable or an authorised person may require the person who, by virtue of arrangements made for the purposes of subsection (2), [^{F6}(2A) or (2B)] is required to have the premises licence (or a certified copy of it [^{F7}or a list of relevant mandatory conditions] [^{F8}or a section 172F statement]) in his custody or under his control to produce the licence (or such a copy [^{F9}or the list] [^{F10}or statement]) for examination.

(6) An authorised person exercising the power conferred by subsection (5) must, if so requested, produce evidence of his authority to exercise the power.

(7) A person commits an offence if he fails, without reasonable excuse, to produce a premises licence or certified copy of a premises licence [^{F11}or a list of relevant mandatory conditions] [^{F12}or section 172F statement] in accordance with a requirement under subsection (5).

(8) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 2 on the standard scale.

(9) In subsection (3) the reference to the summary of the licence is a reference to the summary issued under section 23 or, where one or more summaries have subsequently been issued under section 56, the most recent summary to have been so issued.

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(10) Section 58 makes provision about certified copies of documents for the purposes of this section.

[^{F13}(11) In this section “relevant mandatory conditions”, in relation to a premises licence, means conditions applicable to the licence by virtue of section 19(4) or 19A.]

[^{F14}(12) In this section “section 172F statement”, in relation to licensed premises, means a statement that is required to be kept at the premises by virtue of subsection (2A) or (2B).]

Textual Amendments

- F1** S. 57: word in heading inserted (29.1.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), ss. 112, 116, [Sch. 7 para. 37\(2\)](#); [S.I. 2010/125, art. 2\(t\)](#)
- F2** Words in s. 57(2) substituted (29.1.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), ss. 112, 116, [Sch. 7 para. 37\(3\)](#); [S.I. 2010/125, art. 2\(t\)](#)
- F3** S. 57(2A)(2B) inserted (temp.) (22.7.2020) by virtue of [Business and Planning Act 2020 \(c. 16\)](#), [ss. 11\(6\)\(a\), 25\(1\)](#) (with s. 11(13))
- F4** Words in s. 57(3)(a) inserted (temp.) (22.7.2020) by virtue of [Business and Planning Act 2020 \(c. 16\)](#), [ss. 11\(6\)\(b\), 25\(1\)](#) (with s. 11(13))
- F5** Words in s. 57(4) substituted (temp.) (22.7.2020) by virtue of [Business and Planning Act 2020 \(c. 16\)](#), [ss. 11\(6\)\(c\), 25\(1\)](#) (with s. 11(13))
- F6** Words in s. 57(5) inserted (temp.) (22.7.2020) by virtue of [Business and Planning Act 2020 \(c. 16\)](#), [ss. 11\(6\)\(d\)\(i\), 25\(1\)](#) (with s. 11(13))
- F7** Words in s. 57(5) inserted (29.1.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), ss. 112, 116, [Sch. 7 para. 37\(4\)\(a\)](#); [S.I. 2010/125, art. 2\(t\)](#)
- F8** Words in s. 57(5) inserted (temp.) (22.7.2020) by virtue of [Business and Planning Act 2020 \(c. 16\)](#), [ss. 11\(6\)\(d\)\(ii\), 25\(1\)](#) (with s. 11(13))
- F9** Words in s. 57(5) inserted (29.1.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), ss. 112, 116, [Sch. 7 para. 37\(4\)\(b\)](#); [S.I. 2010/125, art. 2\(t\)](#)
- F10** Words in s. 57(5) inserted (temp.) (22.7.2020) by virtue of [Business and Planning Act 2020 \(c. 16\)](#), [ss. 11\(6\)\(d\)\(iii\), 25\(1\)](#) (with s. 11(13))
- F11** Words in s. 57(7) inserted (29.1.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), ss. 112, 116, [Sch. 7 para. 37\(5\)](#); [S.I. 2010/125, art. 2\(t\)](#)
- F12** Words in s. 57(7) inserted (temp.) (22.7.2020) by virtue of [Business and Planning Act 2020 \(c. 16\)](#), [ss. 11\(6\)\(e\), 25\(1\)](#) (with s. 11(13))
- F13** S. 57(11) inserted (29.1.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), ss. 112, 116, [Sch. 7 para. 37\(6\)](#); [S.I. 2010/125, art. 2\(t\)](#)
- F14** S. 57(12) inserted (temp.) (22.7.2020) by virtue of [Business and Planning Act 2020 \(c. 16\)](#), [ss. 11\(6\)\(f\), 25\(1\)](#) (with s. 11(13))

58 Provision supplementary to section 57

- (1) Any reference in section 57 to a certified copy of any document is a reference to a copy of that document which is certified to be a true copy by—
- the relevant licensing authority,
 - a solicitor or notary, or
 - a person of a prescribed description.
- (2) Any certified copy produced in accordance with a requirement under section 57(5) must be a copy of the document in the form in which it exists at the time.

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(3) A document which purports to be a certified copy of a document is to be taken to be such a copy, and to comply with the requirements of subsection (2), unless the contrary is shown.

[^{F15}(4) In this section “notary” means a person (other than a solicitor) who, for the purposes of the Legal Services Act 2007, is an authorised person in relation to any activity which constitutes a notarial activity (within the meaning of that Act).]

Textual Amendments

F15 S. 58(4) inserted (1.1.2010) by [Legal Services Act 2007 \(c. 29\)](#), ss. 208, 211, [Sch. 21 para. 140](#) (with ss. 29, 192, 193); [S.I. 2009/3250](#), [art. 2\(h\)](#)

Commencement Information

II S. 58(1)(c) in force at 16.12.2003 by [S.I. 2003/3222](#), [art. 2](#), [Sch.](#); s. 58(1)(a)(b)(2)(3) in force at 24.11.2005 by [S.I. 2005/3056](#), [art. 2](#) (with [Sch.](#))

59 Inspection of premises before grant of licence etc.

- (1) In this section “relevant application” means an application under—
- section 17 (grant of licence),
 - section 29 (provisional statement),
 - section 34 (variation of licence), or
 - section 51 (review of licence).
- (2) A constable or an authorised person may, at any reasonable time before the determination of a relevant application, enter the premises to which the application relates to assess—
- in a case within subsection (1)(a), (b) or (c), the likely effect of the grant of the application on the promotion of the licensing objectives, and
 - in a case within subsection (1)(d), the effect of the activities authorised by the premises licence on the promotion of those objectives.
- (3) An authorised person exercising the power conferred by this section must, if so requested, produce evidence of his authority to exercise the power.
- (4) A constable or an authorised person exercising the power conferred by this section in relation to an application within subsection (1)(d) may, if necessary, use reasonable force.
- (5) A person commits an offence if he intentionally obstructs an authorised person exercising a power conferred by this section.
- (6) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 2 on the standard scale.

Commencement Information

I2 S. 59(1)(a)(b)(2)(a)(3)-(6) in force and s. 59(1)(c) in force for certain purposes at 7.2.2005 and at 24.11.2005 otherwise by [S.I. 2004/2360](#), [art. 2](#) (Sch.); [S.I. 2005/3056](#), [art. 2](#), (with [Sch.](#))

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 5A inserted by 2015 c. 20 s. 67(2)Sch. 17
- s. 2(1A) inserted by 2015 c. 20 s. 67(1)
- s. 10(4)(e) and word inserted by 2011 c. 13 s. 121(3)(b)
- s. 140(2)(e) inserted by 2015 c. 20 s. 67(4)(b)
- s. 141(2)(e) inserted by 2015 c. 20 s. 67(5)(b)
- s. 143(2)(e) inserted by 2015 c. 20 s. 67(6)(b)
- s. 144(2)(e) inserted by 2015 c. 20 s. 67(7)(b)
- s. 147A(4)(c) inserted by 2015 c. 20 s. 67(8)(b)
- s. 153(4)(d) inserted by 2015 c. 20 s. 67(9)(b)
- s. 197(3)(cza) inserted by 2015 c. 20 s. 67(12)(a)
- s. 197A197B inserted by 2011 c. 13 s. 121(2)