



# Licensing Act 1964

## 1964 CHAPTER 26

### PART I

#### THE GENERAL LICENSING SYSTEM

##### *Register of Licences*

#### **30 Register of licences**

- (1) The clerk to the licensing justices for a licensing district shall keep a register of licences in such form as the justices may prescribe, containing particulars of all justices' licences granted in the district, the premises for which they were granted, the names of the owners of those premises, and the names of the holders of the licences.
- (2) If in any licensing district there are more persons than one holding the office of clerk to the licensing justices, the licensing justices shall determine which of those persons shall keep the register of licences.
- (3) Licensing justices may cause a register of licences to be divided into parts and assign a part of the register to any part of their licensing district.
- (4) A register of licences shall be received in evidence of the matters required by this or any other Act to be entered in it, and any document purporting to be certified by a clerk to licensing justices to be a true copy of an entry in the register of licences kept by him shall be received in evidence of any such matters contained in the entry.

#### **31 Convictions, forfeitures and disqualifications to be entered in register**

- (1) The clerk to the licensing justices shall enter in the register of licences, in such form as may be prescribed by the Secretary of State, notice of any conviction of the holder of a justices' licence of an offence committed by him as such, including an offence against the provisions of any Act relating to the adulteration of drink; and the clerk of the court before whom the holder of a justices' licence is so convicted shall, if he is not the clerk to the licensing justices, forthwith send notice of the conviction to that clerk.

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*Status: This is the original version (as it was originally enacted).*

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- (2) The clerk to the licensing justices shall enter in the register of licences any forfeiture of a justices' licence granted in the licensing district, any disqualification of premises under any enactment and any other matter relating to the licences in the register.
- (3) The provisions of this and the preceding section shall be in addition to those of any other enactment requiring entries to be made in the register of licences.

### **32 Registration of owner, etc.**

- (1) Every person applying for a new justices' licence, or the renewal of a justices' licence, shall state the name of the person for the time being entitled to receive, either on his own account or as mortgagee or other incumbrancer in possession, the rack-rent of the premises for which the licence is granted; and the clerk to the licensing justices shall enter that name in the register of licences as the name of an owner of the premises, and endorse the name on the licence.
- (2) The clerk to the licensing justices shall also, on the application of any person whose name is not entered under the preceding subsection, and who has an estate or interest in the premises, whether as owner, lessee or mortgagee, prior or paramount to that of the occupier, enter that person's name in the register of licences as an owner of the premises.

Where any such estate or interest is vested in two or more persons jointly, one only of those persons shall be registered as representing that estate or interest.

- (3) Any reference in this Act to the registered owner of premises shall be construed as a reference to any person whose name is for the time being entered in the register of licences under this section.

### **33 Notice of conviction of licence holder to be given to registered owner**

- (1) Where the conviction of the holder of a justices' licence is entered in the register of licences under section 31(1) of this Act, the clerk to the licensing justices shall serve notice of the conviction on the registered owner of the premises.
- (2) A notice served under subsection (1) of this section shall, if served by post, be served by registered post or recorded delivery service; and for the purposes of section 26 of the Interpretation Act 1889 a letter containing the notice shall be deemed to be properly addressed if it is addressed to any place that the owner has specified to the clerk as his address, or, if the owner has not specified any place, to any place that the clerk believes to be the owner's address.
- (3) Where the conviction of the holder of a justices' licence involves the disqualification of the licensed premises, the court before which the conviction takes place shall cause notice of the disqualification to be served on any registered owner of the premises who is not the occupier.

### **34 Inspection of register**

- (1) The following persons shall be entitled at any reasonable time to inspect the register of licences for a licensing district on payment of the fee chargeable, that is to say—
  - (a) any person rated in respect of a hereditament in the district;
  - (b) any owner of licensed premises situated in the district;

- (c) any holder of a justices' licence granted in the district.
- (2) Any constable or any officer of Customs and Excise shall, without payment, be entitled at any reasonable time to inspect the register of licences.
- (3) If the clerk to the licensing justices or any other person refuses inspection of the register of licences under this section or obstructs any person attempting to inspect the register under this section or receives or demands any unauthorised charge for permitting the register to be inspected under this section, he shall be liable to a fine not exceeding five pounds.

### **35 Duty of licensing justices to have regard to entries in register**

On an application for the grant of a justices' licence the licensing justices shall have regard to any entries in the register of licences relating to the person by whom, or the premises for which, the licence is to be held.