



# Licensing Act 2003

## 2003 CHAPTER 17

### PART 1

#### LICENSABLE ACTIVITIES

#### **1 Licensable activities and qualifying club activities**

- (1) For the purposes of this Act the following are licensable activities—
  - (a) the sale by retail of alcohol,
  - (b) the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club,
  - (c) the provision of regulated entertainment, and
  - (d) the provision of late night refreshment.
- (2) For those purposes the following licensable activities are also qualifying club activities—
  - (a) the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club,
  - (b) the sale by retail of alcohol by or on behalf of a club to a guest of a member of the club for consumption on the premises where the sale takes place, and
  - (c) the provision of regulated entertainment where that provision is by or on behalf of a club for members of the club or members of the club and their guests.
- (3) In this Act references to the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club do not include a reference to any supply which is a sale by retail of alcohol.
- (4) Schedule 1 makes provision about what constitutes the provision of regulated entertainment for the purposes of this Act.
- (5) Schedule 2 makes provision about what constitutes the provision of late night refreshment for those purposes (including provision that certain activities carried on in

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*Status: This is the original version (as it was originally enacted).*

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relation to certain clubs or hotels etc, or certain employees, do not constitute provision of late night refreshment and are, accordingly, not licensable activities).

- (6) For the purposes of this Act premises are “used” for a licensable activity if that activity is carried on on or from the premises.
- (7) This section is subject to sections 173 to 175 (which exclude activities from the definition of licensable activity in certain circumstances).

## **2 Authorisation for licensable activities and qualifying club activities**

- (1) A licensable activity may be carried on—
  - (a) under and in accordance with a premises licence (see Part 3), or
  - (b) in circumstances where the activity is a permitted temporary activity by virtue of Part 5.
- (2) A qualifying club activity may be carried on under and in accordance with a club premises certificate (see Part 4).
- (3) Nothing in this Act prevents two or more authorisations having effect concurrently in respect of the whole or a part of the same premises or in respect of the same person.
- (4) For the purposes of subsection (3) “authorisation” means—
  - (a) a premises licence;
  - (b) a club premises certificate;
  - (c) a temporary event notice.