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**Changes to legislation:** Licensing Act 2003, Cross Heading: Provisional licences is up to date with all changes known to be in force on or before 21 April 2024. 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. (See end of Document for details) View outstanding changes

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## SCHEDULES

### SCHEDULE 8

#### TRANSITIONAL PROVISION ETC.

#### PART 1

#### PREMISES LICENCES

##### *Provisional licences*

- 12 (1) Where—
- (a) during such period as may be specified the relevant licensing authority receives an application in accordance with Part 3 of this Act for the grant of a premises licence in respect of any premises (“the relevant premises”),
  - (b) under section 6 of the 1964 Act, a provisional grant of a justices' licence has been made for—
    - (i) the relevant premises or a part of them, or
    - (ii) premises that are substantially the same as the relevant premises or a part of them, and
  - (c) the conditions of sub-paragraph (2) are satisfied,
- the licensing authority must have regard to the provisional grant of the justices' licence when determining the application for the grant of the premises licence.
- (2) The conditions are—
- (a) that the provisional grant of the justices' licence has not been declared final, and
  - (b) that the premises to which the provisional grant relates have been completed in a manner which substantially complies with the plans deposited under the 1964 Act or, as the case may be, with those plans with modifications consented to under section 6(3) of that Act.

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#### Commencement Information

- II** Sch. 8 para. 12(1)(a) in force at 16.12.2003 by S.I. 2003/3222, art. 2, Sch.; Sch. 8 para. 12(1)(b)(c)(2) in force at 7.2.2005 by S.I. 2004/2360, art. 2, Sch.

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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\(2\)](#)