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**Changes to legislation:** Licensing Act 2003, Cross Heading: The new licence 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

##### *The new licence*

- 6 (1) This paragraph applies where a new licence is granted under paragraph 4 in respect of one or more existing licences.
- (2) Where an application under paragraph 2 is granted in part only, any relevant existing licence in respect of which the application was rejected is to be disregarded for the purposes of the following provisions of this paragraph.
- (3) The new licence is to be treated as if it were a premises licence (see section 11), and sections 19, 20 and 21 (mandatory conditions for premises licences) apply in relation to it accordingly.
- (4) The new licence takes effect on the second appointed day.
- (5) The new licence must authorise the premises in question to be used for the existing licensable activities under the relevant existing licence or, if there is more than one relevant existing licence, the relevant existing licences.
- (6) Subject to sections 19, 20 and 21 and the remaining provisions of this paragraph, the new licence must be granted subject to such conditions as reproduce the effect of—
- (a) the conditions subject to which the relevant existing licence has effect at the time the application is granted, or
  - (b) if there is more than one relevant existing licence, all the conditions subject to which those licences have effect at that time.
- (7) Where the new licence authorises the supply of alcohol, the new licence must designate the person named in the application under paragraph 2(4)(b) as the premises supervisor.
- (8) The new licence must also be granted subject to conditions which reproduce the effect of any restriction imposed on the use of the premises for the existing licensable activities under the relevant existing licence or licences by any enactment specified for the purposes of this Part.
- (9) In determining those restrictions, the relevant licensing authority must have regard to any children's certificate which accompanied (or a certified copy of which accompanied) the application and which remains in force.

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- (10) Nothing in sub-paragraph (6) or (8) requires the new licence to be granted for a limited period.
- (11) But, where the application under paragraph 2 includes a request for the new licence to have effect for a limited period, the new licence is to be granted subject to that condition.

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**Commencement Information**

- II** Sch. 8 para. 6(8) in force at 16.12.2003 by S.I. 2003/3222, art. 2, Sch.; Sch. 8 para. 6(1)-(7)(9)-(11) 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\(2\)](#)