Licensing Act 2003

2003 CHAPTER 17

PART 3

PREMISES LICENCES

Variation of licences

38   Circumstances in which section 37 application given interim effect

(1) This section applies where an application made in accordance with section 37, in respect of a premises licence which authorises the supply of alcohol, includes a request that the variation applied for should have immediate effect.

(2) By virtue of this section, the premises licence has effect during the application period as if it were varied in the manner set out in the application.

(3) For this purpose "the application period" means the period which—

(a)   begins when the application is received by the relevant licensing authority, and

(b)   ends—

   (i) if the application is granted, when the variation takes effect,

   (ii) if the application is rejected, at the time the rejection is notified to the applicant, or

   (iii) if the application is withdrawn before it is determined, at the time of the withdrawal.

Changes to legislation:
Licensing Act 2003, Section 38 is up to date with all changes known to be in force on or before 11 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.
View outstanding changes

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)