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**Changes to legislation:** There are currently no known outstanding effects for the Policing and Crime Act 2009, Cross Heading: Power of Secretary of State to impose section 19(4) mandatory conditions. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 4

#### MANDATORY LICENSING CONDITIONS RELATING TO ALCOHOL

##### PART 1

##### PREMISES LICENCES

*Power of Secretary of State to impose section 19(4) mandatory conditions*

2 After section 19 of that Act insert—

**“19A Power of Secretary of State to impose section 19(4) mandatory conditions**

- (1) The Secretary of State may by order specify conditions relating to the supply of alcohol and applicable to all relevant premises licences or relevant premises licences of a particular description if the Secretary of State considers it appropriate to do so for the promotion of the licensing objectives.
- (2) The number of conditions in force by virtue of subsection (1) in relation to all relevant premises licences and the number of conditions in force by virtue of that subsection in relation to relevant premises licences of particular descriptions must not (when added together) exceed at any time nine.
- (3) An order under subsection (1) may—
  - (a) relate to existing or future relevant premises licences,
  - (b) specify conditions which involve, or consist of, the exercise of a discretion by any person.
- (4) Any conditions specified by an order under subsection (1) in relation to existing relevant premises licences are to be treated as—
  - (a) included in those licences from the coming into force of the order, and
  - (b) overriding any conditions already included in those licences (“the existing conditions”) so far as they are—
    - (i) identical to the existing conditions, or
    - (ii) inconsistent with, and more onerous than, the existing conditions.
- (5) Any conditions included, or treated as included, in relevant premises licences by virtue of section 19(4) and this section cease to have effect so far as they cease to be specified under this section in relation to those licences.

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- (6) Any conditions treated as mentioned in subsection (4)(b) cease to be so treated so far as they cease to be specified under this section in relation to the relevant premises licences concerned.
- (7) So far as conditions cease to be treated as mentioned in subsection (4)(b), the existing conditions revive.
- (8) Subsections (5) to (7) are subject to any alternative transitional or saving provision made by the order revoking the specification.
- (9) In this section—
- “existing relevant premises licence”, in relation to an order, means a relevant premises licence granted before the coming into force of the order and in effect, or capable of having effect, on its coming into force,
- “future relevant premises licence”, in relation to an order, means a relevant premises licence granted on or after the coming into force of the order,
- “relevant premises licence” means a premises licence authorising the supply of alcohol.”

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**Commencement Information**

**II** Sch. 4 para. 2 in force at 29.1.2010 by [S.I. 2010/125](#), **art. 2(r)**

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