

Status: This version of this provision is prospective.

Changes to legislation: Deregulation Act 2015, Section 67 is up to date with all changes known to be in force on or before 28 March 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



Deregulation Act 2015

2015 CHAPTER 20

Alcohol, sport and entertainment

PROSPECTIVE

67 Sale of alcohol: community events etc and ancillary business sales

- (1) In section 2 of the Licensing Act 2003 (authorisation for licensable activities etc), after subsection (1) insert—

“(1A) The licensable activity of selling alcohol by retail may be carried on if each sale is a permitted sale by virtue of Part 5A.”

- (2) After Part 5 of that Act, insert the Part set out in Schedule 17 to this Act.

- (3) In section 136 of that Act (unauthorised licensable activities), at the end of subsection (5) insert—

“In addition, for the purposes of this Part the licensable activity of selling alcohol by retail is under and in accordance with an authorisation if each sale is a permitted sale by virtue of Part 5A.”

- (4) In section 140 of that Act (allowing disorderly conduct on licensed premises etc)—

- (a) omit the “and” before subsection (2)(d);
- (b) after that paragraph insert “, and
- (e) in the case of premises specified in a Part 5A notice, to the person who gave the notice.”

- (5) In section 141 of that Act (sale of alcohol to a person who is drunk)—

- (a) omit the “and” before subsection (2)(d);
- (b) after that paragraph insert “, and
- (e) in the case of premises specified in a Part 5A notice, to the person who gave the notice.”;
- (c) in subsection (3), after “This section” insert “ (except subsection (2)(e)) ”.

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- (6) In section 143 of that Act (failure to leave licensed premises etc)—
- (a) omit the “and” before subsection (2)(d);
 - (b) after that paragraph insert “, and
 - (e) in the case of premises specified in a Part 5A notice, to the person who gave the notice.”
- (7) In section 144 of that Act (keeping of smuggled goods)—
- (a) omit the “and” before subsection (2)(d);
 - (b) after that paragraph insert “, and
 - (e) in the case of premises specified in a Part 5A notice, to the person who gave the notice.”
- (8) In section 147A of that Act (persistently selling alcohol to children)—
- (a) in subsection (1)(b), for the words from “either” to “Part 5” substitute “ licensed premises, premises authorised to be used for a permitted temporary activity by virtue of Part 5 or premises specified in a Part 5A notice ”;
 - (b) in subsection (4), after paragraph (b) insert “; or
 - (c) the person or one of the persons who gave a Part 5A notice in respect of the premises.”
- (9) In section 153 of that Act (prohibition of unsupervised sales by children)—
- (a) omit the “and” before subsection (4)(c);
 - (b) after that paragraph insert “, and
 - (d) in relation to a sale by retail that is a permitted sale by virtue of Part 5A—
 - (i) the person who gave the Part 5A notice, or
 - (ii) any individual aged 18 or over who is authorised for the purposes of this section by that person.”
- (10) In section 159 of that Act (interpretation of Part 7), at the end of the definition of “relevant premises” insert “, or
- (d) except in sections 145 and 152, premises that (by reason of being specified in a Part 5A notice) are premises on which a sale by retail of alcohol is capable of being a permitted sale by virtue of Part 5A;”.
- (11) In section 194 of that Act (index of defined expressions) insert the following entries at the appropriate places—
- | | |
|---|--------------------|
| “Part 5A notice | section 110A(2)” |
| “relevant licensing authority, in Part 5A | section 110N” |
| “relevant person, in Part 5A | section 110D(11)”. |
- (12) In section 197 of that Act (regulations and orders)—
- (a) in subsection (3) (which lists exceptions to the use of the negative procedure), after paragraph (c) insert—

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- “(cza) regulations under section 110B(2), (3) or (7) or 110C(2), (3), (5) or (6) (regulations relating to sales of alcohol permitted by virtue of Part 5A),”;
- (b) in subsection (4) (which specifies when the affirmative procedure is required)
 -
 - (i) after “or (g)” insert “ or regulations within subsection (3)(cza) ”;
 - (ii) after “the order” insert “ or regulations ”.

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing SI 2015/994 art. 13 Sch. by [S.I. 2015/1405 art. 2\(3\)](#)

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):

- s. 110A inserted by [2016 c. 12 s. 16\(1\)](#)