Draft Order laid before Parliament under section 197 of the Licensing Act 2003, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2010 No.

LICENCES AND LICENSING

The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010

Made - - - -	*****
Coming into force	
Paragraphs 4 and 5 of the Schedule	*1st October 2010*
Remainder	*6th April 2010*

The Secretary of State makes the following Order in exercise of the powers conferred by sections 19A, 73B and 197(2) of the Licensing Act 2003(**1**).

In accordance with section 197(4) of that Act(**2**), a draft of this instrument was laid before Parliament and approved by a resolution of each House of Parliament.

In accordance with sections 19A(1) and 73B(1) of that Act, the Secretary of State considers it appropriate for the promotion of the licensing objectives(**3**) to specify the conditions set out in this Order.

Citation and commencement

1.—(1) This Order may be cited as the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010.

(2) This Order shall come into force on 6th April 2010 other than paragraphs 4 and 5 of the Schedule which shall come into force on 1st October 2010.

Interpretation

2. In this Order—

"the Act" means the Licensing Act 2003;

(**1**) 2003 c.17; sections 19A and 73B were inserted by paragraphs 2 and 4 respectively of Schedule 4 to the Policing and Crime Act 2009 (c.26).
(**2**) Section 197(4) was amended by paragraph 44 of Schedule 7 to the Policing and Crime Act 2009.
(**3**) See section 4(2) of the Licensing Act 2003.

"anti-social behaviour" has the meaning given in section 36 of the Anti-social Behaviour Act 2003(**4**);

"disability" has the meaning given in section 1 of the Disability Discrimination Act 1995(**5**);

"relevant premises" has the meaning given in paragraphs (a) and (b) of the definition in section 159 of the Act;

"responsible person" has the meaning given in paragraphs (a) and (b) of the definition in section 153(4) of the Act.

Mandatory conditions

3.—(1) Subject to paragraph (3), in relation to an existing or future relevant premises licence, the conditions set out in the Schedule are specified for the purposes of section 19(4)(**6**) of the Act (mandatory conditions where licence authorises supply of alcohol).

(2) Subject to paragraph (3), in relation to an existing or future relevant club premises certificate, the conditions set out in the Schedule are specified for the purposes of section 73A(**7**) of the Act (mandatory conditions relating to the supply of alcohol to members or guests).

(3) The conditions in paragraphs 1 to 3 and 5 of the Schedule do not apply where the licence or certificate authorises the sale by retail or supply of alcohol only for consumption off the premises.

Home Office
Date

Name
Parliamentary Under Secretary of State

(**4**) c.38
(**5**) c.50.
(**6**) Section 19(4) was inserted by paragraph 1 of Schedule 4 to the Policing and Crime Act 2009.
(**7**) Section 73A was inserted by paragraph 3 of Schedule 4 to the Policing and Crime Act 2009.