



# Licensing Act 2003

## 2003 CHAPTER 17

### PART 3

#### PREMISES LICENCES

##### *Duration of licence*

#### 26 Period of validity of premises licence

- (1) Subject to sections 27 and 28, a premises licence has effect until such time as—
  - (a) it is revoked under section 52, or
  - (b) if it specifies that it has effect for a limited period, that period expires.
- (2) But a premises licence does not have effect during any period when it is suspended under section 52 [<sup>F1</sup>or 55A] .

#### Textual Amendments

- F1** Words in s. 26(2) inserted (25.4.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 120\(2\), 157\(1\)](#) (with s. 120(6)); S.I. 2012/1129, art. 2(d)

#### 27 Death, incapacity, insolvency etc. of licence holder

- (1) A premises licence lapses if the holder of the licence—
  - (a) dies,
  - [<sup>F2</sup>(b) becomes a person who lacks capacity (within the meaning of the Mental Capacity Act 2005) to hold the licence,]
  - (c) becomes insolvent,
  - (d) is dissolved, or
  - (e) if it is a club, ceases to be a recognised club.

**Changes to legislation:** Licensing Act 2003, Cross Heading: Duration of licence is up to date with all changes known to be in force on or before 08 May 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

- [<sup>F3</sup>(1A) A premises licence that authorises premises to be used for a licensable activity within section 1(1)(a) or (d) also lapses if the holder of the licence ceases to be entitled to work in the United Kingdom at a time when the holder of the licence is resident in the United Kingdom (or becomes so resident without being entitled to work in the United Kingdom).]
- (2) This section is subject to sections 47 and 50 (which make provision for the reinstatement of the licence in certain circumstances).
- (3) For the purposes of this section, an individual becomes insolvent on—
- (a) the approval of a voluntary arrangement proposed by him,
  - (b) being [<sup>F4</sup>made] bankrupt or having his estate sequestrated, or
  - (c) entering into <sup>F5</sup>... a trust deed for his creditors.
- (4) For the purposes of this section, a company becomes insolvent on—
- (a) the approval of a voluntary arrangement proposed by its directors,
  - (b) the appointment of an administrator in respect of the company,
  - (c) the appointment of an administrative receiver in respect of the company, or
  - (d) going into liquidation.
- (5) An expression used in this section and in the Insolvency Act 1986 (c. 45) has the same meaning in this section as in that Act.

#### Textual Amendments

- F2** S. 27(1)(b) substituted (1.10.2007) by [Mental Capacity Act 2005 \(c. 9\)](#), ss. 67(1), 68(1)-(3), [Sch. 6 para. 46\(2\)](#) (with ss. 27, 28, 29, 62); S.I. 2007/1897, [art. 2](#)
- F3** S. 27(1A) inserted (6.4.2017) by [Immigration Act 2016 \(c. 19\)](#), s. 94(1), [Sch. 4 para. 5](#) (with Sch. 4 para. 34); S.I. 2017/380, [reg. 2\(b\)](#)
- F4** Word in s. 27(3)(b) substituted (6.4.2016) by [The Enterprise and Regulatory Reform Act 2013 \(Consequential Amendments\) \(Bankruptcy\) and the Small Business, Enterprise and Employment Act 2015 \(Consequential Amendments\) Regulations 2016 \(S.I. 2016/481\)](#), [reg. 1](#), [Sch. 1 para. 18](#)
- F5** Words in s. 27(3)(c) omitted (1.10.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), s. 115(7), [Sch. 6 para. 2\(17\)](#) (with Sch. 6 para. 3); S.I. 2015/1732, [art. 2\(e\)\(i\)](#)

## 28 Surrender of premises licence

- (1) Where the holder of a premises licence wishes to surrender his licence he may give the relevant licensing authority a notice to that effect.
- (2) The notice must be accompanied by the premises licence or, if that is not practicable, by a statement of the reasons for the failure to provide the licence.
- (3) Where a notice of surrender is given in accordance with this section, the premises licence lapses on receipt of the notice by the authority.
- (4) This section is subject to section 50 (which makes provision for the reinstatement in certain circumstances of a licence surrendered under this section).

**Changes to legislation:**

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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\(2\)](#)