



## **Licensing Act 2003 – Club Premises Certificate Guidance Notes for Certificate Holders**

### **Duration of a Club Premises Certificate**

A club premises certificate has effect until such time that it is suspended, revoked or surrendered.

### **Duty to notify change of name, registered address or rules of the club**

The secretary of a club holding a club premises certificate must, within 28 days, notify the relevant licensing authority of any change of name or alteration made to the rules of the club.

A club holding a club premises certificate, must notify the relevant licensing authority of any change of the registered address of the club.

A notice under the above paragraph, must be accompanied by the club premises certificate, or if not practicable, by a statement giving the reasons for failure to produce.

Failure without reasonable excuse to comply with the above is an offence, and the secretary of the club will be liable on summary conviction to a fine not exceeding level 2 on the standard scale (£500.00 as at November 2005).

### **Duty to keep and display certificate**

The secretary of a club holding a club premises certificate, must ensure that the certificate, or a certified copy of it is kept at the premises in the custody of or under the control of a nominated person who falls within the definition under sec. 94 of the Act.

The secretary commits an offence if he fails, without reasonable excuse, to comply with the above.

The nominated person has a duty to ensure that a summary of the licence or a certified copy of that summary is prominently displayed at the premises, along with a notice specifying the position he holds at the premises.

The nominated person commits an offence if he fails, without reasonable excuse, to comply with the above.

They will be liable on summary conviction to a fine not exceeding level 2 on the standard scale (£500.00 as at November 2005).

### **Duty to produce certificate**

A constable or an authorised person may require the nominated person to produce the club premises certificate or certified copy for examination. An authorised person must, if requested, produce evidence of his authority to exercise the power.

Failure without reasonable excuse to comply with the above is an offence, and a person will be liable on summary conviction to a fine not exceeding level 2 on the standard scale (£500.00 as at November 2005).

### **Theft or loss of club premises certificate**

Where a club premises certificate or summary is lost, stolen, damaged or destroyed, the club may apply to the relevant licensing authority for a copy of the licence or summary. A fee of £10.50 is payable in relation to such an application. (Fee as at November 2005).

Where an application is made for a replacement certificate or summary the licensing authority must issue the club with a certificate or summary if it is satisfied that:-

- a) the certificate or summary has been lost, stolen, damaged or destroyed; and
- b) where it has been lost or stolen, the holder has reported that loss or theft to the Police.

### **Surrender of club premises certificate**

Where a club holds which holds a club premises certificate wishes to surrender the certificate the club may give the licensing authority a notice to that effect. The notice must be accompanied by the club premises certificate, or where that is not practicable, by a statement of the reasons for the failure to provide the certificate. Where a notice of surrender is given, the club premises certificate lapses on receipt of the notice by the licensing authority.

### **Annual fee for premises licence/club premises certificate**

An annual fee shall become due and payable each year to the licensing authority, on the anniversary of the date of the grant of the premises licence/club premises certificate. This fee is based upon the rateable value of the property and an account will be sent in advance of the due date. The requirement to pay this fee does not apply in respect of licences/certificates that authorises the provision of regulated entertainment only:

1. in an educational institution which is a school or college; and the licence/certificate is in respect of that educational institution; and the regulated entertainment is on behalf or for the purposes of the institution.
2. in premises that form part of a church, chapel, village, parish or community hall or other similar building.

“College” means a college or similar institution principally concerned with the provision of full time education suitable to the requirements of persons over compulsory school age who have not attained the age of 19.

### **Legal Advice**

This guidance is intended to assist holders of club premises certificates. If in any doubt certificate holders should consult their own legal advisor for more detailed advice.