STATUTORY RULES OF NORTHERN IRELAND

1997 No. 20

LICENSING

Licensing (Form of Licence) Regulations (Northern Ireland) 1997

Made - - - -	*21st January 1997*
Coming into operation	*20th February 1997*

The Department of Health and Social Services, in exercise of the powers conferred on it by Article 33 of the Licensing (Northern Ireland) Order 1996(**1**) and of all other powers enabling it in that behalf, hereby makes the following regulations:

Citation and commencement

1. These regulations may be cited as the Licensing (Form of Licence) Regulations (Northern Ireland) 1997 and shall come into operation on 20th February 1997.

Form of licence for the sale of intoxicating liquor

2. A licence, other than an occasional licence (being in such form as may be prescribed by magistrates' courts rules), shall be in the form set out in the Schedule.

Revocation

3. The Licensing (Form of Licence) Regulations (Northern Ireland) 1990(**2**) are hereby revoked.

Sealed with the Official Seal of the Department of Health and Social Services on

L.S.

J. Harbison
Under Secretary

21st January 1997.

(**1**) S.I.1996/3158 (N.I. 22)
(**2**) S.R. 1990 No. 447

SCHEDULE Regulation 2

FORM 1THE LICENSING (NORTHERN IRELAND) ORDER 1996Licence for the Sale of Intoxicating Liquor by Retail

County Court Division of

Petty Sessions District of

PART I

KIND OF PREMISES FOR WHICH LICENCE GRANTED
(*for completion in every case*)

This licence [when declared final] authorises

of

to sell intoxicating liquor by retail at

being premises of the following kind as mentioned in Articles 5(1) and 80(1) of the Licensing (Northern Ireland) Order 1996 (hereinafter in this licence referred to as "the 1996 Order"), namely—

[premises in which the business carried on under the licence is the business of selling intoxicating liquor by retail for consumption either in or off the premises.]

[premises in which the business carried on under the licence is the business of selling intoxicating liquor by retail for consumption off the premises.]

[an hotel.]

[a guest house.]

[a restaurant.]

[a conference centre.]

[a higher education institution.]

[a place of public entertainment.]

[a refreshment room in public transport premises.]

[a seamen's canteen.]

[a non-seagoing vessel.]

The owner of the premises is

of

Dated this day of 19 .

Chief Clerk
for the said Division

PART II

PARTICULARS OF APPROVED PLANS AND OTHER DETAILS AS TO GRANT OR PROVISIONAL GRANT OF LICENCE

A. (*For completion according to whether grant provisional or otherwise.*)

This licence was [provisionally] granted to the holder as specified in Part I hereof by the County Court for the Division of on the day of 19 .

The plan attached to the notice of application in accordance with Schedule 1 to the 1996 Order was approved by the court [and filed pending final grant].

[Before declaring the provisional grant of the licence final, the court consented to the modification of the said plan on the day of 19 and a copy of the modified plan was deposited with the chief clerk on the day of 19 .]

[The grant of this licence to

[a person nominated by the Northern Ireland Housing Executive] was declared final on the day of 19 , the court being satisfied that the premises had been completed in accordance with the said plan [as so modified].]

[The court in granting this licence, ordered under Article 8(1) of the 1996 Order that the holder of the licence make the following alterations in the premises before the day of 19 :—

as shown on the plan to be deposited with the chief clerk.

Notice of the last-mentioned order was served on

of

as owner of the premises in the following manner:—

on the day of 19 .]

(*For completion only where the licence is granted for premises mentioned in Article 5(1)(a) or (b) of the 1996 Order.*)

Before this licence was granted, the licence (particulars of which are set out below) being treated as a subsisting licence under Schedule 2 to the 1996 Order was surrendered to the court in accordance with Article 7(4)(*e*)(ii) of the said Order.

Address of premises on surrendered licence

Name of licence holder on surrendered licence

Kind of premises

The petty sessions district in which the premises on the surrendered licence are situated is and notice of the surrender of that licence was sent to the clerk of petty sessions for that district on the day of 19 .

No subsisting licence was surrendered to the court under Article 7(4)(*e*)(ii) of the 1996 Order because [the premises for which this licence was granted are situated in an area designated by an order under the New Towns Act (Northern Ireland) 1965 in the circumstances specified in Article 7(7)(*a*) of the 1996 Order] [within the period of 5 years immediately preceding the date of the application upon which this licence was granted, a previous licence was in force for those premises in the circumstances specified in Article 7(7)(*b*) of the 1996 Order].]

Dated this day of 19 .

Chief Clerk
for the said Division

B. The court, on application of the holder of the licence, ordered under Article 8(3) of the 1996 Order that the period fixed by order of the County Court under Article 8(1) of the said Order be extended to the day of 19 .

Dated this day of 19 .

Clerk of Petty Sessions
for the said District

C. (*For completion on the order of the court where a new licence is granted in lieu of an existing licence under Article 11 of the 1996 Order.*)

For the purposes of Article 11 of the 1996 Order it is hereby noted that the licence is [provisionally] granted in lieu of an existing licence for premises which are or will be of the same description as those in respect of which the existing licence is granted, namely—

[(where the existing licence was granted—

(i) before 31st July 1902; or

(ii) between 30th July 1902 and 3rd May 1971 otherwise than under section 2(2) of the Licensing (Ireland) Act 1902 or section 9(*a*)(ii) of the Intoxicating Liquor Act (Northern Ireland) 1923)

premises of an establishment allocated by a certificate under Article 13 of the Tourism (Northern Ireland) Order 1992 to the statutory category of tourist establishment mentioned in Article 12(1)(*a*) of that Order.]

[(where the existing licence is for premises to which Article 2(5)(*a*) of the 1996 Order applied) an hotel as defined by section 1(3) of the Intoxicating Liquor Act (Northern Ireland) 1923 providing accommodation approved by the Northern Ireland Tourist Board.]

[(where the existing licence is for premises to which Article 2(5)(*b*) of the 1996 Order applied) premises without a public bar for the sale of intoxicating liquor and of an establishment allocated by a certificate under Article 13 of the Tourism (Northern Ireland) Order 1992 to the statutory category of tourist establishment mentioned in Article 12(1)(*b*) of that Order.]

Dated this day of 19 .

Chief Clerk
for the said Division

D. The court, in granting this licence for premises of a kind mentioned in Article 5(1)(*h*) of the 1996 Order on the day of 19 , attached the following conditions under Article 7(12) of the said Order, namely—

Dated this day of 19 .

Chief Clerk
for the said Division

E. The court, in granting this licence for premises of a kind mentioned in Article 5(1)(*a*) of the 1996 Order on the day of 19 , gave a direction under Article 7(10) of the said Order that on Sundays there shall be no permitted hours on the said premises.

Dated this day of 19 .

Chief Clerk
for the said Division

F. The court, in granting this licence for premises of a kind mentioned in Article 5(1)(*d*) of the 1996 Order on the day of 19 , attached the condition under Article 7(11) of the said Order that there shall be afforded adequate sitting accommodation in a room not to be used for sleeping accommodation, for the service of substantial refreshment or for the supply or consumption of intoxicating liquor.

Dated this day of 19 .

Chief Clerk
for the said Division

G. The court, in granting this licence for premises of a kind mentioned in Article 80(1) of the 1996 Order on the day of 19 , attached the following conditions under Article 80(2) of the said Order, namely—

Dated this day of 19 .

Chief Clerk
for the said Division

PART III

ORDERS MADE IN RELATION TO THE PREMISES AS TO SUITABILITY FOR EXTENSION LICENCES, ALTERNATIVE OR ADDITIONAL PERMITTED HOURS, ETC.

A. The court, [in [granting] [declaring final the grant of] [renewing] this licence on the day of 19] [on application of the holder of the licence], by order under Article 48 of the 1996 Order specified the following part[s] of