1990 No. 447

LICENSING

The Licensing (Form of Licence) Regulations (Northern Ireland) 1990

Made . . . . . 19th December 1990

Coming into operation . . 11th March 1991

The Department of Health and Social Services, in exercise of the powers conferred on it by Article 38 of the Licensing (Northern Ireland) Order 1990(**a**) 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) 1990 and shall come into operation on 11th March 1991.

Form of licence for the sale of intoxicating liquor

2.—(1) 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.

(2) There shall be entered on each licence such of the entries as are therein set out as relate to the order made by a county court upon the grant of the licence or by a court of summary jurisdiction on the renewal or transfer of that licence.

(3) Every entry on the licence shall be verified in the case of—

(*a*) the grant of the licence, by the signature of the chief clerk of the court which made the order and shall state the county court division for which the court acted when making the order; and

(*b*) the renewal or transfer of the licence, by the signature of the clerk of petty sessions for the court of summary jurisdiction which made the order and shall state the petty sessions district for which the court acted when making the order.

Revocation

3. The Licensing (Form of Licence) Regulations (Northern Ireland) 1989(**b**) are hereby revoked.

(a) S.I. 1990/594 (N.I. 6)
(b) S.R. 1989 No. 148

Sealed with the Official Seal of the Department of Health and Social Services on 19th December 1990.

(L.S.) *R. McMurray*
Assistant Secretary

SCHEDULE Regulation 2(1)

FORM 1

THE LICENSING (NORTHERN IRELAND) ORDER 1990

Licence 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 6(1) and 85(1) of the Licensing (Northern Ireland) Order 1990 (hereinafter in this licence referred to as 'the 1990 Order'), namely—

[premises in which the only or principal business carried on is the business of selling intoxicating liquor by retail for consumption either in or off the premises.]
[premises in which the only or principal business carried on is the business of selling intoxicating liquor by retail for consumption off the premises.]
[an hotel.]
[a restaurant.]
[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 1990 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 9(1) of the 1990 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 6(1)(a) or (b) of the 1990 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 1990 Order was surrendered to the court in accordance with Article 8(2)(c)(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 8(2)(*c*)(ii) of the 1990 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 8(4)(*a*) of the 1990 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 8(4)(*b*) of the 1990 Order].]

Dated this day of 19 .

Chief Clerk
for the said Division

B. The court, on the application of the holder of the licence, ordered under Article 9(3) of the 1990 Order that the period fixed by order of the County Court under Article 9(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 12 of the 1990 Order.)*

For the purposes of Article 12 of the 1990 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 registered in the register of hotels maintained by the Northern Ireland Tourist Board under section 10 of the Development of Tourist Traffic Act (Northern Ireland) 1948.]

[(where the existing licence is for premises to which Article 2(5)(*a*) of the 1990 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 1990 Order applied) premises registered in the register of guest houses maintained by the Northern Ireland Tourist Board under section 10 of the Development of Tourist Traffic Act (Northern Ireland) 1948 and without a public bar for the sale of intoxicating liquor.]