1989 No. 148

LICENSING

The Licensing (Form of Licence) Regulations (Northern Ireland) 1989

Made	*13th April 1989*
Coming into operation . .	*22nd May 1989*

The Department of Health and Social Services, in exercise of the powers conferred on it by section 33 of the Licensing Act (Northern Ireland) 1971(**a**) and now vested in it(**b**) and of all other powers enabling it in that behalf, hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Licensing (Form of Licence) Regulations (Northern Ireland) 1989 and shall come into operation on 22nd May 1989.

(2) In these regulations "the Act" means the Licensing Act (Northern Ireland) 1971.

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.

(**a**) 1971 c. 13 (N.I.)
(**b**) *See* Art. 5 of and Sch. 2 to S.R. & O. (N.I.) 1973 No. 504; and Art. 5 of and Sch. 1 to S.I. 1982/338 (N.I. 6)

Revocation

3. The Licensing (Form of Licence) Regulations (Northern Ireland) 1971(**a**) are hereby revoked.

Sealed with the Official Seal of the Department of Health and Social Services on 13th April 1989.

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

(**a**) S.R. & O. (N.I.) 1971 No. 302

SCHEDULE Regulation 2(1)

FORM 1

LICENSING ACT (NORTHERN IRELAND) 1971

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 ISSUED
(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 specified in sections 3(1) and 79(1) of the Licensing Act (Northern Ireland) 1971 (hereinafter in this licence referred to as 'the Act of 1971'), 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 the 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 granted [provisionally] 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 Act of 1971 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 those plans 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 plans [as so modified].]

[The court in granting this licence ordered under section 6(1) of the Act of 1971 that the holder of the licence make the following alterations in the premises before the day of 19 :—

as detailed on plans 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 section 3(1)(a) or (b) of the Act of 1971.*)

Before this licence was issued, the licence (particulars of which are set out below) being [a subsisting licence within the meaning of paragraph 1 of Schedule 2 to the Act of 1971] [treated as a subsisting licence under paragraph 2 of Schedule 2 to the Act of 1971] was surrendered to the court in accordance with section 5(2)(*c*)(ii) of that Act.

Address of premises on surrendered licence

Name of licensee on surrendered licence

Kind of premises

Petty sessions district in which premises on surrendered licence situated and date on which that licence was sent to the clerk of petty sessions for that district

[No subsisting licence was surrendered under section 5(2)(*c*)(ii) of the Act of 1971 because [the premises for which this licence is granted are situated in an area designated by an order under the New Towns Act (Northern Ireland) 1965 in the circumstances specified in section 5(4)(*a*) of the Act of 1971] [within the period of five years immediately preceding the date of the application upon which this licence was granted, a previous licence was in force for the premises licensed under the circumstances specified in section 5(4)(*b*) of the Act of 1971].]

Dated the day of 19 .

Chief Clerk
for the said Division

B. The court, on the application of the holder of the licence, ordered under section 6(3) of the Act of 1971 that the period fixed by order of the County Court under section 6(1) of that Act be extended to the day of 19 .

Dated the 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 4(1) of the Licensing (Northern Ireland) Order 1978.*)

For the purposes of Article 4(1) of the Licensing (Northern Ireland) Order 1978 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 section 84(4)(*a*) of the Act of 1971 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.]