1979 No. 465

EUROPEAN COMMUNITIES LICENSING

The Licensing Act (Northern Ireland) 1971 (Amendment) Regulations (Northern Ireland) 1979

Made . . . . . 31*st December* 1979

Coming into operation . . . 1*st January* 1980

The Department of Finance, being a Department designated(**a**) for the purposes of Section 2(2) of the European Communities Act 1972(**b**) in relation to the method of determining or expressing alcoholic strength, in exercise of the powers conferred by that section, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Licensing Act (Northern Ireland) 1971 (Amendment) Regulations (Northern Ireland) 1979 and shall come into operation on 1st January 1980.

Amendment of the Licensing Act (Northern Ireland) 1971

2. Section 85 of the Licensing Act (Northern Ireland) 1971(**c**) shall be amended by the substitution, in paragraph (*e*)(i), for the words "(computed as proof spirit)", of the words "(containing a quantity of ethyl alcohol amounting to 57 per cent of the volume of the liquor inclusive of the alcohol contained in it as at 20°C)".

Sealed with the Official Seal of the Department of Finance for Northern Ireland on 31st December 1979.

(L.S.) *F. G. Dougall*

Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations amend section 85(*e*)(i) of the Licensing Act (Northern Ireland) 1971 which excludes liqueur chocolates from the provisions of the Act, provided that the proportion of intoxicating liquor (computed as proof spirit) in the confectionery does not exceed the amount specified in the section. The Regulations replace the reference to proof spirit with a reference to the quantity of alcohol contained in the liquor expressed as a percentage of the volume of the liquor, so as to conform with Council Directive No. 76/766/EEC (O.J. No. L262, 27.9.76, p. 149), which relates to the method of determining or expressing the alcoholic strength of mixtures of water and ethanol.

(**a**) S.I. 1977/1718 (1977 III, p 4882)
(**b**) 1972 c. 68
(**c**) 1971 c. 13 (N.I.)