1971. No. 302 [C]

LICENSING

REGULATIONS, DATED 30TH AUGUST 1971, MADE BY THE MINISTRY OF HOME AFFAIRS UNDER SECTION 33 OF THE LICENSING ACT (NORTHERN IRELAND) 1971.

The Ministry of Home Affairs in exercise of the powers conferred on it by section 33 of the Licensing Act (Northern Ireland) 1971(a) (herein referred to as "the Act") and all other powers thereunto enabling it, hereby makes the following regulations:—

Citation

1. These Regulations shall be cited as the Licensing (Form of Licence) Regulations (Northern Ireland) 1971.

Form of licence for sale of intoxicating liquor

2.—(1) A licence under the Act authorising the sale of intoxicating liquor by retail (other than an occasional licence or an extension licence being in such form as may be prescribed by magistrates' courts rules) shall be in Form 1 in the Schedule.

(2) There shall be entered on the licence such of the entries as are therein set out as relate to the orders made by the court whether upon the grant, transfer or renewal of or otherwise in relation to the licence.

(3) Every entry in the licence shall be verified by the signature of the clerk of the court which made the order and shall state the county court division or as the case may be, the petty sessions district for which the court acted when making the order.

Clerks of the Crown and peace to send copies of newly-granted licence to clerk of petty sessions

3. Where the county court grants a licence, the clerk of the Crown and peace shall for the purposes of section 34(3) of the Act—

(*a*) send a copy of the licence as fully completed to the clerk of petty sessions for the petty sessions district in which the newly licensed premises are situated; and

(*b*) where a licence is surrendered to the clerk of the Crown and peace under section 5(2)(*c*)(ii) of the Act, send that licence (duly certified by him as cancelled) to the clerk of petty sessions for the district in which the premises specified in that licence are situated together with Form 2 of the Schedule.

Duplicate licences under section 38 to be issued

4. A clerk of petty sessions shall for the purposes of section 38(2) of the Act issue a duplicate of the licence headed "DUPLICATE" and that duplicate shall be issued and certified in accordance with the provisions of that section.

Sealed with the Official Seal of the Ministry of Home Affairs for Northern Ireland this 30th day of August 1971.

(L.S.) *J. H. Parkes,*
Assistant Secretary.

(a) 1971. c. 13 (N.I.).

SCHEDULE

FORM 1

LICENCE FOR THE SALE OF INTOXICATING LIQUOR BY RETAIL

(Licensing Act (Northern Ireland) 1971: Section 3(1))

PART I

KIND OF PREMISES FOR WHICH LICENCE ISSUED

(This Part must be verified in every case by the clerk of the Crown and peace where the licence for the premises was first granted after 3rd May 1971, or on the first renewal of the licence after that date by the clerk of petty sessions for the petty sessions district in which the premises are situated where the licence for the premises was first granted before that date; alternatively the licence must be issued only as provided by section 38 of the Act of 1971 and Rule 4 of the Licensing (Form of Licence) Regulations (Northern Ireland) 1971 where the original licence has been lost or destroyed and only according to the particulars entered on the register of licences).

This licence authorises
(full forenames and surname of licensee, or, where licensee is a body corporate, title of body)
of *(full residential address, or, where licensee is a body corporate, that of its registered or principal office)*
to sell intoxicating liquor by retail at *(full address of premises licensed)* being premises of the following kind as specified in section 3(1) of the Licensing Act (Northern Ireland) 1971 (hereinafter 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
[*or* premises in which the only or principal business carried on is the business of selling intoxicating liquor by retail for consumption off the premises]
[*or* an hotel]
[*or* a restaurant]
[*or* a place of public entertainment]
[*or* a refreshment room in public transport premises]
[*or* a seamen's canteen]

The owner of the premises is

(full names)

of

(full address)

Clerk of the Crown and peace for the County Court/Recorder's Court for the Division of
[*or* Clerk of petty sessions for the petty sessions district of in the County of].

Dated the day of 19

PART II

PARTICULARS OF APPROVED PLANS AND OTHER DETAILS AS TO GRANT OF LICENCE AFTER 3RD MAY 1971 (OR PARTICULARS TO BE RECORDED BY CLERK ON FIRST RENEWAL AFTER 1ST OCTOBER 1971*, WHERE LICENCE GRANTED BEFORE THAT DATE)

A. For verification by clerk of the Crown and peace only where licence granted after 3rd May 1971.

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

This licence was granted [provisionally] to [the holder of the licence specified in Part I hereof] [*or* the housing authority] by the County Court/Recorder's Court sitting at for the Division [of County] 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 on court file No. pending transmission to the clerk of petty sessions for the petty sessions district in which the premises are situated.]

[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 clerk of the Crown and peace on the day of 19 .]

[The grant of this licence to [a person nominated by the said housing authority] 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].]

(*For completion where court makes an order under section 6 of the Act.*)

[The court in granting this licence ordered 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 clerk of the Crown and peace.

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.*)

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 [*or* 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 licence.

*See S.R. & O. (N.I.) 1971, No. 227.

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
[*or* 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 [on an approved site and are of a kind specified for that site in a declaration of the County Court for the division of under section 8 of the Act of 1971 made on the day of 19] [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]] [*or* 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 this day of 19 .

Clerk of the Crown and peace for the County Court Division of .

B. For completion by clerk of petty sessions only where licence granted before 3rd May 1971, upon the occasion of the first renewal of the licence after 1st October 1971*.

(*For completion in every such case for the purpose of registering the plan attached to the notice of application for renewal of the licence in accordance with paragraph 6 of Schedule 11 to the Act of 1971.*)

This licence is renewed for the sale of intoxicating liquor in the part or parts of the premises delineated on the plan [according to the nature of the area of the hotel as therein set out] which is annexed to the register of licences for the petty sessions district in relation to entry No. dated the day of 19 and recorded in accordance with section 34 of the Act of 1971.

(*For completion only where licence renewed is for the hotel premises mentioned in paragraph 7 of Schedule 11 to the Act of 1971.*)

[For the purposes of paragraph 7 of Schedule 11 to the Act of 1971, it is hereby noted that the licence for the premises specified in this licence as being of the kind mentioned in section 3(1)(*c*) of the Act was granted [before 31st July 1902] [*or* 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] and hence the conditions specified in section 3(3)(*a*) or (*b*) of the Act of 1971 do not apply to the sale of intoxicating liquor under this licence.]

Clerk of petty sessions for the Petty Sessions District of in the County [Borough] of .

*See S.R. & O. (N.I.) 1971, No. 227.