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STATUTORY RULES OF NORTHERN IRELAND

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**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.

21st January 1997.

*J. Harbison*  
Under Secretary

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

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SCHEDULE

Regulation 2

FORM 1 THE LICENSING (NORTHERN IRELAND) ORDER 1996 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 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

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## 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

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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.]

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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

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the premises as suitable for functions such as are mentioned in Article 47(5) of the said Order, namely—

and which [is] [are] particularly delineated on the plan lodged in court.

Dated this        day of            19   .

Chief Clerk  
for the said Division

Clerk of Petty Sessions  
for the said District

- B. 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] for premises of a kind mentioned in Article 5(1)(a) of the 1996 Order, imposed the condition under Article 43 of the said Order that the following specified part of the premises shall not be used for the sale of intoxicating liquor for consumption in the premises, namely—

and which is particularly delineated on the plan lodged in court.

[The court further by its order directed that the permitted hours for the specified part of the premises shall be the hours on weekdays, other than Christmas Day, from 8 in the morning to 11 in the evening and on Sundays, not being Christmas Day or Easter Day, from 10 in the morning to 10 in the evening.]

Dated this        day of            19   .

Chief Clerk  
for the said Division

Clerk of Petty Sessions  
for the said District

- C. The court, on the        day of        19   , by order made under Article 44 of the 1996 Order directed that on the following specified days, namely—

other than on Christmas Day, Easter Day or Good Friday in the licensing period commencing on the 1st day of October 19   in the part[s] of the premises specified below [on weekdays, the hours from 11 in the evening to 1 in the morning of the day next following] [on Sunday, not being 31st December, from 10 in the evening to 12 in the evening] [on Sunday, being 31st December, from 10 in the evening to 1 in the morning of the day next following] shall, in addition to the hours mentioned in Article 42 of the said Order, be included in the permitted hours for the premises.

The part[s] specified in the order [is] [are] as follows:—

and which [is] [are] particularly delineated on the plan lodged in court.

Dated this        day of            19   .

Chief Clerk  
for the said Division

Clerk of Petty Sessions  
for the said District

#### PART IV

##### ORDERS RELATING TO GAMING MACHINES ON LICENSED PREMISES

- A. The court, on application by the sub-divisional commander of the police sub-division in which the licensed premises are situated, gave a direction under Article 7(13) of the 1996 Order that gaming machines may be made available for gaming on the said premises in accordance with the provisions of Article 108 of the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985.

Dated this        day of            19   .

Chief Clerk  
for the said Division

- B. The court, in renewing this licence on the        day of            19   , on an application by the sub-divisional commander of the police sub-division in which the licensed premises are situated, gave a direction under Article 15(6) of the 1996 Order that gaming machines may be made available for gaming on the said premises in accordance with the provisions of Article 108 of the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985.

Dated this        day of            19   .

Clerk of Petty Sessions  
for the said District

- C. The court, in renewing this licence on the        day of            19   , on an application under Article 15(6) of the 1996 Order by [the sub-divisional commander of the police sub-division in which the licensed premises are situated] [the holder of the licence] varied the number of gaming machines which may be made available for gaming on the licensed premises to provide that gaming machines may be made available for gaming on the said premises in accordance with the provisions of Article 108 of the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985.

Dated this        day of            19   .

Clerk of Petty Sessions  
for the said District

- D. The court, in renewing this licence on the        day of            19   , on an application made by the holder of the licence under Article 15(6) of the 1996 Order, cancelled the direction that gaming machines may be made available for gaming on the licensed premises in accordance with the provisions of Article 108 of the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985.

Dated this        day of            19   .

Clerk of Petty Sessions  
for the said District

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- E. The court, on application by the sub-divisional commander of the police sub-division in which the licensed premises are situated, declared under Article 107(1) of the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 that no gaming machine shall be used for gaming on the said premises.

This declaration takes effect on the      day of      19      . (See Article 107(3) of that Order as to appeals.)

Dated this      day of      19      .

Clerk of Petty Sessions  
for the said District

- F. The court, on application of the holder of the licence, under Article 107(5) of the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985, cancelled the declaration made on      day of      19      that no gaming machine shall be used for gaming on those licensed premises.

Dated this      day of      19      .

Clerk of Petty Sessions  
for the said District

PART V

PROTECTION ORDERS, TRANSFERS AND ORDERS FOR TEMPORARY CONTINUANCE  
IN OTHER PREMISES

- A. Protection orders

On the      day of      19      the court made a protection order under Article [26] [27(2)] of the 1996 Order authorising

of

to carry on business under the licence until the      day of      19      until an application for the transfer, or transfer and renewal, of the licence can be brought before the court.

Dated this      day of      19      .

Clerk of Petty Sessions  
for the said District

- B. Transfers

On the      day of      19      the court made an order under Article [22] [23] of the 1996 Order transferring this licence to

of

[and an order for renewal thereof as entered in Part VI of this licence].



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Dated this        day of        19   .

Clerk of Petty Sessions  
for the said District

- C. Temporary continuance in other premises if licence holder unable to carry on business in premises specified in Part I of this licence.

On the        day of        19   the court made an order under Article 29 of the 1996 Order authorising the continuance of the business under this licence in the premises at

until the        day of        19   .

The plan attached to the notice of application for this order has been annexed to that of the original premises referred to in Part II of this licence.

Dated this        day of        19   .

Clerk of Petty Sessions  
for the said District

PART VI  
RENEWALS

- A. On the        day of        19   the [clerk of petty sessions renewed] [court made an order renewing] this licence under Article [14] [15] [16] [17] [23] of the 1996 Order and subject to Article 21 of the said Order it shall remain in force until the 30th day of September 19   .

Dated this        day of        19   .

Clerk of Petty Sessions  
for the said District

- B. On the        day of        19   the court made an order renewing this licence under Article 18 of the 1996 Order in the name of  
of

and subject to Article 21 of the said Order it shall remain in force until the 30th day of September 19   .

Dated this        day of        19   .

Clerk of Petty Sessions  
for the said District

- C. The court, in renewing 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 15(5)(a) of the said Order] [cancelled a direction given under Article [7(10)] [15(5)(a)] of the said Order] that on Sundays there shall be no permitted hours on the premises.

Dated this        day of        19   .

Clerk of Petty Sessions  
for the said District

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PART VII

SUSPENSIONS

On the        day of        19    the court sitting at        made an order  
suspending this licence [and the protection order granted to

on the        day of        19    ] for a period of        commencing in  
accordance with the provisions of Article 76 of the 1996 Order.

The suspension commenced on the        day of        19    and will expire on  
the        day of        19    .

Dated this        day of        19    .

Clerk of Petty Sessions  
for the said District

The court sitting at        in transferring this licence made under an order under  
Article 24(2) of the 1996 Order [terminating] [substituting for] the period of  
suspension imposed on the        day of        19    [a period expiring on the  
      day of        19    ].

Dated this        day of        19    .

Clerk of Petty Sessions  
for the said District

PART VIII

DISQUALIFICATION OF PREMISES

On the        day of        19    the court sitting at        made an order  
under Article 73(3) of the 1996 Order that

[(in the case of an offence under Article 41(1)(a) of the 1996 Order) the premises  
shall not be premises to which Article 44 or 45 of that Order applies]

[(in the case of an offence under Article 47(4)(b) of the 1996 Order) the premises  
shall not be premises to which Article 47 of that Order applies]

for a period of        commencing in accordance with the provisions of Article  
76 of the 1996 Order.

This order commenced on the        day of        19    and will expire on the  
      day of        19    .

Dated this        day of        19    .

Clerk of Petty Sessions  
for the said District

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(Article 47)

County Court Division of

Petty Sessions District of

The holder,

of a licence authorising the sale of intoxicating liquor by retail in the premises at

being premises of a kind mentioned in Article 48(4) of the Licensing (Northern Ireland) Order 1996, for [part of] which an order is in force under Article 48 of the said Order, is granted this extension licence authorising the sale of intoxicating liquor by retail for consumption in the following specified part[s] of those premises, namely—

between the hours of                      on the                      day of                      19                      , and                      on  
the                      day of                      19                      .

The function to which the sale of such liquor will be ancillary is of the following nature

*(description)*

and is a [function organised by the following body, namely

which is a body established for the purposes set out in Article 47(5)(a) of the said Order.]

[function organised by the licence holder under the provisions of Article 47(5)(b) of the said Order.]

Dated this                      day of                      19                      .

Clerk of Petty Sessions  
for the said District

#### **Warning to the Licence Holder**

1. This licence does not authorise the sale of intoxicating liquor on Christmas Day, Easter Day or Good Friday, or during any part of the period from 1 in any morning to half past 11 in that morning, or to a person admitted to the premises after half past 12 in the morning, or, where the function is due to end before 1 in the morning, less than half an hour before the function is due to end.
2. This licence permits the purchase of intoxicating liquor in the part or parts of the premises specified in the licence by persons lawfully attending the function so specified only during the hours specified in the licence and its consumption during those hours and the first 30 minutes after the conclusion of those hours.
3. The licence must at any time during the period of the function when intoxicating liquor is sold, made available for purchase or being consumed in the premises, forthwith be produced by the person who is in charge of the sale of intoxicating liquor there for examination by a member of the Royal Ulster Constabulary at his request.
4. If it is not so produced without reasonable excuse the holder of the licence and that person are each guilty of an offence and are liable on summary conviction to a fine not exceeding level 2 on the standard scale.

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## **EXPLANATORY NOTE**

*(This note is not part of the Regulations.)*

These regulations prescribe the form of licence (other than an occasional licence), which is issued by a court and authorises the retail sale of intoxicating liquor under the Licensing (Northern Ireland) Order 1996 which came into operation on 20th February 1997.

These regulations revoke and replace the Licensing (Form of Licence) Regulations (Northern Ireland) 1990.