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STATUTORY RULES OF NORTHERN IRELAND

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**1997 No. 61**

**COUNTY COURTS**

**County Court (Amendment No.  
2) Rules (Northern Ireland) 1997**

*Made* - - - - *17th February 1997*  
*Coming into operation* *20th February 1997*

We, the County Court Rules Committee appointed by the Lord Chancellor under Article 46 of the County Courts (Northern Ireland) Order 1980(1), in exercise of the powers conferred on us by Article 47 of that Order, Article 85(1) of, paragraphs 2 and 12 of Schedule 1 and paragraph 3(2) of Schedule 3 to, the Licensing (Northern Ireland) Order 1996(2), Article 52(1) of, and paragraph 2(1) of Schedule 2 to, the Registration of Clubs (Northern Ireland) Order 1996(3), and all other powers enabling us in that behalf hereby make the following Rules:—

**Citation and interpretation**

1.—(1) These Rules may be cited as the County Court (Amendment No. 2) Rules (Northern Ireland) 1997.

(2) In these Rules a reference to an Order, Appendix or Form by number is a reference to that Order, Appendix or Form so numbered in the County Court Rules (Northern Ireland) 1981(4).

**Amendment of the County Court Rules (Northern Ireland) 1981**

2. For Order 48 there shall be substituted the new Order 48 set out in Schedule 1.

3.—(1) For Forms 194 to 201, 305 and 306 there shall be substituted the new Forms set out in Schedule 2.

(2) The new Forms set out in Schedule 3 shall be inserted in Appendix 1 in the place appropriate to their number and letter.

(3) Forms 202 to 211 and 307 shall be amended to the extent set out in Schedule 4.

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(1) S.I.1980/397 (N.I. 3)  
(2) S.I. 1996/3158 (N.I. 22)  
(3) S.I. 1996/3159 (N.I. 23)  
(4) S.R. 1981 No. 225

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We, the undersigned members of the County Court Rules Committee, having by virtue of the powers vested in us in this behalf made the foregoing Rules, do hereby certify the same under our hand and submit them to the Lord Chancellor accordingly.

*A. R. Hart  
John J. Curran  
T. A. Burgess  
Barry Valentine  
H. McM. Keegan  
Brian F. Walker  
G. H. Keatley*

Dated 30th January 1997.

After consultation with the Lord Chief Justice, I allow these Rules which shall come into operation on 20th February 1997.

Dated 17th February 1997.

*Mackay of Clashfern, C.*

## SCHEDULE 1

Rule 2

Rules to be inserted as Order 48

“ORDER 48

Licensing and Registration of Clubs

### Part 1

#### General

##### **Interpretation**

1.—(1) In this Order;

in Parts II to IV and VI “the Licensing Order” means the Licensing (Northern Ireland) Order 1996<sup>(5)</sup> and expressions which are defined in that Order have the same meaning as in that Order;

in Parts V and VI, “the Registration of Clubs Order” means the Registration of Clubs (Northern Ireland) Order 1996<sup>(6)</sup> and expressions which are defined in that Order have the same meaning as in that Order;

“the chief clerk” means the chief clerk for the county court division in which the application is being made.

(2) The notes appended to the forms do not form any part thereof and are so appended only for the purpose of assisting their proper completion.

### Part II

#### Applications for the Grant of Licences

##### **Notices of application**

2.—(1) Notice of application in accordance with Articles 7 or 9 of and Schedule 1 to the Licensing Order for the grant or, as the case may be, for the provisional grant of a licence shall be in one of Forms 194 to 201 as may be appropriate; so, however, that the notice required by paragraph (1)(a) of that Schedule to be inserted in the newspapers referred to in that paragraph and the notice required by paragraph (1)(b) of that Schedule to be displayed for the time and in the manner specified by that paragraph, may omit to specify the address of the applicant for the licence where the notice gives the address of the solicitor for the applicant.

(2) A person intending to make an application for the grant or declaration of the final grant of a licence, in addition to complying with paragraph 1 or paragraph 11 of Schedule 1 to the Licensing Order, as the case may be, shall not less than three weeks before the time of the opening of the court at which the application is to be heard, serve a copy of the notice upon the clerk of petty sessions for the petty sessions district in which the premises are situated.

(3) Where it is intended to apply to the court which grants a licence or declares a licence provisionally granted to be final for—

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(5) S.I. 1996/3158 (N.I. 22)

(6) S.I. 1996/3159 (N.I. 23)

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- (a) an order under Article 43 of the Licensing Order directing that the permitted hours for part of such premises of a kind mentioned in Article 5(1)(a) of the Licensing Order for which the court imposes a condition under Article 43(2) of the Licensing Order shall be the hours mentioned in Article 42(2) of the said Order; or
- (b) an order under Article 44 of the Licensing Order directing that, on such days as may be specified, the hours mentioned in Article 44(2) of the Licensing Order shall, in addition to the hours mentioned in Article 42(1) of the said Order, be included in the permitted hours for such part or parts of the premises which are specified in the order; or
- (c) an order under Article 48 of the Licensing Order specifying any part of the premises as suitable for functions such as are mentioned in Article 47(5) of the Licensing Order (functions for which extension licences may be granted); or
- (d) the grant of a children's certificate under Article 59 of the Licensing Order,

such intention shall be stated in the notice of application for the grant or in the notice of application for the provisional grant, as the case may be; and the plan attached to the notice in accordance with paragraph 3 of Schedule 1 to the Licensing Order shall particularly delineate or distinguish the part of the premises for which the order or certificate is sought.

(4) Where notice is given of an application for the grant or provisional grant of a licence for premises on a site approved by declaration under Article 10 of the Licensing Order the notice shall refer to the fact that the premises are of a kind approved for that site by declaration.

(5) A notice of application for a declaration that the grant of a licence is final in accordance with Article 9(7) of the Licensing Order shall be in Form 202 and the applicant shall attach the licence to the notice for the purposes of Article 9(10) of the Licensing Order.

(6) A person intending to apply for the consent of the court under Article 9(6) to the Licensing Order to the modification of plans at any time before a licence provisionally granted has been declared final shall—

- (a) not less than three weeks before the time of the opening of the court sittings at which application is to be heard, serve notice in Form 203 on the chief clerk and serve copies of the notice on the sub-divisional commander of the police sub-division in which the premises are or are to be situated and on the district council for the district in which the premises are or are to be situated;
- (b) attach to such notice and copy notices copies of the modified plans complying with Rule 6 and clearly showing the proposed modifications.

(7) A notice of intention to object in accordance with—

- (a) paragraphs 4 and 6 or 13 and 14 of Schedule 1 to the Licensing Order to the grant, provisional grant or grant of the licence being declared final, as the case may be, shall be in Form 204;
- (b) paragraphs 7A and 7B of Schedule 1 to the Licensing Order to—
  - (i) the making of an order under Article 43 of the Licensing Order (alternative permitted hours for off sales);
  - (ii) the making of an order under Article 44 of the Licensing Order (additional permitted hours);
  - (iii) the making of an order under Article 48 of the Licensing Order (suitability of premises for functions); or
  - (iv) the grant of a children's certificate under Article 59 of the Licensing Order,shall be in Form 204A.

(8) A notice published in the newspapers as required by paragraph 1(a) of Schedule 1 to the Licensing Order and a notice displayed at the premises as required by paragraph 1(b) of that Schedule shall—

- (a) include a reference to the requirement that any person owning or residing or carrying on business in premises in the vicinity of the premises for which the licence is sought who intends to object to the grant of the licence must, in accordance with paragraph 6 of Schedule 1 to the Licensing Order, serve notice of his intention to object upon the applicant and the chief clerk, not less than one week before the time of the opening of the court sitting specified in the notice so published;
- (b) state that the permissible grounds of objection are such as are specified in Article 7(4) (a) to (e)(i) of the Licensing Order, namely, failure to comply with the correct procedure, unfitness of applicant, unsuitability of premises and, where the premises are of a kind mentioned in Article 5(1)(a) or (b) only and Article 7(6) or paragraph 6 of Schedule 3 to the Licensing Order does not apply, that the number of licensed premises of that kind in the vicinity is or will be adequate; and
  - (i) in the case of an application under Article 43, the permissible grounds of objection are as specified in Article 43(2) (structural suitability);
  - (ii) in the case of an application under Article 44, the permissible grounds of objection are as specified in Article 44(1) and (3) (structural suitability and undue inconvenience to residents);
  - (iii) in the case of an application under Article 48 the permissible grounds of objection are as specified in Article 48(2) (suitability of premises);
  - (iv) in the case of an application under Article 59 the permissible grounds of objection are as specified in Article 59(2) (suitability of premises for children).
- (c) where appropriate, state that a subsisting licence is to be surrendered to the court and give particulars thereof.

(9) A notice of intention to object, under paragraph 5 of Schedule 1 to the Licensing Order, to the surrender of a subsisting licence shall be in Form 205.

### **Documents to be produced at hearing of application**

3.—(1) Where the application is for the grant or declaration of the final grant of a licence for an hotel or a guest house, evidence that the premises comply with Article 2(2) of the Licensing Order as being premises of an establishment allocated by a certificate under Article 13 of the Tourism (Northern Ireland) Order 1992(7) to the statutory category of hotel or guest house, as the case may be, shall be given at the hearing of the application by production of a certificate to that effect issued by the Northern Ireland Tourist Board.

(2) Where the application is for the grant or declaration of the final grant of a licence for a conference centre, evidence that the premises comply with Article 2(2) of the Licensing Order as being premises for which there is in force a certificate allocated by the Northern Ireland Tourist Board stating that the premises conform to the prescribed requirements, shall be given at the hearing of the application by production of a certificate to that effect issued by the said Board.

(3) Where the application is made for a licence under the Licensing Order for any place of entertainment, any licence required by a council under Schedule 1 to the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985(8) shall be produced at the hearing of the application.

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(7) S.I. 1992/235 (N.I. 3)  
(8) S.I. 1985/1208 (N.I. 15)

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## Part III

### Applications for Declarations of Approved Sites under Article 10 of the Licensing Order

- 4.—(1) Notice of application in accordance with paragraph 3 of Schedule 3 to the Licensing Order for a declaration under Article 10 of that Order shall be in Form 206.
- (2) Notice of intention to object in accordance with the said paragraph 3 shall be in Form 207.
- (3) Such a declaration shall be in Form 208.

## Part IV

### Miscellaneous

#### **Applications under Article 31(1)(i)**

- 5.—(1) Notice of application in accordance with paragraph 2 of Schedule 8 to the Licensing Order for an order under Article 31(1)(i) of that Order for the consent of the court to such alterations as are referred to in Article 31(1)(a) to (d) of that Order shall be in Form 209.
- (2) Notice of intention to object under paragraph 5 of Schedule 8 to the Licensing Order shall be in Form 210.
- (3) An order consenting to such alterations shall be in Form 211.

#### **Requirements for plans to be attached to notice of application**

- 6.—(1) The plan required by paragraph 3(1) of Schedule 1 to the Licensing Order to be attached to a notice of application for the grant of a licence shall be to scale of 100 :1 on substantial paper or material and shall show each floor of the premises on a separate page measuring, where practicable, approximately 46 cms by 46 cms and certified by an architect, surveyor or any other person considered by the court to be competent to do so.
- (2) The plan shall show the parts of the premises in which intoxicating liquor is sold, or in which it is intended that intoxicating liquor should be sold, by clearly distinguishing in bold hatched or shaded colour between that and other parts of the premises.
- (3) Where the application relates to an hotel or guest house, each of the following parts shall be clearly distinguished (by shading in separately each part in a different colour from the others) namely, the part—
  - (a) in which customers who are not resident or the guests of residents may be served intoxicating liquor;
  - (b) in which only residents may be served;
  - (c) set apart for the service of main table meals only to residents and their guests;
  - (d) set apart for the service of main table meals whether to the public or to residents or their guests;
  - (e) set apart for the service of intoxicating liquor and other beverages to diners before or after such meals.

**Copies of notices for sub-divisional commander to be lodged at police station within police sub-division**

7.—(1) Any notice, document or copy thereof required by the Licensing Order or this Order to be served on the sub-divisional commander of a police sub-division shall be served, unless the sub-divisional commander otherwise directs, by being lodged with a member of the Royal Ulster Constabulary for the time being in charge of a police station within the police sub-division in which the premises to which the document relates are or are to be situated; or, as the case may be, in which the applicant resides.

(2) Notwithstanding anything in Article 2(9) of the Licensing Order, where the applicant is a body corporate, paragraph (1) shall have effect as if for the reference to the police sub-division in which the applicant resides there were substituted a reference to that in which the body has its principal or registered office.

**Part V**

**Registration of Clubs**

**Application for the registration of a club**

8.—(1) An application for the grant of registration of a club shall be made to the county court for the county court division in which the club premises are situated.

(2) Notice of application in accordance with Article 5 of and paragraph 1(1)(a) of Schedule 2 to the Registration of Clubs Order shall be in Form 305.

(3) Notice of application in accordance with Article 5 of and paragraph 1(1)(b), (c) and (d) of Schedule 2 to the Registration of Clubs Order shall be in Form 306.

(4) Where it is intended to apply to the court which grants the registration of a club for the grant of a children's certificate under Article 33 of the Registration of Clubs Order, such intention shall be stated in the notice of application referred to at paragraphs (2) and (3) above and the said notice of application shall be accompanied by a plan of the premises delineating the part thereof for which the certificate is sought.

(5) A person intending to make an application for the grant of registration of a club shall, in addition to complying with paragraph 1(1)(b), (c) and (d) of Schedule 2 to the Registration of Clubs Order, serve a copy of the notice upon the clerk of petty sessions for the petty sessions district in which the club premises are situated.

(6) A notice published in the newspapers as required by paragraph 1(1)(b) of Schedule 2 to the Registration of Clubs Order shall—

- (a) include a reference to the requirement that any person owning or residing or carrying on business in premises in the vicinity of the premises of the club for which the registration is sought who intends to object to the grant of registration must, in accordance with paragraph 4 of Schedule 2 to the Registration of Clubs Order, serve notice of his intention to object on the club and the chief clerk not less than one week before the time of the opening of the court sittings at which the application is to be made;
- (b) state that the permissible grounds of objection are any of the grounds specified in Article 5(5) and (6) of the Registration of Clubs Order.

*Objection to the registration of a club or the granting of a children's certificate*

9.—(1) Notice of intention to object to the registration of a club, in accordance with paragraphs 3 and 4 of Schedule 2 to the Registration of Clubs Order, shall be in Form 307.

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(2) Notice of intention to object to the granting of a children’s certificate, in accordance with paragraphs 6 and 7 of Schedule 2 to the Registration of Clubs Order, shall be in Form 307A.

## Part VI

### Modification of the Licensing Order and the Registration of Clubs Order

#### **Modifications to the Licensing (Northern Ireland) Order 1996 and the Registration of Clubs (Northern Ireland) Order 1996**

10.—(1) Schedule 1 to the Licensing Order shall have effect as if after paragraph 7 thereof there were added the following paragraphs—

“7A. Where, in accordance with paragraph 7, a person has included notice of his intention to apply for an order under Article 43, 44 or 48 or for a children’s certificate in the notices mentioned in paragraph 1

- a sub-divisional commander upon whom notice is required by paragraph 1 to be served;
- the district council mentioned in that paragraph; or
- any person owning, or residing, or carrying on business in premises in the vicinity of the premises to which the application relates

may appear at the hearing of the application and object to the court making an order or, as the case may be, to the grant of a certificate—

- (a) in the case of an application under Article 43, on any ground mentioned in Article 43(2);
- (b) in the case of an application under Article 44, on any ground mentioned in Article 44(1) and (3);
- (c) in the case of an application under Article 48, on any ground mentioned in Article 48(2);
- (d) in the case of an application under Article 59, on any ground mentioned in Article 59(2).

7B. A person intending to object under paragraph 7A shall, not less than 1 week before the time of the court sitting at which the application is to be made—

- (a) serve upon the applicant notice of his intention to object, briefly stating his grounds for so doing; and
- (b) serve a copy of the notice upon the chief clerk.”

(2) Schedule 2 to the Registration of Clubs Order shall have effect as if after paragraph 5 thereof there were added the following paragraphs—

“6. Where, in accordance with paragraph 5, a person has included notice of his intention to apply for a children’s certificate in the notices mentioned in paragraph 1

- the sub-divisional commander mentioned in paragraph 1(1)(a)(i);
- the district council mentioned in paragraph 1(1)(a)(ii); or
- any person owning, or residing, or carrying on business in premises in the vicinity of the premises to which the application relates

may appear at the hearing of the application and object to the grant of the certificate on any ground mentioned in Article 33(2).”



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7. A person intending to object under paragraph 6 shall, not less than 1 week before the time of the court sitting at which the application is to be made—

- (a) serve upon the applicant notice of his intention to object, briefly stating his grounds for so doing; and
- (b) serve a copy of the notice upon the chief clerk.”

SCHEDULE 2

Rule 3(1)

Forms to be substituted in Appendix 1  
(Articles 2, 5(1)(a), 7, 9 and Schedule 1)

FORM 194

LICENSING (NORTHERN IRELAND) ORDER 1996

**Notice of application for [provisional] grant of licence for 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**

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IN THE COUNTY COURT/RECORDER'S COURT  
FOR THE DIVISION OF

TAKE NOTICE that I/we *(full*  
*name(s) of applicant(s)*) [1] of  
*(full address(es) of applicant(s))* [1] intend to apply to the County Court/Recorder's  
Court sitting at  
*(specify courthouse, place of sitting etc)* for the above Division commencing at  
o'clock in the            noon on the day of            19    for the [provisional] [2]  
grant of a licence for the premises [to be] [2] situated at  
*(full address of premises for which licence is sought)*, being  
such premises as are specified in Article 5(1)(a) of the Licensing (Northern Ireland)  
Order 1996, namely, premises in which it is intended to carry on the business of  
selling intoxicating liquor for consumption either in or off the premises.

AND TAKE NOTICE that this application will be dealt with by the court on the  
day of            19    commencing at            o'clock.

I/we will be the owner of such business. [1]

The owner of the premises is *(full name)*.

In accordance with Schedule 1 to the said Order and Rule 6 of Order 48 of the  
County Court Rules (Northern Ireland) 1981, I/we attach to this notice a plan of the  
premises delineating—

- (a) the part or parts thereof in which intoxicating liquor is to be sold; and
  - (b) the extent of the premises which are or are to be extended, used or demolished.
- [3]

There is in force planning permission to use the premises as premises of the kind  
specified in this notice for the period during which the licence would be in force and  
a copy of the planning permission is attached; or [4]

The premises may be used as premises of the kind specified in this notice for the  
period during which the licence would be in force without planning permission. [4]

[FURTHER TAKE NOTICE that I/we intend to apply under Article 43 of the  
said Order for an order of the above-named court directing that the permitted hours  
for the part of the premises distinguished on the said plan as being—

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- (a) structurally adapted for the sale of intoxicating liquor for consumption off the premises; and
- (b) not connected by any internal means of passage open to customers with a part of the premises used for the sale of intoxicating liquor for consumption in the premises,

shall be the hours mentioned in Article 42(2) of the said Order subject to a condition to be inserted in the licence granted for the premises that the last-mentioned part thereof shall not be used for the sale of intoxicating liquor for consumption therein.] [5]

[FURTHER TAKE NOTICE that I/we intend to apply under Article 44 of the said Order for an order of the above-named court directing that, on such days as may be specified in the order, the hours mentioned in Article 44(2) of the said Order shall, in addition to those mentioned in Article 42(1) of the said Order, be included in the permitted hours for the part(s) of the premises delineated on the said plan on the grounds that the said part(s) of the said premises is/are—

- (a) structurally adapted and used, or intended to be used, for the purpose of habitually providing, for the accommodation of persons frequenting the premises:
  - (i) musical or other entertainment; or
  - (ii) substantial refreshment in the form of a main table meal at midday or in the evening, or both; or
  - (iii) both such entertainment and refreshment and
- (b) the sale of intoxicating liquor is ancillary to that entertainment or refreshment.] [6]

[FURTHER TAKE NOTICE that I/we intend to apply under Article 48 of the said Order for an order of the above-named court specifying the part of the premises particularly delineated on the said plan as being suitable for functions such as are referred to in Article 47(5) of the said order, namely those—

- (a) organised by any body established for social, charitable or benevolent purposes or for furthering the common interest of persons associated with any trade, profession, educational or cultural activity, game or sport; or
- (b) (not exceeding six in number in any year) organised by the licence holder, on the grounds that—
  - (i) the part so delineated is structurally adapted and used or intended to be used for the purpose of providing for the accommodation of persons frequenting it substantial refreshment to which the sale of intoxicating liquor is ancillary; and
  - (ii) suitable means of access to that part of the premises otherwise than through any other part of the premises which is used for the sale of intoxicating liquor, are available for customers.] [7]

[FURTHER TAKE NOTICE that I/we intend to apply under Article 59 of the said Order for a children's certificate in respect of the part of the premises particularly delineated on the said plan [and for a direction under Article 59(4) of the said Order that the said certificate shall operate between the hours of        and        on        .]] [8]

[FURTHER TAKE NOTICE that I/we intend to apply under Article 7(10) of the said Order for a direction that on Sundays there shall be no permitted hours on the said premises]. [9]

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A subsisting licence as defined in Schedule 2 of the said Order for the premises such as are specified in Article 5(1)(a)(b) [10] situated at (address) will be surrendered to the court. [11]

Dated this        day of                    19 .

Signature of Applicant(s) or  
his/their Solicitor.

To: The Chief Clerk at  
(address of courthouse)

Copy to:—

- (i) the clerk of petty sessions for the petty sessions district of                    at  
(being the petty sessions district in which the premises  
are [to be] situated);
- (ii) the sub-divisional commander at                    (sub-  
divisional headquarters for the police sub-division in which the premises  
are [to be] situated);
- (iii) (if different from (ii)) the sub-divisional commander at                    (sub-  
divisional headquarters for the policed sub-division in which the  
applicant resides) [12];
- (iv) the district council at                    (district council for the  
district in which the premises are [to be] situated);
- (v) the Northern Ireland Tourist Board. [13]

Notes:

- [1] Where a housing authority is applying for the provisional grant of a licence the name of the authority and its official address are to be given and the words referring to ownership of the business, surrender of a licence or applicant's residence must be omitted. Where the application is for the grant of the licence to a body corporate, its full title and the names and addresses of the directors, secretary and any other persons who have executive control of it should be stated for the purposes of Article 4(4) of the Order.
- [2] The inapplicable words must be deleted.
- [3] Paragraph (b) should only be included where the subsisting licence, if any, proposed to be surrendered under Article 7(4)(e)(ii) is for premises which are or are to be extended, used or demolished as mentioned in paragraph 2(a), (iv) to (vi) of Schedule 2.
- [4] Delete if inapplicable.
- [5] This paragraph should be added only where the applicant is also applying for an order that a specified part of the premises is to be licensed for the sale of intoxicating liquor for consumption off the premises during the alternative permitted hours.
- [6] This paragraph should be added only where the applicant is also applying for an order that a specified part of the premises is to be licensed for the sale of intoxicating liquor during the additional permitted hours referred to in Article 44(2) of the Order.

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- [7] This paragraph should only be added where the applicant is also applying for an order specifying the suitability of the premises for the possible grant of extension licences under Article 47 of the Order.
- [8] This paragraph should only be added where the applicant is also applying for a children's certificate. Such certificates may operate until 9.00 pm, however, an applicant may apply under Article 59(4) of the Order for a direction that the said certificate shall cease to operate at an earlier time on such day or days as may be specified. The requested day(s) and time should be stated.
- [9] This paragraph should only be added where the applicant is applying for a declaration under Article 7(10) of the Order.
- [10] The inapplicable provision must be deleted.
- [11] This paragraph should be omitted where Article 7(7) applies.
- [12] Delete if application is made by a housing authority for a provisional grant of a licence.
- [13] Delete if application is not for a provisional grant of a licence for premises in which it is intended to provide accommodation for guests.

*(Articles 2, 5(1)(b), 7, 9 and Schedule 1)*

*FORM 195*

*LICENSING (NORTHERN IRELAND) ORDER 1996*

**Notice of application for [provisional] grant of licence for premises in which the business carried on under the licence is the business of selling intoxicating liquor by retail for consumption off the premises**

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IN THE COUNTY COURT/RECORDER'S COURT  
FOR THE DIVISION OF

TAKE NOTICE that I/we (full name(s) of applicant(s)) [1] of (full address(es) of applicant(s)) [1] intend to apply to the County Court/Recorder's Court sitting at (specify courthouse, place of sitting etc) for the above Division commencing at o'clock in the noon on the day of 19 for the [provisional] [2] grant of a licence for the premises [to be] [2] situated at (full address of premises for which licence is sought), being such premises as are specified in Article 5(1)(b) of the Licensing (Northern Ireland) Order 1996, namely, premises in which it is intended to carry on the business of selling intoxicating liquor for consumption off the premises.

AND TAKE NOTICE that this application will be dealt with by the court on the day of 19 commencing at o'clock.

I/we will be the owner of such business. [1]

The owner of the premises is (full name).

In accordance with Schedule 1 to the said Order and Rule 6 of Order 48 of the County Court Rules (Northern Ireland) 1981, I/we attach to this notice a plan of the premises delineating—

- (a) the part or parts thereof in which intoxicating liquor is to be sold; and
  - (b) the extent of the premises which are or are to be extended, used or demolished.
- [3]

There is in force planning permission to use the premises as premises of the kind specified in this notice for the period during which the licence would be in force and a copy of the planning permission is attached; or [4]

The premises may be used as premises of the kind specified in this notice for the period during which the licence would be in force without planning permission. [4]

A subsisting licence as defined in Schedule 2 of the said Order for the premises such as are specified in Article 5(1)(a)[(b)] [5] situated at (address) will be surrendered to the court. [6]

Dated this day of 19 .

Signature of Applicant(s) or his/their Solicitor.

To: The Chief Clerk at (address of courthouse)

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Copy to:—

- (i) the clerk of petty sessions for the petty sessions district of \_\_\_\_\_ at \_\_\_\_\_  
(being the petty sessions district in which the premises are [to be] situated);
- (ii) the sub-divisional commander at \_\_\_\_\_ (Sub-divisional headquarters for the police sub-division in which the premises are [to be] situated);
- (iii) (if different from (ii)) the sub-divisional commander at \_\_\_\_\_  
(sub-divisional headquarters for the police sub-division in which the applicant resides) [7];
- (iv) the district council at \_\_\_\_\_ (district council for the district in which the premises are [to be] situated);

*Notes:*

- [1] Where a housing authority is applying for the provisional grant of a licence the name of the authority and its official address are to be given and the words referring to ownership of the business, surrender of a licence or applicant's residence must be omitted. Where the application is for the grant of the licence to a body corporate, its full title and the names and addresses of the directors, secretary and any other persons who have executive control of it should be stated for the purposes of Article 4(4) of the Order.
- [2] Delete if inapplicable.
- [3] Paragraph (b) should only be included where the subsisting licence, if any, proposed to be surrendered under Article 7(4)(e)(ii) is for premises which are or are to be extended, used or demolished as mentioned in paragraph 2(a), (iv) to (vi) of Schedule 2.
- [4] Delete if inapplicable.
- [5] The inapplicable provision must be deleted.
- [6] This paragraph should be omitted where Article 7(7) of the Order applies.
- [7] Delete if application is made by a housing authority for a provisional grant of a licence.

(Articles 2, 5(1)(c), 7, 9 and Schedule 1)

FORM 196

LICENSING (NORTHERN IRELAND) ORDER 1996

**Notice of application for [provisional] grant of licence authorising the sale of intoxicating liquor by retail in an hotel**

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

IN THE COUNTY COURT/RECORDER'S COURT  
FOR THE DIVISION OF

TAKE NOTICE that I/we *(full*  
*name(s) of applicant(s)*) [1] of  
*(full address(es) of applicant(s))* [1] intend to apply to the County Court/Recorder's  
Court sitting at  
*(specify courthouse, place of sitting etc.)* for the [provisional] [2] grant of a licence  
for the premises [to be] [2] situated at  
*(full address of premises for which licence is*  
*sought)*, being hotel premises such as are specified in Article 2 of the Licensing  
(Northern Ireland) Order 1996, namely, premises of any establishment which is [or  
is intended to be] [2] allocated by a certificate under Article 13 of the Tourism  
(Northern Ireland) Order 1992 to the statutory category of hotel.

AND TAKE NOTICE that this application will be dealt with by the court on the  
day of                    19    commencing at                    o'clock.

I/we will be the owner of such business. [1]

The owner of the premises is *(full name)*.

A plan of the premises separately delineating each part or parts of the premises  
as specified in Rule 6 of Order 48 of the County Court Rules (Northern Ireland) 1981  
is attached to this notice in accordance with Schedule 1 to the said Order.

There is in force planning permission to use the premises as premises of the kind  
specified in this notice for the period during which the licence would be in force and  
a copy of the planning permission is attached; or [3]

The premises may be used as premises of the kind specified in this notice for the  
period during which the licence would be in force without planning permission. [3]

[FURTHER TAKE NOTICE that I/we intend to apply under Article 44 of the  
said Order for an order of the above court directing that, on such days as may be  
specified in the order, the hours mentioned in Article 44(2) of the said Order shall,  
in addition to those mentioned in Article 42(1) of the said Order, be included in the  
permitted hours for the part(s) of the said premises delineated on the said plan on the  
grounds that the said part(s) is/are—

- (a) structurally adapted and used, or intended to be used, for the purpose of  
habitually providing for the accommodation of persons frequenting the  
premises:
  - (i) musical or other entertainment; or
  - (ii) substantial refreshment; or



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- (iii) both such entertainment and refreshment and
- (b) the sale of intoxicating liquor is ancillary to that entertainment or refreshment.] [4]

[FURTHER TAKE NOTICE that I/we intend to apply under Article 48 of the said Order for an order of the above-named court specifying the part of the premises particularly delineated on the said plan as being suitable for functions such as are referred to in Article 47(5) of the said Order, namely those—

- (a) organised by any body established for social, charitable or benevolent purposes or for furthering the common interests of persons associated with any trade, profession, educational or cultural activity, game or sport;
- (b) functions (not exceeding 6 in number in any year) organised by the licence holder, on the grounds that—
  - (i) the part so delineated is structurally adapted and used or intended to be used for the purpose of providing for the accommodation of persons frequenting it substantial refreshment to which the sale of intoxicating liquor is ancillary; and
  - (ii) suitable means of access to that part of the premises, otherwise than through any other part of the premises which is used for the sale of intoxicating liquor, are available to customers.] [5]

[FURTHER TAKE NOTICE that I/we intend to apply under Article 59 of the said Order for a children's certificate in respect of the part of the premises particularly delineated on the said plan [and for a direction under Article 59(4) of the said Order that the said certificate shall operate between the hours of            and            on            .] [6]

Dated this            day of            19            .

Signature of Applicant(s) or  
his/their Solicitor.

To: The Chief Clerk at  
(address of courthouse)

Copy to:—

- (i) the clerk of petty sessions for the petty sessions district of            at            (being the petty sessions district in which the premises are [to be] situated);
- (ii) the sub-divisional commander at            (sub-divisional headquarters for the police sub-division in which the premises are [to be] situated);
- (iii) (if different from (ii)) the sub-divisional commander at            (sub-divisional headquarters for the police sub-division in which the applicant resides) [7];
- (iv) the district council at            (district council for the district in which the premises are [to be] situated);
- (v) the Northern Ireland Tourist Board. [8]

*Status:* This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

*Notes:*

- [1] Where a housing authority is applying for the provisional grant of a licence the name of the authority and its official address are to be given and the words referring to ownership of the business, surrender of a licence or applicant's residence must be omitted. Where the application is for the grant of the licence to a body corporate, its full title and the names and addresses of the directors, secretary and any other persons who have executive control of it should be stated for the purposes of Article 4(4) of the Order.
- [2] The inapplicable words *must* be deleted.
- [3] Delete if inapplicable.
- [4] This paragraph is to be added only where the applicant is also applying for an order that a specified part of the premises is to be licensed for the sale of intoxicating liquor during the additional permitted hours referred to in Article 44(2) of the Order.
- [5] This paragraph should only be included where the applicant is applying for an order specifying the suitability of the premises for the possible grant of extension licences under Article 47 of the Order.
- [6] This paragraph should only be added where the applicant is applying for a children's certificate. Such certificates may operate until 9.00 pm, however, an applicant may apply under Article 59(4) of the Order for a direction that the said certificate shall cease to operate at an earlier time on such day or days as may be specified. The requested day(s) and time should be stated.
- [7] Delete if application is made by a housing authority for a provisional grant of a licence.
- [8] Delete if application is not for a provisional grant of a licence.

*(Articles 2, 5(1)(e), 7, 9 and Schedule 1)*

*FORM 197*

*LICENSING (NORTHERN IRELAND) ORDER 1996*

**Notice of application for [provisional] grant of licence authorising the sale of intoxicating liquor by retail in a restaurant**

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

IN THE COUNTY COURT/RECORDER'S COURT  
FOR THE DIVISION OF

TAKE NOTICE that I/we *(full*  
*name(s) of applicant(s)* [1] of  
*(full address(es) of applicant(s))* [1] intend to apply to the County Court/Recorder's  
Court sitting at  
*(specify courthouse, place of sitting etc.)* for the above Division for the [provisional]  
[2] grant of a licence for the premises [to be] [2] situated at *(full*  
*address of premises for which licence is sought)*, being restaurant premises such as  
are specified in Article 2 of the Licensing (Northern Ireland) Order 1996, namely,  
premises, not being premises of a kind mentioned in Article 5(1)(a) in which there  
is carried on the business of selling meals or refreshments, which are [to be] [2]  
structurally adapted and used [*or* intended to be used] [2] for the purpose of providing  
persons frequenting the premises with a main table meal at midday or in the evening,  
or both.

AND TAKE NOTICE that this application will be dealt with by the court on the  
day of 19 commencing at o'clock.

I/we will be the owner of such business. [1]

The owner of the premises is *(full name)*.

A plan of the premises separately delineating each part or parts of the premises  
as specified in Rule 6 of Order 48 of the County Court Rules (Northern Ireland) 1981  
is attached to this notice in accordance with Schedule 1 to the said Order.

There is in force planning permission to use the premises as premises of the kind  
specified in this notice for the period during which the licence would be in force and  
a copy of the planning permission is attached; or [3]

The premises may be used as premises of the kind specified in this notice for the  
period during which the licence would be in force without planning permission. [3]

[FURTHER TAKE NOTICE that I/we intend to apply under Article 44 of the  
said Order for an order of the above court directing that, on such days as may be  
specified in the order, the hours mentioned in Article 44(2) of the said Order shall,  
in addition to the hours mentioned in Article 42(1) of the said Order, be included in  
the permitted hours for the part(s) of the premises delineated on the said plan on the  
grounds that the said part(s) of the said premises is/are—

(a) structurally adapted and used, or intended to be used, for the purpose of  
habitually providing for the accommodation of persons frequenting the  
premises:

(i) musical or other entertainment; or

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (ii) substantial refreshment; or
  - (iii) both such entertainment and refreshment and
- (b) the sale of intoxicating liquor is ancillary to that entertainment or refreshment.] [4]

[FURTHER TAKE NOTICE that I/we intend to apply under Article 48 of the said Order for an order of the above-named court specifying the part of the premises particularly delineated on the said plan as being suitable for functions such as are referred to in Article 47(5) of the said Order, namely those—

- (a) organised by any body established for social, charitable or benevolent purposes or for furthering the common interests of persons associated with any trade, profession, educational or cultural activity, game or sport;
- (b) functions (not exceeding 6 in number in any year) organised by the licence holder, on the grounds that—
  - (i) the part so delineated is structurally adapted and used or intended to be used for the purpose of providing for the accommodation of persons frequenting it substantial refreshment to which the sale of intoxicating liquor is ancillary; and
  - (ii) suitable means of access to that part of the premises, otherwise than through any part of the premises which is used for the sale of intoxicating liquor, are available to customers.] [5]

[FURTHER TAKE NOTICE that I/we intend to apply under Article 59 of the said Order for a children’s certificate in respect of the part of the premises delineated on the said plan [and for a direction under Article 59(4) of the said Order that the said certificate shall operate between the hours of and on .] [6]

Dated this day of 19 .

Signature of Applicant(s) or his/their Solicitor.

To: The Chief Clerk at (address of courthouse)

Copy to:—

- (i) the clerk of petty sessions for the petty sessions district of at (being the petty sessions district in which the premises are [to be] situated);
- (ii) the sub-divisional commander at (sub-divisional headquarters for the police sub-division in which the premises are [to be] situated);
- (iii) (if different from (ii)) the sub-divisional commander at (sub-divisional headquarters for the police sub-division in which the applicant resides) [7];
- (iv) the district council at (district council for the district in which the premises are [to be] situated);

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

*Notes:*

- [1] Where a housing authority is applying for the provisional grant of a licence the name of the authority and its official address are to be given and the words referring to ownership of the business, surrender of a licence or applicant's residence must be omitted. Where the application is for the grant of the licence to a body corporate, its full title and the names and addresses of the directors, secretary and any other persons who have executive control of it should be stated for the purposes of Article 4(4) of the Order.
- [2] The inapplicable words *must* be deleted.
- [3] Delete if inapplicable.
- [4] This paragraph should be added only where the applicant is also applying for an order that a specified part of the premises is to be licensed for the sale of intoxicating liquor during the additional permitted hours referred to in Article 44(2) of the Order.
- [5] This paragraph should be added only where the applicant is applying for an order specifying the suitability of the premises for the possible grant of extension licences under Article 47 of the Order.
- [6] This paragraph should be added only where the applicant is applying for a children's certificate. Such certificates may operate until 9.00 pm, however, an applicant may apply under Article 59(4) of the Order for a direction that the said certificate shall cease to operate at an earlier time on such day or days as may be specified. The requested day(s) and time should be stated.
- [7] Delete if application is made by a housing authority for a provisional grant of a licence.

*(Articles 2, 5(1)(h), 7, 9 and Schedule 1)*

*FORM 198*

*LICENSING (NORTHERN IRELAND) ORDER 1996*

**Notice of application for [provisional] grant of licence authorising the sale of intoxicating liquor by retail in a place of public entertainment**

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

IN THE COUNTY COURT/RECORDER'S COURT  
FOR THE DIVISION OF

TAKE NOTICE that I/we (full name(s) of applicant(s)) [1] of (full address(es) of applicant(s)) [1] intend to apply to the County Court/Recorder's Court sitting at (specify courthouse, place of sitting etc.) for the above Division for the [provisional] [2] grant of a licence for the premises [to be] [2] situated at (full address of premises for which licence is sought), being a place of public entertainment such as is specified in Article 2 of the Licensing (Northern Ireland) Order 1996, namely premises:—

- (a) used as a theatre; [2] [3]
- (b) used as a ballroom; [2] [3]
- (c) on a licensed track within the meaning of the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985; [2] [3]
- (d) any other premises used for the purposes of such entertainments, in accordance with such conditions as are for the time being prescribed by regulations made by the Department of Health and Social Services under Article 2 of the said Order. [2] [3]

AND TAKE NOTICE that this application will be dealt with by the court on the day of 19 commencing at o'clock.

I/we will be the owner of such business [1]

The owner of the premises is (full name)

A plan of the premises delineating the part or parts thereof in which intoxicating liquor is to be sold is attached to this notice in accordance with Schedule 1 to the said Order and Rule 6 of Order 48 of the County Court Rules (Northern Ireland) 1981.

There is in force planning permission to use the premises as premises of the kind specified in this notice for the period during which the licence would be in force and a copy of the planning permission is attached; or [4]

The premises may be used as premises of the kind specified in this notice for the period during which the licence would be in force without planning permission. [4]

[FURTHER TAKE NOTICE that I/we intend to apply under Article 59 of the said Order for a children's certificate in respect of the part of the premises delineated on the said plan [and for a direction under Article 59(4) of the said Order that the said certificate shall operate between the hours of and on .] [5]



*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

IN THE COUNTY COURT/RECORDER'S COURT  
FOR THE DIVISION OF

TAKE NOTICE that I/we (full  
*name(s) of applicant(s)* [1] of  
*(full address(es) of applicant(s))* [1] intend to apply to the County Court/Recorder's  
Court sitting at  
*(specify courthouse, place of sitting etc.)* for the above Division for the [provisional]  
[2] grant of a licence for the premises [to be] [2] situated at (full  
*address of premises for which licence is sought)*, being a refreshment room in public  
transport premises; namely, at [a railway station] [or an airport] [or a harbour  
terminal] [or a bus station] [2] as defined by Article 2 of the Licensing (Northern  
Ireland) Order 1996.

AND TAKE NOTICE that this application will be dealt with by the court on the  
day of 19 commencing at o'clock.

I/we will be the owner of such business [1]

The owner of the premises is (full name)

A plan of the premises delineating the part or parts thereof in which intoxicating  
liquor is to be sold is attached to this notice in accordance with Schedule 1 to the  
said Order and Rule 6 of Order 48 of the County Court Rules (Northern Ireland)  
1981.

There is in force planning permission to use the premises as premises of the kind  
specified in this notice for the period during which the licence would be in force and  
a copy of the planning permission is attached; or [3]

The premises may be used as premises of the kind specified in this notice for the  
period during which the licence would be in force without planning permission [3].

[FURTHER TAKE NOTICE that I/we intend to apply under Article 59 of the  
said Order for a children's certificate in respect of the part of the premises particularly  
delineated on the said plan [and for a direction under Article 59(4) of the said Order  
that the said certificate shall operate between the hours of and on ]  
[4]

Dated this day of 19 .

Signature of Applicant(s) or  
his/their Solicitor.

To: The Chief Clerk at  
*(address of courthouse)*



**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Copy to:—

- (i) the clerk of petty sessions for the petty sessions district of  
at (being the petty sessions district in  
which the premises are [to be] situated);
- (ii) the sub-divisional commander at (sub-  
divisional headquarters for the police sub-division in which the premises  
are [to be] situated);
- (iii) (if different from (ii)) the sub-divisional commander at  
(sub-divisional headquarters for the police sub-  
division in which the applicant resides) [5];
- (iv) the district council at (district  
council for the district in which the premises are [to be] situated);

Notes:

- [1] Where a housing authority is applying for the provisional grant of a licence the name of the authority and its official address are to be given and the words referring to ownership of the business, surrender of a licence or applicant's residence must be omitted. Where the application is for the grant of the licence to a body corporate, its full title and the names and addresses of the directors, secretary and any other persons who have executive control of it should be stated for the purposes of Article 4(4) of the Order.
- [2] The inapplicable words *must* be deleted.
- [3] Delete if inapplicable.
- [4] This paragraph should only be added where the applicant is also applying for a children's certificate. Such certificates may operate until 9.00 pm, however, an applicant may apply under Article 59(4) of the Order for a direction that the said certificate shall cease to operate at an earlier time on such day or days as may be specified. The requested day(s) and time should be stated.
- [5] Delete if the application is made by a housing authority for a provisional grant of a licence.

(Articles 2, 5(1)(j), 7, 9, 77 and Schedule 1)

FORM 200

LICENSING (NORTHERN IRELAND) ORDER 1996

**Notice of application for [provisional] grant of licence authorising the sale of intoxicating liquor by retail in a seaman's canteen**

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

IN THE COUNTY COURT/RECORDER'S COURT  
FOR THE DIVISION OF

TAKE NOTICE that the applicant body  
(*name of body providing seaman's canteen*) of (address)  
intends to apply to the County Court/Recorder's Court sitting at  
(*specify courthouse, place of sitting etc.*) for the above  
Division for the [provisional] [1] grant of a licence for the premises [to be] [1] situated  
at (*full address of premises for which licence is sought*) namely,  
premises such as are specified in Article 2 of the Licensing (Northern Ireland) Order  
1996 provided by the applicant, being a body approved by the Secretary of State.  
The premises—

- (a) are [to be] [1] structurally adapted and used, or intended to be used, for the purpose of providing persons frequenting the premises with food or drink, whether or not the food or drink is separately paid for; and
- (b) are [to be] situated in a place for which there is in force a certificate granted by the Secretary of State after consultation with the Merchant Navy Welfare Board stating that there is need for a seaman's canteen.

AND TAKE NOTICE that this application will be dealt with by the court on the day of 19 commencing at o'clock.

The said certificate will be produced at the hearing of the application.

As required by Article 77 of the said Order, a copy of the draft rules prepared by the applicant as to persons entitled to use the canteen is attached to this notice.

The applicant body will be the owner of the business carried on under the licence.

The owner of the premises is (full name).

A plan of the premises delineating the part or parts thereof in which intoxicating liquor is to be sold is attached to this notice in accordance with Schedule 1 to the said Order and Rule 6 of Order 48 of the County Court Rules (Northern Ireland) 1981.

There is in force planning permission to use the premises as premises of the kind specified in this notice for the period during which the licence would be in force and a copy of the planning permission is attached; or [1]

The premises may be used as premises of the kind specified in this notice for the period during which the licence would be in force without planning permission. [1]

[FURTHER TAKE NOTICE that I/we intend to apply under Article 59 of the said Order for a children's certificate in respect of the part of the premises particularly delineated on the said plan [and for a direction under Article 59(4) of the said Order



*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

IN THE COUNTY COURT/RECORDER'S COURT FOR THE DIVISION OF

TAKE NOTICE that I/we (full name(s) of applicant(s)) of (full address(es) of applicant(s)) intend to apply to the County Court/Recorder's Court sitting at (specify courthouse, place of sitting etc.) for the above Division for the [provisional] [1] grant of a licence for the vessel (name of vessel) being other than a seagoing vessel plying from (place from which vessel plies).

AND TAKE NOTICE that this application will be dealt with by the court on the day of 19 commencing at o'clock.

I/we will be the owner of the business of selling intoxicating liquor for consumption in the vessel under such licence.

The owner of the vessel is (full name).

A plan of the vessel delineating the part or parts thereof in which intoxicating liquor is to be sold is attached to this notice.

[FURTHER TAKE NOTICE that I/we intend to apply under Article 59 of the said Order for a children's certificate in respect of the part of the premises particularly delineated on the said plan [and for a direction under Article 59(4) of the said Order that the said certificate shall operate between the hours of and on .] [2]

Dated this day of 19 .

Signature of Applicant(s) or his/their Solicitor.

To: The Chief Clerk at (address of courthouse)

Copy to:—

- (i) the clerk of petty sessions for the petty sessions district of at (being the petty sessions district in which the place from which the vessel plies is situated);
- (ii) the sub-divisional commander at (sub-divisional headquarters for the police sub-division in which the place from which the vessel plies is situated);
- (iii) (if different from (ii)) the sub-divisional commander at (sub-divisional headquarters for the police sub-division in which the applicant resides);
- (iv) the district council at (district council for the district in which the place from which the vessel plies is situated).

Notes:

[1] Delete if inapplicable.

[2] This paragraph should only be added where the applicant is also applying for a children's certificate. Such certificates may operate until 9.00 pm, however, an applicant may apply under Article 59(4) of the Order for a direction that the said certificate shall cease to operate at an earlier time on such day or days as may be specified. The requested day(s) and time should be stated.

(Article 5 and Schedule 2 paras. 1(1)(a))

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

FORM 305

REGISTRATION OF CLUBS (NORTHERN IRELAND) ORDER 1996

**Preliminary Notice of Application for the Registration of a Club**

IN THE COUNTY COURT/RECORDER'S COURT  
FOR THE DIVISION OF

TAKE NOTICE that I, \_\_\_\_\_ (full name) of  
\_\_\_\_\_ (full address), Secretary, intend to apply to the County  
Court/Recorder's Court sitting for the above division at a time not less than one year  
from the date of this notice for a grant of registration of \_\_\_\_\_ (full  
name of club) of \_\_\_\_\_ (full address of club premises).

[FURTHER TAKE NOTICE that I also intend to apply for a children's certificate  
at that time] [and for a direction under Article 33(4) of the above Order that the said  
certificate shall operate between the hours of \_\_\_\_\_ and \_\_\_\_\_ on \_\_\_\_\_.] [1]

The objects of the club are (state objects of club)

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_.

Signature of Secretary/Solicitor

To: The Chief Clerk at \_\_\_\_\_ (address of courthouse)

Copy to:

- (i) the sub-divisional commander at \_\_\_\_\_ (police sub-  
division in which the place from which the premises of the club are  
situated);
- (ii) the district council at \_\_\_\_\_ (district  
council for the district in which the premises are situated).

Notes:

[1] Children's certificates can be operational for any time up until 9.00 pm. However,  
an applicant can request that the certificate cease to be operational at an earlier  
time on a specified day or days. Insert the requested days and time.

(Article 5 and Schedule 2 paras. 1(1)(b), (c) and (d))

FORM 306

REGISTRATION OF CLUBS (NORTHERN IRELAND) ORDER 1996

**Notice of application for the registration of a club**

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

IN THE COUNTY COURT/RECORDER'S COURT  
FOR THE DIVISION OF

TAKE NOTICE that I, \_\_\_\_\_ (full name) of  
\_\_\_\_\_ (full address), Secretary, intend to apply to the County  
Court/Recorder's Court at \_\_\_\_\_  
(specify courthouse and address) for the above division at \_\_\_\_\_ o'clock in the  
noon on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ for a grant of registration of  
\_\_\_\_\_ (full name of club) of  
(full address of club premises).

[FURTHER TAKE NOTICE that I also intend to apply at that time for a children's  
certificate] [and for a direction under Article 33(4) of the above Order that the said  
certificate shall operate between the hours of \_\_\_\_\_ and \_\_\_\_\_ on \_\_\_\_\_ . [1]

Preliminary notice of this application was given by notice dated the \_\_\_\_\_ day  
of \_\_\_\_\_ 19 \_\_\_\_\_ . [2]

The owner of the premises is  
(full name) of  
(full address)  
The objects of the club are (state objects of club).

All of the information, particulars and documents required under paragraph 2(2)  
of Schedule 2 to the Registration of Clubs (Northern Ireland) Order 1996 are attached.  
[3]

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ .

Signature of Secretary/Solicitor

To: The Chief Clerk at  
(address of courthouse)

Copy to:—

- (i) the sub-divisional commander at \_\_\_\_\_ (police  
sub-division in which the premises of the club are situated);
- (ii) the district council at \_\_\_\_\_  
(district council for the district in which the premises are situated).

Notes:

- [1] Children's certificates can be operational for any time up until 9.00 pm. However, an applicant can request that the certificate cease to be operational at an earlier time on a specified day or days. Insert the requested days and time.
- [2] Delete if inapplicable.
- [3] Paragraph 2(2) of Schedule 2 to the Order requires an applicant for registration to attach such information, particulars and documents with respect to the club, its officials and members, its objects and activities, its accounts and financial standing as may be required by regulations made by the Department of Health and Social Services to the notice served on the Chief Clerk and the copy notices served on the sub-divisional commander and the district council.

SCHEDULE 3

Rule 3(2)

Forms to be inserted in Appendix 1  
(Articles 2, 5(1)(d), 7, 9 and Schedule 1)

FORM 196A

LICENSING (NORTHERN IRELAND) ORDER 1996

**Notice of application for [provisional] grant of licence authorising the sale of intoxicating liquor by retail in a guest house**

IN THE COUNTY COURT/RECORDER'S COURT  
FOR THE DIVISION OF

TAKE NOTICE that I/we (full  
name(s) of applicant(s)) [1] of  
(full address(es) of applicant(s)) [1] intend to apply to the County Court/Recorder's  
Court sitting at  
(specify courthouse, place of sitting etc.) for the [provisional] [2] grant of a licence  
for the premises [to be] [2] situated at  
(full address of premises for which licence is sought), being  
guest house premises such as are specified in Article 2 of the Licensing (Northern  
Ireland) Order 1996, namely, premises of any establishment which is [or is intended  
to be] allocated by a certificate under Article 13 of the Tourism (Northern Ireland)  
Order 1992 to the statutory category of guest house.

AND TAKE NOTICE that this application will be dealt with by the court on the  
day of 19 commencing at o'clock.

I/we will be the owner of such business. [1]

The owner of the premises is (full name).

A plan of the premises delineating the part or parts thereof in which intoxicating  
liquor is to be sold is attached to this notice in accordance with Schedule 1 to the  
said Order and Rule 6 of Order 48 of the County Court Rules (Northern Ireland)  
1981.

There is in force planning permission to use the premises as premises of the kind  
specified in this notice for the period during which the licence would be in force and  
a copy of the planning permission is attached; or [3]

The premises may be used as premises of the kind specified in this notice for the  
period during which the licence would be in force without planning permission. [3]

[FURTHER TAKE NOTICE that I/we intend to apply under Article 59 of the  
said Order for a children's certificate in respect of the part of the premises delineated  
on the said plan [and for a direction under Article 59(4) of the said Order that the  
said certificate shall operate between the hours of and on .]]  
[4]

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Dated this        day of        19 .

Signature of Applicant(s) or  
his/their Solicitor.

To: The Chief Clerk at  
(address of courthouse)

Copy to:—

- (i) the clerk of petty sessions for the petty sessions district of  
at (being the petty sessions district in  
which the premises are [to be] situated);
- (ii) the sub-divisional commander at (sub-  
divisional headquarters for the police sub-division in which the premises  
are [to be] situated);
- (iii) (if different from (ii)) the sub-divisional commander at  
(sub-divisional headquarters for the police sub-  
division in which the applicant resides) [5];
- (iv) the district council at (district  
council for the district in which the premises are [to be] situated);
- (v) the Northern Ireland Tourist Board. [6]

Notes:

- [1] Where a housing authority is applying for the provisional grant of a licence the name of the authority and its official address are to be given and the words referring to ownership of the business, surrender of a licence or applicant's residence must be omitted. Where the application is for the grant of the licence to a body corporate, its full title and the names and addresses of the directors, secretary and any other persons who have executive control of it should be stated for the purposes of Article 4(4) of the Order.
- [2] The inapplicable words *must* be deleted.
- [3] Delete if inapplicable.
- [4] This paragraph should only be added where the applicant is applying for a children's certificate. Such certificates may operate until 9.00 pm, however, an applicant may apply under Article 59(4) of the Order for a direction that the said certificate shall cease to operate at an earlier time on such day or days as may be specified. The requested day(s) and time should be stated.
- [5] Delete if application is made by a housing authority for a provisional grant of a licence.
- [6] Delete if application is not for provisional grant of a licence.

(Articles 2, 5(1)(f), 7, 9 and Schedule 1)

FORM 197A

LICENSING (NORTHERN IRELAND) ORDER 1996

Notice of application for [provisional] grant of licence authorising the sale of intoxicating liquor by retail in a conference centre



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IN THE COUNTY COURT/RECORDER'S COURT  
FOR THE DIVISION OF

TAKE NOTICE that I/we *(full*  
*name(s) of applicant(s)* [1] of  
*(full address(es) of applicant(s))* [1] intend to apply to the County Court/Recorder's  
Court sitting at  
*(specify courthouse, place of sitting etc.)* for the above Division for the [provisional]  
[2] grant of a licence for the premises [to be] [2] situated at  
*(full address of premises for which licence is sought)*, being  
conference centre premises such as are specified in Article 2 of the Licensing  
(Northern Ireland) Order 1996, namely, premises for which there is in force a  
certificate from the Northern Ireland Tourist Board stating that the premises conform  
to the requirements prescribed by regulations made with the concurrence of the  
Department of Economic Development.

AND TAKE NOTICE that this application will be dealt with by the court on the  
day of 19 commencing at o'clock.

I/we will be the owner of such business. [1]

The owner of the premises is *(full name)*.

A plan of the premises delineating the part or parts thereof in which intoxicating  
liquor is to be sold is attached to this notice in accordance with Schedule 1 to the  
said Order and Rule 6 of Order 48 of the County Court Rules (Northern Ireland)  
1981.

There is in force planning permission to use the premises as premises of the kind  
specified in this notice for the period during which the licence would be in force and  
a copy of the planning permission is attached; or [3]

The premises may be used as premises of the kind specified in this notice for the  
period during which the licence would be in force without planning permission. [3]

[FURTHER TAKE NOTICE that I/we intend to apply under Article 44 of the  
said Order for an order of the above court directing that, on such days as may be  
specified in the order, the hours mentioned in Article 44(2) of the said Order shall,  
in addition to the hours mentioned in Article 42(1) of the said Order, be included in  
the permitted hours for the part(s) of the premises delineated on the said plan on the  
grounds that the said part(s) of the said premises is/are—

(a) structurally adapted and used, or intended to be used, for the purpose of  
habitually providing for the accommodation of persons frequenting the  
premises:

(i) musical or other entertainment; or

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- (ii) substantial refreshment; or
- (iii) both such entertainment and refreshment and
- (b) the sale of intoxicating liquor is ancillary to that entertainment or refreshment.] [4]

[FURTHER TAKE NOTICE that I/we intend to apply under Article 48 of the said Order for an order of the above-named court specifying the part of the premises particularly delineated on the said plan as being suitable for functions such as are referred to in Article 47(5) of the said Order, namely those—

- (a) organised by any body established for social, charitable or benevolent purposes or for furthering the common interests of persons associated with any trade, profession, educational or cultural activity, game or sport;
- (b) functions (not exceeding 6 in number in any year) organised by the licence holder, on the grounds that—
  - (i) the part so delineated is structurally adapted and used or intended to be used for the purpose of providing for the accommodation of persons frequenting it substantial refreshment to which the sale of intoxicating liquor is ancillary; and
  - (ii) suitable means of access to that part of the premises, otherwise than through any other part of the premises which is used for the sale of intoxicating liquor, are available to customers.] [5]

[FURTHER TAKE NOTICE that I/we intend to apply under Article 59 of the said Order for a children’s certificate in respect of the part of the premises delineated on the said plan [and for a direction under Article 59(4) of the said Order that the said certificate shall operate between the hours of and on .] [6]

Dated this day of 19 .

Signature of Applicant(s) or his/their Solicitor.

To: The Chief Clerk at (address of courthouse)

Copy to:—

- (i) the clerk of petty sessions for the petty sessions district of at (being the petty sessions district in which the premises are [to be] situated);
- (ii) the sub-divisional commander at (sub-divisional headquarters for the police sub-division in which the premises are [to be] situated);
- (iii) (if different from (ii)) the sub-divisional commander at (sub-divisional headquarters for the police sub-division in which the applicant resides) [7];
- (iv) the district council at (district council for the district in which the premises are [to be] situated);

Notes:

[1] Where a housing authority is applying for the provisional grant of a licence the name of the authority and its official address are to be given and the words

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referring to ownership of the business, surrender of a licence or applicant's residence must be omitted. Where the application is for the grant of the licence to a body corporate, its full title and the names and addresses of the directors, secretary and any other persons who have executive control of it should be stated for the purposes of Article 4(4) of the Order.

- [2] The inapplicable words *must* be deleted.
- [3] Delete if inapplicable.
- [4] This paragraph should be added only where the applicant is also applying for an order that a specified part of the premises is to be licensed for the sale of intoxicating liquor during the additional permitted hours referred to in Article 44(2) of the Order.
- [5] This paragraph should be added only where the applicant is also applying for an order specifying the suitability of the premises for the possible grant of extension licences under Article 47 of the Order.
- [6] This paragraph should only be added where the applicant is applying for a children's certificate. Such certificates may operate until 9.00 pm, however, an applicant may apply under Article 59(4) of the Order for a direction that the said certificate shall cease to operate at an earlier time on such day or days as may be specified. The requested day(s) and time should be stated.
- [7] Delete if application is made by a housing authority for a provisional grant of a licence.

*(Articles 2, 5(1)(g), 7, 9 and Schedule 1)*

*FORM 197B*

*LICENSING (NORTHERN IRELAND) ORDER 1996*

**Notice of application for [provisional] grant of licence authorising the sale of intoxicating liquor by retail in a higher education institution**

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IN THE COUNTY COURT/RECORDER'S COURT  
FOR THE DIVISION OF

TAKE NOTICE that I/we *(full*  
*name(s) of applicant(s)* [1] of  
*(full address(es) of applicant(s))* [1] intend to apply to the County Court/Recorder's  
Court sitting at  
*(specify courthouse, place of sitting etc.)* for the above Division for the [provisional]  
[2] grant of a licence for the premises [to be] [2] situated at  
*(full address of premises for which licence is sought)*, being  
a higher education institution such as is specified in Article 2 of the Licensing  
(Northern Ireland) Order 1996, namely,—

- (a) a university, or
- (b) any other institution which provides higher education courses and is designated by regulations as a higher education institution. [3]

AND TAKE NOTICE that this application will be dealt with by the court on the  
day of 19 commencing at o'clock.

I/we will be the owner of such business. [1]

The owner of the premises is *(full name)*.

A plan of the premises delineating the part or parts thereof in which intoxicating liquor is to be sold is attached to this notice in accordance with Schedule 1 to the said Order and Rule 6 of Order 48 of the County Court Rules (Northern Ireland) 1981.

There is in force planning permission to use the premises as premises of the kind specified in this notice for the period during which the licence would be in force and a copy of the planning permission is attached; or [4]

The premises may be used as premises of the kind specified in this notice for the period during which the licence would be in force without planning permission. [4]

[FURTHER TAKE NOTICE that I/we intend to apply under Article 44 of the said Order for an order of the above court directing that, on such days as may be specified in the order, the hours mentioned in Article 44(2) of the said Order shall, in addition to the hours mentioned in Article 42(1) of the said Order, be included in the permitted hours for the part(s) of the premises delineated on the said plan on the grounds that the said part(s) is/are:—

- (a) structurally adapted and used, or intended to be used, for the purpose of habitually providing for the accommodation of persons frequenting the premises;

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- (i) musical or other entertainment; or
  - (ii) substantial refreshment; or
  - (iii) both such entertainment and refreshment and
- (b) the sale of intoxicating liquor is ancillary to that entertainment and refreshment.] [5]

[FURTHER TAKE NOTICE that I/we intend to apply under Article 48 of the said Order for an order of the above-named court specifying the part of the premises particularly delineated on the said plan as being suitable for functions such as are referred to in Article 47(5) of the said Order, namely those—

- (a) organised by any body established for social, charitable or benevolent purposes or for furthering the common interests of persons associated with any trade, profession, educational or cultural activity, game or sport;
- (b) functions (not exceeding 6 in number in any year) organised by the licence holder, on the grounds that—
  - (i) the part so delineated is structurally adapted and used or intended to be used for the purpose of providing for the accommodation of persons frequenting it substantial refreshment to which the sale of intoxicating liquor is ancillary; and
  - (ii) suitable means of access to that part of the premises, otherwise than through any other part of the premises which is used for the sale of intoxicating liquor, are available to customers.] [6]

[FURTHER TAKE NOTICE that I/we intend to apply under Article 59 of the said Order for a children's certificate in respect of the part of the premises delineated on the said plan [and for a direction under Article 59(4) of the said Order that the said certificate shall operate between the hours of            and            on            .]] [7]

Dated this            day of            19            .

Signature of Applicant(s) or  
his/their Solicitor.

To: The Chief Clerk at  
(address of courthouse)

Copy to:—

- (i) the clerk of petty sessions for the petty sessions district of            at            (being the petty sessions district in which the premises are [to be] situated);
- (ii) the sub-divisional commander at            (sub-divisional headquarters for the police sub-division in which the premises are [to be] situated);
- (iii) (if different from (ii)) the sub-divisional commander at            (sub-divisional headquarters for the police sub-division in which the applicant resides) [8];
- (iv) the district council at            (district council for the district in which the premises are [to be] situated);

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*Notes:*

- [1] Where a housing authority is applying for the provisional grant of a licence the name of the authority and its official address are to be given and the words referring to ownership of the business, surrender of a licence or applicant's residence must be omitted. Where the application is for the grant of the licence to a body corporate, its full title and the names and addresses of the directors, secretary and any other persons who have executive control of it should be stated for the purposes of Article 4(4) of the Order.
- [2] The inapplicable words *must* be deleted.
- [3] A university includes a university college and any college, or institution in the nature of a college, in a university and references to a higher education institution include references to the Open University.
- [4] Delete if inapplicable.
- [5] This paragraph should only be added where the applicant is also applying for an order that a specified part of the premises is to be licensed for the sale of intoxicating liquor during the additional permitted hours referred to in Article 44(2) of the Order.
- [6] This paragraph should only be added where the applicant is also applying for an order specifying the suitability of the premises for the possible grant of extension licences under Article 47 of the Order.
- [7] This paragraph should only be added where the applicant is applying for a children's certificate. Such certificates may operate until 9.00 pm, however, an applicant may apply under Article 59(4) of the Order for a direction that the said certificate shall cease to operate at an earlier time on such day or days as may be specified. The requested day(s) and time should be stated.
- [8] Delete if application is made by a housing authority for a provisional grant of a licence.

*FORM 204A*

*THE LICENSING (NORTHERN IRELAND) ORDER 1996*

**Notice of intention to object to the making of an order under [Article 43 (order for alternative permitted hours)] [Article 44 (order for additional permitted hours)] [Article 48 (order specifying premises as suitable for functions)] [Article 58 (grant of a children's certificate)]**

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IN THE COUNTY COURT/RECORDER'S COURT  
FOR THE DIVISION OF

TAKE NOTICE that I (full name) of (full address) [1] intend at the hearing of the application of (full name of applicant) of (full address of applicant) at (full address of applicant) for [an order under Article 34 (order for alternative permitted hours)] [an order under Article 44 (order for additional permitted hours)] [an order under Article 48 (order specifying premises as suitable for functions)] [the grant of children's certificate under Article 59[2]] in relation to the premises situated at (full address of premises). to appear and object to the [making of the order] [granting of the certificate] [2] on the following grounds—

(state grounds of objection briefly and precisely) [3]

Dated this        day of        19    .

Signature of Objector or  
his Solicitor

To the Applicant

To: The Chief Clerk at  
(address of courthouse)

Notes:

[1] The objector must be one of the following:

- (a) the sub-divisional commander of the police sub-division in which the premises to which the application relates are situated; or
- (b) the district council for the district in which the premises to which the application relates are situated; or
- (c) any person owning or residing in premises in the vicinity of premises to which the application relates.

[2] The inapplicable words *must* be deleted.

[3] The permissible grounds of objection are—

- (a) in the case of an application under Article 43, any of the grounds mentioned in Article 43(2);
- (b) in the case of an application under Article 44, any of the grounds mentioned in Article 44(1) and (3);
- (c) in the case of an application under Article 48, any of the grounds mentioned in Article 48(2);
- (d) in the case of an application under Article 59, any of the grounds mentioned in Article 59(2).

FORM 307A

THE REGISTRATION OF CLUBS (NORTHERN IRELAND) ORDER 1996  
Notice of intention to object to the application for a children's certificate

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IN THE COUNTY COURT/RECORDER'S COURT  
FOR THE DIVISION OF

TAKE NOTICE that I *(full names)* of *(full address)*, being [the sub-divisional commander of the police sub-division in which the premises of the club are situated] [or an officer of the district council in which the premises of the club are situated] [or a person owning or residing in premises in the vicinity of the premises of the club] [1] intend at the County Court Recorder's Court sitting at *(full name of club)* having its premises at *(full address of premises of club)* on the following grounds *(state briefly and precisely the grounds of objection)*, being grounds specified in Article 33(2) of the above Order. [2]

Dated this        day of        19        .

Signature of Objector or  
his Solicitor

To the Applicant

Copy to the Chief Clerk at  
*(address of courthouse)*

\*if sub-divisional commander, state sub-divisional headquarters.

Notes:

[1] Delete if inapplicable

[2] The following may be grounds for objecting to the granting of a children's certificate:

- (a) that the part of the premises to which the application relates does not constitute an environment in which it is suitable for a person under the age of 18 to be present, or
- (b) meals and suitable beverages other than intoxicating liquor (including drinking water) will not be made available for consumption in the part of the premises to which the application relates when the children's certificate is operational, or
- (c) that the part of the premises to which the application relates is not equipped with an adequate number of tables and chairs, or
- (d) prescribed conditions have not been complied with.

SCHEDULE 4

Rule 3(3)

Amendment to Forms

1. In Form 202—

- (a) for the heading there shall be substituted the following new heading:  
"Form 202

*Licensing (Northern Ireland) Order 1996 (Article 9(7) and Schedule 1)".*

- (b) for the words "Article 10(6)" in the body of the Form there shall be substituted the words "Article 9(6)".

2. In Form 203—

- (a) for the heading there shall be substituted the following new heading:



“Form 203

*Licensing (Northern Ireland) Order 1996 (Article 9(6))”.*

- (b) in the first paragraph for the words—
- (i) “Licensing (Northern Ireland) Order 1990” there shall be substituted the words “Licensing (Northern Ireland) Order 1996”.
  - (ii) “Article 10” in the first paragraph there shall be substituted the words “Article 9”.
  - (iii) “Article 6(1)” there shall be substituted the words “Article 5(1)”.

3. In Form 204—

- (a) for the heading there shall be substituted the following new heading:  
“Form 204

*Licensing (Northern Ireland) Order 1996  
(Articles 8, 9 and Schedule 1 paras. 6 and 13)”.*

- (b) for the words “paragraph 11” in note [2] there shall be substituted the words “paragraph 13”.

4. In Form 205—

- (a) for the heading there shall be substituted the following new heading:  
“Form 205

*Licensing (Northern Ireland) Order 1996 (Schedule 1 paragraph 5)”.*

- (b) for the words “Article 8(2)(c)(ii)” in the explanatory title and paragraph 1 there shall be substituted the words “Article 7(4)(e)(ii)”.

5. In Form 206—

- (a) for the heading there shall be substituted the following new heading:  
“Form 206

*Licensing (Northern Ireland) Order 1996 (Article  
10 and Schedule 3 paragraphs 3 and 4)”.*

- (b) for the words “Article 11” in paragraph 3 there shall be substituted the words “Article 10”.

6. For the heading in Form 207 there shall be substituted the following new heading:  
“Form 207

*Licensing (Northern Ireland) Order 1996 (Article  
10 and Schedule 3 paragraphs 3, (3) and (4))”.*

7. For the heading in Form 208 there shall be substituted the following new heading:  
“Form 208

*Licensing (Northern Ireland) Order 1996 (Article 10 and Schedule 3 paragraph 4)”.*

8. In Form 209—

- (a) for the heading there shall be substituted the following new heading:  
“Form 209

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*Licensing (Northern Ireland) Order 1996 (Article 31(1)(i) and (2) and Schedule 8)*”.

- (b) for the words
  - (i) “Article 6(1)[(a)], [(b)], [(c)], [(d)], [(e)], [(f)], [(g)]]” there shall be substituted the words “Article 5(1)[(a)], [(b)], [(c)], [(d)], [(e)], [(f)], [(g)], [(h)], [(i)], [(j)]]”;
  - (ii) “Article 36(1)[(a)], [(b)], [(c)], [(d)]]” in paragraph 1 there shall be substituted the words “Article 31(1)[(a)], [(b)], [(c)], [(d)]]”.

9. In Form 210—

- (a) for the heading there shall be substituted the following new heading:  
“Form 210

*Licensing (Northern Ireland) Order 1996 (Schedule 8, paras. 5 and 6)*”.

- (b) for the words “Article 36” in the body of the Form there shall be substituted the words “Article 31”.

10. In Form 211—

- (a) for the heading there shall be substituted the following new heading:  
“Form 211

*Licensing (Northern Ireland) Order 1996 (Article 31(1)(i))*”.

- (b) for the words:
  - (i) “Article 36” in paragraph 1 there shall be substituted the words “Article 31”;
  - (ii) “Article 36(1)[(a)], [(b)], [(c)], [(d)]]” in the final paragraph there shall be substituted the words “Article 31(1)[(a)], [(b)], [(c)], [(d)]]”.

11. In Form 307—

- (a) for the heading there shall be substituted the following new heading:  
“Form 307

*Registration of Clubs (Northern Ireland) Order 1996 (Schedule 2, paras. 3 and 4)*”.

- (b) for the words “Article 6(5) or (6)” there shall be substituted the words “Article 5(5) or (6)”.

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## EXPLANATORY NOTE

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

These Rules amend the County Court Rules (Northern Ireland) 1981 by the substitution of a new Order 48 providing for the procedure to be followed in connection with applications to the county court under the Licensing (Northern Ireland) Order 1996 and the Registration of Clubs (Northern Ireland) Order 1996. The associated Forms have also been revised and certain new Forms have been included.

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These Rules also modify Schedule 1 to the Licensing (Northern Ireland) Order 1996 and Schedule 2 to the Registration of Clubs (Northern Ireland) Order 1996 by providing for the making of objections to certain applications under the said Orders.