

SCHEDULES

SCHEDULE 8

MISCELLANEOUS CUSTOMS AND EXCISE AMENDMENTS

PART III

AMENDMENTS OF LICENSING ACTS

The Licensing Act 1964

- 24 In section 181 of the Licensing Act 1964—
- (a) for the words from "the holder" to "his wholesaler's licence extends" there shall be substituted the words " a wholesaler within the meaning of section 4 of the Alcoholic Liquor Duties Act 1979 may, at the premises from which he deals wholesale, sell by retail without a justices' licence any intoxicating liquor other than cider in which he deals wholesale "; and
 - (b) in paragraph (b) (iii) for the words " holder of the wholesaler's licence " there shall be substituted the word " wholesaler ".
- 25 In the definition of " intoxicating liquor " in section 201(1) of that Act for the words from " but" onwards there shall be substituted the words " but does not include—
- (a) any liquor which, whether made on the premises of a brewer for sale or elsewhere, is found on analysis of a sample thereof at any time to be of an original gravity not exceeding 1016° and of a strength not exceeding 1-2 per cent;
 - (b) perfumes;
 - (c) flavouring essences recognised by the Commissioners as not being intended for consumption as or with dutiable alcoholic liquor;
 - (d) spirits, wine or made-wine so medicated as to be, in the opinion of the Commissioners, intended for use as a medicine and not as a beverage;
- and expressions used in paragraphs (a) and (d) above shall have the same meaning as in the Alcoholic Liquor Duties Act 1979."

The Licensing Act (Northern Ireland) 1971

- 26 In section 76 of the Licensing Act (Northern Ireland) Act 1971—
- (a) for subsection (1) there shall be substituted—
 - “(1) A wholesaler within the meaning of section 4 of the Alcoholic Liquor Duties Act 1979 shall not sell intoxicating liquor to any person in Northern Ireland other than a person mentioned in subsection (2) unless—
 - (a) the wholesaler is the holder of a licence under this Act for premises which are either of a kind mentioned in

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section 3(1)(o) or (b) or an hotel to which section 3(5)(b)(ii) applies ; and

(b) the sale is made in those premises during the permitted hours.”;

(b) for paragraph (b) of subsection (2) there shall be substituted—

“(b) a wholesaler within the meaning of the said section 4”.

27 In the definition of "intoxicating liquor" in section 84(1) of that Act for paragraph (b) there shall be substituted—

“(a) perfumes;

(b) flavouring essences recognised by the Commissioners as not being intended for consumption as or with dutiable alcoholic liquor;

(c) spirits, wine or made-wine so medicated as to be, in the opinion of the Commissioners, intended for use as a medicine and not as a beverage ;

and expressions used in paragraphs (a) and (d) above shall have the same meaning as in the Alcoholic Liquor Duties Act 1979.”.

28 In section 85 of that Act for paragraph (c) there shall be substituted—

“(c) prejudice or affect the sale by any manufacturing or wholesale chemist and druggist of spirits of wine wholesale for medicinal purposes to registered medical practitioners, duly registered pharmaceutical chemists, chemists and druggists or persons requiring the spirits for use for scientific purposes in any laboratory ;”.