

**STATES OF ALDERNEY**  
**ORDINANCE OF THE STATES**

Made: ..... 19<sup>th</sup> July, 1972  
Coming into force: ..... 20<sup>th</sup> July, 1972

**The Alderney Liquor Licensing (Amendment)**  
**Ordinance, 1972**

THE STATES in pursuance of their Resolution of the twenty-second day of March, nineteen hundred and seventy-two, hereby order :-

**Amendments to Ordinance of 1966**

1. The Alderney Liquor Licensing Ordinance, 1966, as amended, is hereby further amended as follows :-
  - (a) in section three thereof the words "A person desirous of obtaining a liquor licence" are repealed and the words "Subject to the provisions of Part IV of this Ordinance, a person desirous of obtaining a liquor licence" are substituted therefor;
  - (b) in section ten thereof -
    - (i) in subsection (1) immediately after the words "this Part" there are inserted the words "or Part IV";
    - (ii) in paragraph (c) of subsection (2) the full stop at the end thereof is deleted and a semi-colon is substituted therefor and immediately thereafter there is inserted the following additional paragraph lettered "(d)" -  
"(d) Club Licence.";
  - (c) immediately after section eleven thereof there is inserted the following additional section numbered "11A"-  
**"Grant of Liquor Licence to a bona fide Club**  
11A. The Court shall not grant a Club Licence in respect of any premises unless the Court is satisfied that the application relates to a bona fide club and unless the Court has approved the rules of the club."
  - (d) in paragraph (c) of subsection (1) of section sixteen thereof the full stop at the end thereof is deleted and a semi-colon is substituted therefor and immediately

thereafter there is inserted the following additional paragraph lettered "(d)" -

- "(d) for a Club Licence, ten pounds.";
- (e) the Proviso to subsection (3) of section nineteen thereof is repealed;
- (f) paragraph (c) of section forty-four thereof is repealed and the following paragraph is substituted therefor -  
"(c) the sale or supply of intoxicating liquor wholesale to a licensee for the purposes of his trade;"
- (g) immediately after Part III thereof there is inserted the following additional Part named "PART IV" and PART IV and PART V thereof are renamed "PART V" and "PART VI" respectively -

#### PART IV Clubs

##### Club licences

45A.(1) A person shall not supply or consume intoxicating liquor on the premises of any club unless there is in force in respect of those premises a Club Licence granted for the supply of such liquor by the Court in accordance with the provisions of section ten of this Ordinance and unless such liquor is supplied to members of the club for consumption on the premises of the club by members of the club and their guests and in accordance with the rules of the club.

(2) A Club Licence may be granted under the provisions of section ten of this Ordinance to a club as if that club were a limited liability company on the application of the president or secretary of the club (hereinafter referred to as "the applicant") who shall, not less than forty-two days before the date of such application

- (a) deliver to the Clerk of the Court a notice, in writing, specifying the situation of the premises concerned and the day upon which it is proposed to make the application;
- (b) deliver to the Clerk of the Court a certificate, in writing, certifying that -
  - (i) the club has not less than fifty persons qualified as members thereof under the rules of the club who have their ordinary places of residence in this Island; and
  - (ii) the interest in the premises concerned held by the club is either -

- a - in the freehold tenure; or
  - b - on lease and that such lease has not less than three years to run;
- and

(c) submit to the Clerk of the Court for the approval of the Court a copy of the rules of the club marked for identification and signed by the applicant.

(3) When giving notice of an application under the provisions of the last preceding subsection the applicant shall furnish the Clerk of the Court with the name and address and office of the person, being the president, secretary or assistant secretary of the club, designated by the Club committee to be responsible for the conduct of the licence and the provisions of paragraph (c) of section four of this Ordinance shall apply to such designated person whenever and in the same way as they would apply if he were an applicant for a liquor licence other than a Club Licence.

(4) At the time of the application under the provisions of subsection (2) of this section the designated person shall be present before the Court and if approved and if the licence is granted his name shall be endorsed upon the licence and entered upon the records of the Court.

(5) During such time as a Club Licence granted in pursuance of section ten of this Ordinance continues to be valid, any addition or alteration which may from time to time be made to the rules of the club shall forthwith be submitted by the designated person to the Clerk of the Court for the approval of the Court; and any such purported addition or alteration shall have no effect until approved by the Court.

(6) Where a designated person fails to comply with the provisions of the last preceding subsection he shall be guilty of an offence and liable, on conviction, to a fine not exceeding fifty pounds.

(7) The provisions of section thirty-five of this Ordinance shall, in relation to a Club Licence, apply to the designated person as if he were the holder of that liquor licence.

(8) On the designated person ceasing to act in that capacity, the Chairman of the Court, on the application of the president or secretary of the club, may grant to a person designated by the club committee permission to carry on the licence for such period as may, in the Chairman's opinion, be necessary to enable application to be made to the Court for approval of a new designated person save, however, that

the permission of the Chairman shall not be valid for a period in excess of three months.

(9) As respects a Club Licence granted in pursuance of section ten of this Ordinance, the designated person shall be responsible for the personal supervision of the exercise of the licence as if he were the holder thereof and proceedings may be taken and penalties enforced against him as though he were the holder of that Club Licence.

(10) Subject to the provisions of section fourteen of this Ordinance a Club Licence granted under the provisions of section ten of this Ordinance shall cease to be valid at the end of any continuous period of one month in which -

- (a) the number of persons qualified as members thereof under the rules of the club who have their ordinary places of residence in this Island has been less than fifty; or
- (b) the interest in the premises or in any part of the premises in respect to which the Club Licence relates held by the club has been otherwise than -
  - (i) in freehold tenure; or
  - (ii) on lease and such lease had not less than three years to run.

(11) In this section the expression "club committee" means the president, secretary, treasurer and the members of the committee of a club and includes a quorum of that committee.

**Powers of the Chairman of the Court to grant a warrant for entry on club premises**

45B. (1) The Chairman of the Court, if satisfied by information in writing by the Chief Officer that there is reasonable ground to believe that a Club Licence granted in respect of any premises is being exercised improperly or in such manner as to cause or permit disorderly conduct on those premises, may grant in his discretion a warrant under his hand, by virtue whereof it shall be lawful for the Chief Officer, any police officer not below the rank of sergeant named in the warrant or any other police officer under the command of the Chief Officer, at any time or times within one month from the date thereof, to enter and visit, and if need be by force, the premises specified in the warrant for the purpose of ascertaining the manner in which the said Club Licence is being exercised.

(2) Any person who impedes or obstructs the entry of any police officer acting in pursuance of a warrant granted under the last preceding subsection shall be guilty of an offence and liable, on conviction, to a fine not exceeding twenty-five pounds.

**Law Officer may apply for suspension or forfeiture of Club Licence**

45C. A Law Officer of the Crown may in any case, at his discretion, and shall, at the request of the Committee, if he has reason to believe that a Club Licence granted in respect of any premises is being exercised improperly or in such manner as to cause or permit disorderly conduct on those premises, summon the designated person to appear before the Court to show cause why the Club Licence should not be either suspended or forfeited and the Court may order the suspension or forfeiture of the licence and, in the case of suspension, such summons shall contain the grounds on which the Law Officer intends to rely.

**Permitted hours in respect of clubs**

45D. A person shall not supply or consume intoxicating liquor on any premises of a club in respect of which there is in force a Club Licence otherwise than -

- (a) during the winter period, on any day except Good Friday, between ten o'clock in the forenoon and midnight;
- (b) during the summer period -
  - (i) on any day, except Good Friday, from Monday to Friday (both days inclusive), between ten o'clock in the forenoon and one o'clock in the forenoon of the next succeeding day;
  - (ii) on any Saturday and on any Sunday, between ten o'clock in the forenoon and midnight.”;
- (h) in section forty-five thereof -
  - (i) in subsection (1) the words “section two or subsection (2) of section thirty-six of this Ordinance” are repealed and the words “section two, subsection (2) of section thirty-six, subsection (1) of section forty-five A or section forty-five D of this Ordinance” are substituted therefor;
  - (ii) in subsection (2) the words “section two of this Ordinance” are repealed and the words

“section two, subsection (1) of section forty-five A or section forty-five D of this Ordinance” are substituted therefor;

- (iii) in the marginal note thereto the words and figures “section 2 and 36(2), 45A(1) and 45D” are substituted therefor.

**Citation**

2. This Ordinance may be cited as the Alderney Liquor Licensing (Amendment) Ordinance, 1972.

**Collective title**

3. This Ordinance and the Alderney Liquor Licensing Ordinances, 1966 and 1971, may be cited together as the Alderney Liquor Licensing Ordinances, 1966 to 1971.

**Commencement**

4. This Ordinance shall come into force on the 20<sup>th</sup> day of July nineteen hundred and seventy-two.