

Island of Guernsey

Ordinance of the States **XXIX**

1967

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| Made | 31st May, 1967 |
| Came into Operation | 31st May, 1967 |

The Liquor Licensing (Amendment) (No. 2) Ordinance, 1967

THE STATES, in pursuance of their Resolution of the twenty-fourth day of June, nineteen hundred and sixty-four, and on the representations of the Island Police Committee, hereby order:—

1. The Liquor Licensing Ordinance, 1960, as amended, is hereby further amended as follows:— Amendments to Ordinance of 1960.

- (a) in the ARRANGEMENT OF SECTIONS thereto immediately after the entry relating to section twenty-five there is inserted the following entry relating to section “25A”—
“25A. Royal Court may grant a liquor licence for sale at dances and cabarets”;
- (b) in section thirteen thereof the words “or section twenty-five” are repealed and a comma and the words “section twenty-five or section twenty-five A” are substituted therefor;

- (c) in section fourteen thereof the words "and section twenty-five" are repealed and a comma and the words "section twenty-five and section twenty-five A" are substituted therefor;
- (d) immediately after section twenty-five in Part II thereof there is inserted the following additional section numbered "25A"—

"Special amenities licence.

25A. (1) The Royal Court may, on application being made to it in that behalf, grant to the holder of an Hotel Licence, Public Hall Licence, Inn Licence, Café Licence or a Restaurant Licence a liquor licence permitting, on any weekday other than Christmas Day or Good Friday, the sale, supply and consumption of intoxicating liquor on such part of the premises named in the Hotel Licence, Public Hall Licence, Inn Licence, Café Licence or Restaurant Licence, as the case may be, as the Royal Court may specify during hours additional to the hours referred to in section twenty-four of this Ordinance when facilities for dancing to a live orchestra are provided or a cabaret performance is being presented, to a person making use of such facilities or attending such a performance until 11.45 p.m. so, however, that such liquor shall not be consumed by such person after midnight.

(2) A person, before making an application under the provisions of the last preceding subsection, shall, at least fourteen days prior to the day on which he proposes to make the application, send to the Committee a notice in writing which shall specify on which part of the premises named in his Hotel Licence, Public Hall Licence, Inn Licence, Café Licence or Restaurant Licence, as the case may be, he proposes to exercise the licence and the day and hour at and on which it is proposed to make the application.

(3) The Royal Court shall not grant a liquor licence under the provisions of subsection (1) of this section unless the Committee have had reasonable opportunity of being heard thereon.

(4) The Royal Court shall not grant a liquor licence under the provisions of subsection (1) of this section unless it is satisfied that on the part of the premises on which the person making the application under the said subsection (1) proposes to exercise the licence there is an undivided area of floor space of at least eight hundred square feet which is capable of being used, and is

suitable, for dancing or the presentation of cabaret performances.

(5) Unless suspended or ordered to be forfeited under any of the provisions of this Ordinance, a liquor licence granted under the provisions of subsection (1) of this section shall be valid on such day as the Royal Court shall direct and shall remain valid—

- (a) upon the payment in advance to the Treasurer of the States of a fee of one hundred and fifty pounds sterling, until the expiration of the period of twelve months next following that day; or
- (b) upon the payment in advance to the Treasurer of the States of a fee of one hundred pounds sterling, until the expiration of the period of six months next following that day;

and thereafter upon being renewed in accordance with the provisions of subsection (8) of this section shall be valid for succeeding periods of twelve months or six months, as the case may be.

(6) In the event of the holder of a liquor licence granted under the provisions of subsection (1) of this section ceasing, for any reason other than by reason of that licence being directed to be forfeited by the Royal Court, to exercise that licence during the currency of the period for which the fee provided for in this section in respect of that licence has been paid, he may notify Her Majesty's Greffier in writing of the fact that on the date specified in the notice he ceased or will cease to exercise that licence and Her Majesty's Greffier shall thereupon cancel the liquor licence certificate issued to the licensee in pursuance of the provisions of section thirteen of this Ordinance and the licensee, upon presenting the liquor licence certificate so cancelled to the Treasurer of the States, shall be entitled to a reimbursement of the same proportion of the fee paid in respect of the complete period as the unexpired portion of the period from the date of his ceasing to exercise the licence until the end of that period bears to the complete period, both periods calculated in weeks; any fraction of a week forming part of any such unexpired portion shall be disregarded.

(7) Notwithstanding the provisions of the last preceding subsection no reimbursement shall be paid if the amount of such reimbursement calculated as aforesaid would be less than one pound.

(8) A liquor licence granted under the provisions of subsection (1) of this section shall, subject to the provisions of section twenty of this Ordinance, be renewed for a period of twelve months or six months, upon the payment before the expiration of the last preceding period of twelve months or six months, as the case may be, during which the licence was valid of the fee specified in either paragraph (a) or paragraph (b) of subsection (5) of this section, as the case may require."

Repeal. 2. Subsection (2) of section four of the Liquor Licensing Ordinance, 1967, is hereby repealed.

Citation and collective title. 3. (1) This Ordinance may be cited as the Liquor Licensing (Amendment) (No. 2) Ordinance, 1967.

(2) This Ordinance, the Liquor Licensing (Amendment) Ordinance, 1967, and the Liquor Licensing Ordinances, 1960 to 1965, may be cited together as the Liquor Licensing Ordinances, 1960 to 1967.

R. H. VIDELO,

Her Majesty's Greffier.