

ORDINANCE OF THE STATES

XXXIV
1984

**The Liquor Licensing
Ordinance, 1984**



1984.

Island of  Guernsey

Ordinance of the States **XXXIV**
1984

Made 13th December, 1984.

The Liquor Licensing Ordinance, 1984

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The Liquor Licensing Ordinance, 1984

THE STATES, in pursuance of their Resolution of the twenty-sixth day of January, nineteen hundred and eighty-three, hereby order:—

PART I

Control of sale and supply of intoxicating liquor

1. Subject to the succeeding provisions of this Ordinance, a person shall not, otherwise than as the servant or agent of a liquor licensee, sell, offer for sale whether by way of soliciting for orders or otherwise, expose for sale or attempt to sell or offer for sale as aforesaid intoxicating liquor:—

Prohibition on sale or supply without a liquor licence.

- (a) unless he is for the time being the holder of a licence for the sale of intoxicating liquor granted in accordance with the provisions of section twelve of this Ordinance (hereinafter referred to as “a liquor licence”);
- (b) on any premises or any part of any premises other than on the premises or any part of any premises in respect of which he is for the time being the holder of a liquor licence;
- (c) otherwise than under and in accordance with the succeeding provisions of this Ordinance and the terms and conditions of the liquor licence of which he is for the time being the holder.

PART II

Applications for grant of liquor licences

Particulars
in applica-
tion for
liquor
licence.

2. Subject to the succeeding provisions of this Ordinance, a person desirous of obtaining a liquor licence in respect of any premises shall make application in that behalf to the Royal Court in accordance with the succeeding provisions of this Part of this Ordinance and such application shall contain the following particulars, that is to say—

- (a) the full name and address of the said person,
- (b) a description of the premises in respect of which the application for the liquor licence is being made, and
- (c) the category of liquor licence for which the application is being made.

Formalities
prior to
making an
application
for a liquor
licence.

3. A person before making an application in accordance with the provisions of the last preceding section shall:—

- (a) at least twenty-one clear days prior to the date on which he proposes to make the said application send—
 - (i) to the Committee,
 - (ii) to the Constables of the Parish in which the premises in respect of which the said application is to be made are situate, and
 - (iii) to the Tourist Board in the case where there is for the time being in force in respect of the said premises a boarding

permit or where, prior to the date on which he proposes to make the said application, an application for a boarding permit in respect of the said premises will have been made by the said person,

a notice in writing which shall state that he proposes to make the application for the liquor licence and which shall specify the situation of the said premises and the date and hour on and at which the said person proposes to make the application for the liquor licence;

- (b) cause a notice containing a statement of the fact that the said person proposes to make the application for a liquor licence, the date and the hour on and at which the said person proposes to make the said application and the particulars set out in section two of this Ordinance to be published in the manner for the time being prescribed by law on at least two weekly occasions prior to the date on which the said person proposes to make the said application;
- (c) unless there is for the time being in force in respect of the premises to which the application relates a liquor licence of the same category as that for which the application is to be made, cause a notice containing the particulars specified in the last preceding paragraph to be affixed, for a period of at least fourteen clear days immediately prior to the date on which the said person proposes to make the said appli-

cation, to, on, or as near as possible to, the said premises in such manner as to enable it to be easily read by a person in a public place adjacent to the said premises;

(d) at least twenty-one clear days prior to the date on which the said person proposes to make the said application supply the Chief Officer—

(i) with full and complete information about, and the nature of, his previous employment,

(ii) the names, if required, of at least two referees to whom reference may be made, and

(iii) in the event of the said person not having had his ordinary place of residence in this Island for a continuous period of at least three years immediately prior to the date on which the said person proposes to make the said application, with such information about his place or places of residence prior to establishing or last establishing his ordinary place of residence in this Island as the Chief Officer may require in order that the Chief Officer may obtain a certificate or certificates of character concerning the said person from the chief officer of police of the relevant district or districts.

4. (1) A person desirous of obtaining a liquor licence in respect of any premises projected but not completed or in respect of any premises undergoing or to undergo structural alterations shall make application in that behalf to the Royal Court in accordance with the provisions of section two of this Ordinance.

Application for and formalities prior to making application for provisional liquor licence.

(2) A person before making an application in accordance with the provisions of the last preceding subsection shall:—

(a) at least twenty-one clear days prior to the date on which he proposes to make the application lodge at the Greffe and send—

(i) to the Committee,

(ii) to the Constables of the Parish in which the projected premises when completed will be situate or in which the premises undergoing or to undergo structural alterations are situate, as the case may be, and

(iii) to the Tourist Board in the case where there is for the time being in force a boarding permit in respect of the premises undergoing or to undergo structural alterations, or where, prior to the date on which he proposes to make the said application, an application for a boarding permit in respect of the said projected premises or the premises undergoing or to undergo structural alterations, as the case may be, will have been made by the said person,

copies of the plans of the projected premises or such structural alterations, as the case may be, showing all necessary and relevant particulars relating thereto;

- (b) comply with the provisions of paragraph (b) and paragraph (d) of the last preceding section and, so far as is practicable in the case of an application in respect of projected premises, the provisions of paragraph (c) of the said section.

(3) A body corporate desirous of obtaining a liquor licence in respect of any premises projected but not completed shall not, when giving notice of an application under the provisions of subsection (1) of this section, be required to comply with the provisions of subsection (2) of section seven of this Ordinance.

Hearing of
application
for
provisional
liquor
licence.

5. At the time of the hearing of an application in accordance with the provisions of subsection (1) of the last preceding section—

- (a) the Committee shall make a report to the Royal Court on the application in accordance with the provisions of paragraph (a) of section eleven of this Ordinance, and
- (b) the Constables and Douzaine of the Parish in which the projected premises concerned when completed will be situate or in which the premises concerned undergoing or to undergo structural alterations are situate, as the case may be, shall make a report to the Royal Court on the application in accordance with the provisions of subsection (1) of section ten of this Ordinance, and

(c) in the case where there is for the time being in force a boarding permit in respect of the premises undergoing or to undergo structural alterations or where, prior to that date of the hearing of the said application in accordance with the provisions of the last preceding section (hereinafter referred to as "the liquor application") an application for a boarding permit in respect of the projected premises or the premises undergoing or to undergo structural alterations, as the case may be, has been made by the said person, the Tourist Board shall make a report to the Royal Court on the said liquor application in accordance with the provisions of paragraph (d) of section eleven of this Ordinance.

6. (1) The Royal Court may, on application being made to it in accordance with the provisions of section four of this Ordinance, grant to the applicant a liquor licence in accordance with the provisions of section twelve of this Ordinance which licence shall be provisional only and shall be inoperative until it is confirmed by the Royal Court upon an application being made to the Royal Court in that behalf in accordance with the succeeding provisions of this section.

Application for and grant of confirmation of provisional liquor licence.

(2) On the grant of a liquor licence as aforesaid which is provisional only the Royal Court may require such variations of the plans to be made as it may deem necessary or expedient and may specify the period within which the projected premises or the structural alterations concerned shall be completed and the application to the Royal Court to confirm the grant of the said liquor licence shall

be made and a copy of the said plans together with such variations as aforesaid, if any, shall for the purposes of identification be signed by Her Majesty's Greffier and lodged at the Greffe.

(3) A person before making an application to the Royal Court to confirm the grant of a liquor licence which is provisional only shall at least seven clear days prior to the date on which he proposes to make the said application send:—

- (a) to the Committee, and
- (b) to the Tourist Board in the case where there is for the time being in force in respect of the premises to which the application relates a boarding permit or where, prior to the day on which he proposes to make the said application, an application for a boarding permit will have been made by the said person,

a notice in writing which shall state that the said person proposes to make the application to confirm the grant of the said liquor licence and which shall specify the date and hour on and at which the said person proposes to make the application to confirm the said liquor licence.

(4) At the time of the hearing of an application to the Royal Court to confirm the grant of a liquor licence which is provisional only:—

- (a) there shall be presented to the Royal Court by or on behalf of the Committee a report on the said application which shall be in writing and which

- (i) shall state whether in the completion of the projected premises or the structural alterations concerned there has been any material departure from the plans lodged at the Greffe in pursuance of the provisions of subsection (2) of this section, and
 - (ii) shall contain such other information as the Committee consider appropriate in the circumstances; and
- (b) there shall be presented to the Royal Court by or on behalf of the Tourist Board a report on the said application which shall be in writing and which shall contain the views of the Tourist Board thereon—
- (i) if there has been such a material departure from the plans as is referred to in sub-paragraph (i) of the last preceding paragraph, and
 - (ii) if there is for the time being in force in respect of the premises to which the said application relates a boarding permit or if, prior to the day on which he proposes to make the said application, an application for a boarding permit has been made by the said person;

and at any such hearing a person shall not be heard to oppose the said application to confirm the grant of the liquor licence otherwise than on the ground that there has been such a material departure from the plans as is referred to in sub-paragraph (i) of paragraph (a) of this subsection.

(5) The Royal Court may, in its absolute discretion, refuse to confirm the grant of a liquor licence which is provisional only.

(6) Where the Royal Court refuses to confirm the grant of a liquor licence which is provisional only the said liquor licence shall thereupon cease to be valid and shall cease to have any effect for any purpose whatsoever.

(7) Any fees payable in pursuance of the provisions of subsection (1) of section one hundred and twenty-eight of this Ordinance prior to the time of an application for the grant of a liquor licence shall be payable in respect of an application in pursuance of the provisions of section four of this Ordinance and in respect of an application in pursuance of this section save that any fees payable in pursuance of paragraph (d) of subsection (1) of section one hundred and twenty-eight of this Ordinance shall only be payable in respect of an application in pursuance of the provisions of section four of this Ordinance.

(8) Any fees payable in pursuance of the provisions of the last preceding section shall be payable only in a case where the Royal Court confirms the grant of a liquor licence which is provisional only.

Application
by body
corporate.

7. (1) A liquor licence may be granted in accordance with the provisions of section twelve of this Ordinance to a body corporate on the application by the body corporate (hereinafter referred to as "the applicant") in accordance with the provisions of this Part of this Ordinance.

(2) When giving notice of such application the applicant shall furnish the Committee with the name and address of the officer of the body cor-

porate or of the manager of the business (hereinafter referred to as "the designated official") for the carrying on of which the liquor licence is being applied for, designated by the body corporate to be responsible for the conduct of the liquor licence and the applicant shall supply the Committee with such information relating to the designated official as that designated official would be required to supply to the Committee in accordance with the provisions of paragraph (d) of section three of this Ordinance if he were an applicant for a liquor licence in his own right.

(3) At the hearing of any such application as aforesaid the said designated official shall be present before the Royal Court and if approved and if the liquor licence is granted his name shall be endorsed upon the liquor licence and entered upon the records at the Greffe.

(4) The provisions of section forty-two of this Ordinance shall apply to a designated official of a body corporate if that body corporate is the holder of a liquor licence as if he were the holder of that liquor licence.

(5) On the designated official ceasing to act in that capacity, the Committee, on the application of the body corporate, may grant to a person designated by the body corporate permission to carry on the liquor licence for such period as may, in the Committee's opinion, be necessary to enable application to be made to the Royal Court for approval of another officer or manager as aforesaid as the designated official in the same manner as if the said officer or manager were himself applying for the grant of a liquor licence to the extent of complying with the provisions of paragraphs (b) and (c) of

section three of this Ordinance notwithstanding that there is a liquor licence in force in relation to the premises to which the application relates save, however, that the permission of the Committee shall not be valid for a period in excess of two months.

(6) Where a liquor licence is granted to a body corporate the designated official shall be responsible for the personal supervision of the exercise of the liquor 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 liquor licence.

(7) Nothing in the preceding provisions of this section shall derogate from the application of the provisions of this Ordinance to a body corporate which is the holder of a liquor licence.

Constables
duties in
respect of
applications
for liquor
licence.

8. As soon as may be after receipt of the notice sent to them under the provisions of sub-paragraph (ii) of paragraph (a) of section three, sub-paragraph (ii) of paragraph (a) of subsection (2) of section four or sub-paragraph (ii) of paragraph (a) of section one hundred and nineteen of this Ordinance, the Constables of the Parish in which the premises or projected premises concerned are, or when completed will be, situate shall visit the said premises or the site of the said projected premises, as the case may be, and shall make a report thereon to the Douzaine of the said Parish.

Court not to
dispose of
application
unless
formalities
complied
with.

9. The Royal Court shall not dispose of an application for a liquor licence under the provisions of this Part of this Ordinance unless the provisions of sections three, four, five, six, seven, eight and section one hundred and nineteen of this Ordinance have been complied with as far as they are applicable to the particular case.

PART III

Grant, suspension, variation and forfeiture of liquor licences

10. (1) At the time of the hearing of an application for the grant of a liquor licence in accordance with the provisions of section twelve of this Ordinance, there shall be presented to the Royal Court, by or on behalf of the Constables and Douzaine of the Parish in which the premises are, or the projected premises when completed will be, situate, a report which, subject to the provisions of the next succeeding subsection, shall be in writing and shall contain, in so far as they are applicable to the circumstances of the application, the following particulars—

Report to the Court by the Constables and Douzaine.

- (a) a description of the premises or projected premises concerned and a general description of their immediate neighbourhood;
- (b) in the case where the liquor licence which is being applied for is other than a General Off-Licence, the number of water closets and urinals in the premises or, in the case of projected premises, to be installed which are or will be available to the public and the number of water closets to be reserved exclusively for female persons, and the Constables and Douzaine shall indicate whether, in their opinion, those numbers are respectively adequate;
- (c) the objections, if any, of the Constables and Douzaine to the application.

(2) In the case where a report made to the Royal Court in accordance with the provisions of the last preceding subsection contains any objections by the

Constables and Douzaine to the application, one of the Constables or one of the members of the Douzaine shall attend, in person, at the Royal Court at the time of the making of the application.

(3) Notwithstanding that one of the Constables or one of the members of the Douzaine does not attend in person in accordance with the provisions of the last preceding subsection at the Royal Court at the time of the making of an application for a liquor licence, the Royal Court may proceed with the hearing of and may dispose of that application.

Report to
the Court
by the
Police
Committee
and Tourist
Board.

11. At the time of the hearing of an application for the grant of a liquor licence in accordance with the provisions of section twelve of this Ordinance—

- (a) there shall be presented to the Royal Court by or on behalf of the Committee a report containing their views on the said application;
- (b) there shall be presented to the Royal Court by or on behalf of the Committee any reference or certificate of character in the possession of the Chief Officer relating to:—
 - (i) the applicant; or
 - (ii) in the case of an application by a body corporate, the designated official; or
 - (iii) in the case where the application is being made on behalf of a club, the designated person;
- (c) the Royal Court shall be informed by or on behalf of the Committee of the number, if any, of liquor licences of the same category as that being applied for held in respect of other premises—

- (i) in the same Parish;
 - (ii) within the circumference of a circle whose centre is the site of the premises concerned and whose radius is one mile whether those premises are in the same Parish or not; and
- (d) there shall be presented to the Royal Court by or on behalf of the Tourist Board a report containing their views on the said application in the case where there is for the time being in force a boarding permit in respect of the premises or the premises undergoing or to undergo structural alterations, as the case may be, or where, prior to the date of the said hearing an application for a boarding permit has been made by the person making the said application in respect of the premises, the projected premises or the premises undergoing or to undergo structural alterations, as the case may be.

12. (1) The Royal Court may, on application being made to it in accordance with the provisions of Part II or Part XI of this Ordinance and after taking into consideration the reports upon the application presented to it by the Constables and Douzaine concerned, the Committee and, where applicable, the Tourist Board in accordance with the provisions of section ten, paragraph (a) of section eleven and paragraph (d) of section eleven, as the case may be, of this Ordinance, grant to the applicant therefor a liquor licence for the sale of intoxicating liquor on the premises or such part thereof as may be specified in the said licence.

Grant of
Liquor
licence by
the Royal
Court.

(2) A liquor licence granted by the Royal Court in accordance with the provisions of this section may be a licence of any of the categories set out in the First Schedule to this Ordinance.

Restricted
General off-
Licence.

13. The Royal Court shall:—

- (a) at the time of the grant of a General Off-Licence and at the request of the person to whom the said General Off-Licence is granted attach a condition thereto;
- (b) at any time at the request of the holder of a General Off-Licence endorse the said General Off-Licence to the effect;

that the said General Off-Licence shall only be exercised for the sale and supply of beer, cider, perry or wine with a percentage of alcohol by volume not exceeding twelve or any of those kinds of intoxicating liquors.

Special
provisions
relating to
Hotel
Licences,
Public Hall
Licences
and
designated
public bars.

14. (1) Notwithstanding the repeal of the Ordinance of 1960 and the provisions of section one hundred and fifty-two of this Ordinance, the holder of an Hotel Licence, Inn Licence or a Public Hall Licence granted under the provisions of the Ordinance of 1960 or of a licence granted under the provisions of section twenty-five or section twenty-five A of the Ordinance of 1960 and in force immediately prior to the date of the coming into force of this Ordinance may, during the period of three months next following the date of the coming into force of this Ordinance or, if earlier, until the said holder is granted an Hotel Licence or a Public Hall Licence, as the case may be, under the provisions of Part II of this Ordinance in respect of the same premises, continue to exercise the first mentioned

Licence or Licences in accordance with the provisions of the Ordinance of 1960 and thereupon the first mentioned Licence and licences shall cease to have effect.

(2) The holder of an Hotel Licence or a Public Hall Licence granted under the provisions of the Ordinance of 1960 and in force immediately prior to the date of the coming into force of this Ordinance or the holder of an Inn Licence which is deemed to be a Hotel Licence by virtue of section one hundred and fifty-four of this Ordinance shall, prior to the expiration of the period of three months next following the date of the coming into force of this Ordinance, apply to the Royal Court for the grant of an Hotel Licence or a Public Hall Licence, as the case may be, in accordance with the provisions of Part II of this Ordinance in respect of the same premises, and any such application may include a request that, if the Royal Court grants the Hotel Licence or the Public Hall Licence, as the case may be, the Royal Court shall designate such part of the premises in respect of which the Hotel Licence or Public Hall Licence is granted as so specified in such application to be a designated public bar.

(3) A liquor licensee who is for the time being the holder of an Hotel Licence or a Public Hall Licence may apply at any time to the Royal Court with a request that the Royal Court shall designate such part of the licensed premises in respect of which he is the holder of the Hotel Licence or Public Hall Licence, as the case may be, as is specified in the said application to be a designated public bar; the Royal Court shall not

dispose of an application made in pursuance of the provisions of this subsection unless it has had presented to it by or on behalf of the Committee a report containing the views of the Committee on the said application.

(4) Upon making a report to the Royal Court in accordance with the provisions of paragraph (a) of section eleven of this Ordinance or the last preceding subsection upon an application under the provisions of either of the last two preceding subsections the Committee shall state their views on any request that part of the premises in respect of which the application is made should be a designated public bar and may, in the case of an application made in pursuance of the provisions of subsection (2) of this section whether such a request is made or not, state in the said report that it is the view of the Committee that such part of the premises specified in the said report in respect of which the said application is made should be a designated public bar and if the Royal Court is not so minded that the Committee opposes the said application.

(5) In deciding whether or not to designate any part of any premises to be a designated public bar in pursuance of the provisions of subsection (2) or subsection (3) of this section the Royal Court shall take into account the characteristics of that part of the said premises or licensed premises, as the case may be, and the facilities available therein for the sale, supply and consumption of intoxicating liquor and such other factors as the Royal Court may deem appropriate or expedient.

(6) The holder of an Hotel Licence or a Public Hall Licence in respect of licensed premises part of which has been designated as a designated

public bar by the Royal Court in pursuance of the provisions of subsection (2) or sub-section (3) of this section shall not exercise the said Hotel Licence or the said Public Hall Licence, as the case may be, in that part of the said licensed premises designated as a designated public bar otherwise than on the days and during the hours and subject to the conditions specified in Column 2 and Column 3 of paragraph 2 or Column 2 and Column 3 of paragraph 4, as the case may be, of the Second Schedule to this Ordinance.

15. The Royal Court shall not grant a liquor licence unless:—

Conditions
for grant of
certain
categories of
liquor
licences.

- (a) in the case of an application for the grant of a Public Hall Licence, the Royal Court is satisfied that the premises, in respect of which the liquor licence is being applied for, are for the time being licensed as a "salle publique" under the provisions of the Law entitled "Loi ayant rapport aux licences pour les Salles Publiques" registered on the fourth day of July, nineteen hundred and fourteen (hereinafter referred to as the "Public Halls Law") and any such liquor licence so granted shall cease to be valid upon the premises in respect of which it was granted ceasing for any reason to be licensed as a "salle publique" under the provisions of the Public Halls Law;
- (b) in the case of an application for the grant of a Cafe Licence, the Royal Court is satisfied that the premises, in respect of which the liquor licence is being applied

for, are adapted and suitable for the service and consumption of intoxicating liquor to and by persons seated at a table;

- (c) in the case of an application for a Residential Licence, Class I or Class II, the Royal Court is satisfied that a boarding permit is for the time being in force in respect of the premises in respect of which the liquor licence is being applied for and that the said premises are for the time being classified by the Tourist Board under the provisions of section thirteen of the Tourist Law, 1948, as an hotel or guest house.

Period of validity of liquor licences.

16. (1) Unless suspended or ordered to be forfeited under any of the provisions of this Ordinance, a liquor licence granted under the provisions of section twelve of this Ordinance shall be valid on such day as the Royal Court shall direct and until the thirty-first day of December next following and thereafter, upon being renewed in accordance with the provisions of the next succeeding section, shall be valid during the period commencing on the first day of January in any year and ending on the thirty-first day of December in that year.

(2) Notwithstanding the provisions of the last preceding subsection, where, in respect of a liquor licence granted in pursuance of the provisions of section twelve of this Ordinance before the thirtieth day of June in any year, the first half-yearly payment only is paid in pursuance of the provisions of subsection (1) of section one hundred and forty-one of this Ordinance, then the liquor licence shall cease to be valid on that date in that year unless, on or before that date, the second of such payments is paid.

17. A liquor licence granted under the provisions of section twelve of this Ordinance shall, subject to the provisions of section twenty-two of this Ordinance, be renewed for any year upon the payment, on or before the thirty-first day of December next preceding, to the States Treasurer of either the annual fee specified in section one hundred and thirty-three of this Ordinance in one payment or by the payment of that annual fee in two payments as prescribed in subsection (2) of that section save that in the latter event the liquor licence shall cease to be valid on the thirtieth day of June next following unless on or before that date the second of such payments is made.

Renewal of liquor licences.

18. A person shall not be refused the grant or renewal of a liquor licence solely on the ground that that person is already the holder of one or more liquor licences if the Royal Court is satisfied that that person can adequately supervise the exercise of each such liquor licence granted to him.

Person not to be refused a liquor licence solely because he holds more than one.

19. When the Royal Court grants a liquor licence under the provisions of section twelve of this Ordinance or as soon as may be thereafter, Her Majesty's Greffier shall, upon being satisfied that the liquor licensee concerned has paid the fees required to be paid in accordance with the provisions of Part XII of this Ordinance, issue to the liquor licensee concerned a liquor licence certificate in such form as Her Majesty's Greffier may, from time to time, determine.

Issue of liquor licence certificate by H.M. Greffier.

20. Her Majesty's Greffier shall keep a register of all liquor licences granted by the Royal Court under the provisions of section twelve of this Ordinance.

Keeping of Register by H.M. Greffier.

Register to
be amended
by H.M.
Greffier.

21. Her Majesty's Greffier shall—

- (a) upon the Royal Court ordering the suspension or forfeiture of a liquor licence or directing the States Treasurer not to renew a liquor licence; or
- (b) upon being informed by a liquor licensee in accordance with the provisions of subsection (3) of section one hundred and forty of this Ordinance that he has ceased or will cease to exercise that licence; or
- (c) upon being informed, in accordance with the provisions of section forty-four of this Ordinance, that a licensee has changed his name or the name of any premises in respect of which he holds a liquor licence; or
- (d) upon, in the case of a body corporate, the designated official or, in the case of a club, the designated person, as the case may be, ceasing to act in that capacity and another such official or person, as the case may be, being approved by the Royal Court; or
- (e) upon a liquor licence ceasing for any other reason whatsoever to be valid;

from time to time amend the register kept in accordance with the provisions of the last preceding section accordingly.

Law Officer
may apply
for a liquor
licence to be
suspended,
varied or
forfeited or
not renewed.

22. (1) The Royal Court may, upon an application being made to it in that behalf by a Law Officer of the Crown—

- (a) suspend, vary or order the forfeiture of a liquor licence;

- (b) direct the States Treasurer not to renew a liquor licence held by the liquor licensee named in the application;

and in such a case the Law Officer shall summon the liquor licensee named in the application to appear before the Royal Court to show cause why his liquor licence should not be suspended, varied or foreited or to show cause why the Royal Court should not direct the States Treasurer not to renew his liquor licence, as the case may be; any such summons as aforesaid shall state the grounds upon which the Law Officer intends to rely to support his application.

(2) A Law Officer of the Crown may in any case at his discretion and shall, at the request of the Committee or the Constables of the Parish in which the licensed premises concerned are situate or, in the case of an Hotel Licence or a Residential Licence, at the request of the Tourist Board, make an application in pursuance of the provisions of the last preceding subsection.

23. Where the Royal Court, in pursuance of any of the provisions of this Ordinance, orders the suspension of a liquor licence and where the period of suspension does not terminate until after the unexpired portion of the period for which the liquor licence is then current the liquor licensee may, upon payment of the appropriate fee in pursuance of the provisions of Part XII of this Ordinance, renew that liquor licence at the end of the period then current but such liquor licence, after renewal as aforesaid, shall be of no effect until the end of the period of suspension as aforesaid.

Renewal of
liquor
licence after
suspension.

Procedure
when
licensed
premises
are
destroyed or
materially
damaged.

24. (1) Where any licensed premises are destroyed or so materially damaged as to make the exercise thereon of the liquor licence, or compliance with any condition attached to the grant thereof, impossible or impracticable, the Chief Officer shall make a written report thereon to the Law Officers of the Crown.

(2) As soon as may be after the receipt of a report made to them under the provisions of the last preceding subsection, a Law Officer shall make an application to the Royal Court for an order in accordance with the provisions of subsection (4) of this section.

(3) Notice in writing of the date and time on and at which an application to the Royal Court under the provisions of the last preceding subsection is to be made shall be served by a Law Officer of the Crown on the liquor licensee concerned and such notice shall require him to attend at the hearing of the application.

(4) Upon an application being made to it under the provisions of subsection (2) of this section, the Royal Court may make an order either—

- (a) sanctioning the continued exercise of the liquor licence, either on the premises to which that liquor licence relates or such other premises as the Royal Court may permit, subject to such conditions, if any, as it may deem appropriate in the circumstances; or
- (b) ordering the forfeiture of the liquor licence or its suspension for such period as the Royal Court may deem appropriate in the circumstances;

and any such order may generally make such other provision as the Royal Court may deem appropriate in the circumstances.

(5) The Royal Court may at any time vary or revoke any order made under the provisions of the last preceding subsection.

PART IV

Alterations and additions to licensed premises, additional hours and unlicensed premises

25. (1) Subject to the provisions of the next succeeding section, a liquor licensee who is desirous, as regards any licensed premises for which he holds a liquor licence which is for the time being in force, of exercising the said liquor licence on any part of the said licensed premises, not specified in the said liquor licence, for the sale, supply or consumption of intoxicating liquor shall make application in that behalf to the Royal Court.

Permission
to exercise
liquor
licence on
additional
part of
licensed
premises.

(2) The Royal Court may, before granting an application made in pursuance of the provisions of the last preceding subsection, request the Committee or the Constables of the Parish in which the said licensed premises are situate or both the Committee and the said Constables to make a report on the said application and may require plans of the part of the said licensed premises to which the said application relates to be deposited at the Greffe at such time and during such period as the Royal Court may think necessary or expedient.

(3) Upon an application being made to it in pursuance of the provisions of subsection (1) of this section, the Royal Court may—

- (a) grant the said application,
- (b) grant the said application subject to such conditions as the Royal Court may think it necessary or expedient to impose,
- (c) refuse to grant the said application.

(4) Where a liquor licensee whose application has been granted under the provisions of the last preceding subsection subject to conditions fails to comply with any of the said conditions the Royal Court may, on a report being presented to it in that behalf by the Chief Officer, order the suspension or forfeiture of the liquor licence to which the said application relates and, in the case of suspension, attach such conditions thereto as the Royal Court may think necessary or expedient.

Exercise of
liquor
licence in
annex or
self-catering
accom-
modation.

26. (1) A liquor licensee who is desirous, as regards any licensed premises for which he holds an Hotel Licence or a Residential Licence (Class I or Class II) which is for the time being in force, of exercising the said Hotel Licence or the said Residential Licence, (Class I or Class II) as the case may be, for the sale, supply or consumption of intoxicating liquor—

- (a) in an annex to the said licensed premises,
- (b) in a self-catering unit within the curtilage of the said licensed premises,

not forming part of the said licensed premises and not specified in the said Hotel Licence or the said Residential Licence, (Class I or Class II), as the case may be, shall make application in that behalf to the Royal Court.

(2) The Royal Court shall not dispose of an application made in pursuance of the provisions of the last preceding subsection, unless it has had presented to it by or on behalf of the Committee and the Constables of the Parish in which the said annex or the said self-catering unit is situate a report on the said application and unless plans of the said annex or the said self-catering unit to which the said application relates have been deposited at the Greffe at such time and during such period as the Royal Court may think necessary or expedient.

(3) Upon an application being made to it in pursuance of the provisions of subsection (1) of this section, the Royal Court may—

- (a) grant the said application,
- (b) grant the said application subject to such conditions as the Royal Court may think it necessary or expedient to impose,
- (c) refuse to grant the said application.

(4) Where a liquor licensee whose application has been granted under the provisions of the last preceding subsection subject to conditions fails to comply with any of the said conditions the Royal Court may, on a report being presented to it in that behalf by the Chief Officer, order the suspension or forfeiture of the Hotel Licence or Residential Licence (Class I or Class II) to which the said application relates and, in the case of suspension, attach such conditions thereto as the Royal Court may think necessary or expedient.

27. (1) A liquor licensee who is desirous, as regards any licensed premises for which he holds a liquor licence which is for the time being in force—

Alterations
to licensed
premises.

- (a) of making any alterations which will increase the area of floor space on the said licensed premises available for the use of persons consuming intoxicating liquor; or
- (b) of making any alterations which will result in the concealment from observation of any part of the said licensed premises used for the sale, supply or consumption of intoxicating liquor; or
- (c) of making any alterations which will affect the communications between the said licensed premises and—
 - (i) any other premises,
 - (ii) any public place,

shall make application in that behalf to the Royal Court.

(2) The Royal Court shall not dispose of an application made in pursuance of the provisions of the last preceding subsection, unless it has had presented to it by or on behalf of the Committee or the Constables of the Parish in which the said licensed premises are situate or by or on behalf of both the Committee and the said Constables a report on the said application and unless plans of the proposed alterations to which the said application relates have been deposited at the Greffe at such time and during such period as the Royal Court may deem necessary or expedient.

(3) Upon an application being made to it in pursuance of the provisions of subsection (1) of this section, the Royal Court may—

- (a) grant the said application,
- (b) grant the said application subject to such conditions as the Royal Court may think it necessary or expedient to impose,
- (c) refuse to grant the said application.

(4) Where a liquor licensee whose application has been granted under the provisions of subsection (1) of this section subject to conditions fails to comply with any of the said conditions or if the alterations when completed are not in accordance with the said plans, if any, the Royal Court may, upon an application being made to it in that behalf by a Law Officer of the Crown, order the forfeiture or suspension of the liquor licence to which the said application relates and, in the case of suspension, attach such conditions thereto as the Royal Court may think necessary or expedient.

(5) The Royal Court shall not make an Order under the last preceding subsection unless the liquor licensee named in the application has been given an opportunity of making a representation thereon.

28. (1) Notwithstanding any of the provisions of this Ordinance and subject to the provisions of the next succeeding section, the Ordinary Court may, on an application being made to it in that behalf by a liquor licensee and after hearing a report of the Chief Officer thereon, grant permission to that liquor licensee, subject to such conditions as the Ordinary Court may deem necessary or expedient, to exercise his liquor licence either—

Exercise of liquor licence during additional hours and on additional premises.

- (a) during such additional hours, other than the hours permitted under the provisions of section thirty-two of this Ordinance in respect of that category of liquor licence, as may be specified in the said application; or
- (b) on such premises (hereafter in this section referred to as "the additional licensed premises"), other than those named in the said liquor licence as may be specified in the said application;

or both during such additional hours and on the additional licensed premises.

(2) A liquor licensee before making an application to the Ordinary Court in accordance with the provisions of the last preceding subsection shall at least four clear days, which days shall not include a Saturday or a Sunday, prior to the date on which he proposes to make the said application send to the Constables of the Parish in which the licensed premises or the additional licensed premises are situate a notice in writing which shall state that he proposes to make the said application and which shall specify the date and hour on and at which he proposes to make the said application.

(3) Where a Law Officer of the Crown is satisfied in all the circumstances that, in the case of a liquor licensee who is desirous of obtaining any permission under the provisions of subsection (1) of this section, there is no opportunity for that liquor licensee to apply to the Ordinary Court for such permission before the time when he wishes to

exercise his liquor licence in accordance with such permission the Law Officer may grant any such permission as could be granted by the Ordinary Court under the provisions of subsection (1) of this section.

(4) A Law Officer of the Crown who grants any permission under the provisions of the last preceding subsection shall, as soon as may be thereafter, inform the Chief Officer of the fact.

(5) When any permission is granted under the provisions of subsection (1) or subsection (3) of this section in connection with an event or social occasion and that event or social occasion does not take place then that permission shall be deemed not to have been granted unless the liquor licensee concerned satisfies a Law Officer of the Crown that there are special circumstances which make it just and reasonable that the grant of that permission should not be invalidated, then the Law Officer, on being so satisfied, may authorise the exercise of the liquor licence concerned in accordance with such permission notwithstanding that that event or social occasion will not take place.

(6) Where it is desired to sell, supply and permit the consumption of intoxicating liquor at two or more events or social occasions which are to be held—

- (a) on the same day or during the same hours, other than on a day or during the hours permitted under the provisions of section thirty-two of this Ordinance; or
- (b) on the same premises during the same day or during the same hours as aforesaid, being

premises other than those named in the liquor licence of which the liquor licensee is the holder,

a separate application for permission shall be made under the provisions of subsection (1) or subsection (3) of this section in respect of each such event or social occasion and the fees provided for in subsection (1) or subsection (2), as the case may be, of section one hundred and forty-two of this Ordinance shall be paid in respect of each such permission.

Special provisions relating to additional hours at Beau Sejour and hotels.

29. Where the Ordinary Court in pursuance of the provisions of subsection (1) of the last preceding section grants permission:—

(a) to a liquor licensee who is for the time being the holder of a liquor licence in respect of the premises known as the Beau Sejour Leisure Centre situate in the Parish of Saint Peter Port;

(b) to a liquor licensee who is for the time being the holder of an Hotel Licence,

to exercise the said liquor licence in respect of Beau Sejour Leisure Centre or the said Hotel Licence, as the case may be, for the purpose of an event or social occasion connected with a visiting conference certified as such by the Tourist Board and after having heard a report by the Committee on the said conference, the Ordinary Court may grant such permission for the said liquor licence in respect of Beau Sejour Leisure Centre or the said Hotel Licence to be exercised until one o'clock in the forenoon on the day next following the day on which the said event or social occasion commences except where the first mentioned day is a Monday.

30. Where a liquor licensee makes on behalf of any society, staff club, sports club or other social or charitable organisation an application in accordance with the provisions of section twenty-eight of this Ordinance for the permission of the Ordinary Court to exercise his liquor licence for the purposes of an event or social occasion organised by the said society, staff club, sports club or by the said other social or charitable organisation until one o'clock in the forenoon on the day next following the day on which the said event or social occasion commences, the said permission shall not be unreasonably withheld by the Ordinary Court.

Special provisions relating to additional hours granted to societies, etc.

31. (1) Notwithstanding any of the provisions of this Ordinance, the Ordinary Court may, on an application being made to it in that behalf by a person appointed in accordance with the provisions of the next succeeding subsection and after hearing a report upon the said application of the Chief Officer grant to the said person a permit (hereinafter referred to as "an occasional liquor permit") for the sale, supply and consumption of intoxicating liquor on the day, during the hours, subject to the conditions and on or in the premises specified in the said occasional liquor permit for the purposes of an event or social occasion:—

Grant of occasional liquor permits to certain societies.

(a) which is promoted by or on behalf of a society established for one or more of the following purposes—

(i) charitable purposes,

(ii) participation in or support of athletic sports, games or cultural activities,

(iii) purposes, other than those specified in the last two preceding paragraphs which are neither for private gain nor for a business or commercial undertaking;

and

(b) which is promoted for raising money to be applied to the purposes of the society.

(2) A person may make an application for an occasional liquor permit in pursuance of the provisions of subsection (1) of this section who is appointed in that behalf by the society which is promoting the event or social occasion for the purposes of which the application is made.

(3) A person to whom an occasional liquor permit is granted in pursuance of the provisions of subsection (1) of this section shall be personally responsible for the exercise of the said occasional liquor permit and the provisions of this Ordinance shall apply to him as they apply to a liquor licensee exercising a liquor licence and proceedings may be taken and penalties enforced against the said person as though he were a liquor licensee.

(4) A person shall not, at an event or social occasion in respect of which an occasional liquor permit has been granted in pursuance of the provisions of subsection (1) of this section, supply or attempt to supply intoxicating liquor, or permit the supply of intoxicating liquor whether as a prize or otherwise, to a person, or permit the consumption of intoxicating liquor by a person, under the age of eighteen years.

(5) In this section the expression "society" includes a club, institution, organisation or association of persons by whatever name called and each local, parochial or affiliated branch or section of a society shall, for the purposes of this section, be deemed to be a separate society.

PART V

Permitted hours and particular conditions of the exercise of certain liquor licences

32. Subject to the provisions of this Ordinance, a person shall not, in any licensed premises in respect of which there is for the time being in force a liquor licence of any of the several categories of liquor licenses set out in Column 1 of the Second Schedule to this Ordinance:—

Prohibition of sale, etc., of intoxicating liquor by any person other than during permitted hours and subject to conditions.

- (a) sell, supply, expose for sale, or consume intoxicating liquor;
- (b) attempt to sell, attempt to supply or attempt to consume intoxicating liquor;
- (c) permit, in the case where the said person is the holder of the liquor licence in respect of the said licensed premises, by his servant or agent or otherwise, the sale, the supply, the exposure for sale or the consumption of intoxicating liquor;

at any time otherwise than on the days and during the hours and subject to the conditions specified in Column 2 of the Second Schedule to this Ordinance in relation to the category of liquor licence for the time being in force in respect of the said licensed premises or otherwise than on such additional days

and during such additional hours and subject to such conditions as may be attached to any permission granted under the provisions of section twenty-eight of this Ordinance.

Prohibition of exercise of liquor licence otherwise than subject to certain conditions.

33. (1) Subject to the provisions of this Ordinance, a liquor licensee who is for the time being the holder of a liquor licence of any of the several categories of liquor licences set out in Column 1 of the Second Schedule to this Ordinance shall not exercise that liquor licence otherwise than subject to the conditions specified in Column 3 of the said Second Schedule in relation to the category of liquor licence of which the said liquor licensee is for the time being the holder.

(2) A liquor licensee shall not serve or supply or permit any other person to serve or supply a meal to any person on a Sunday, Christmas Day or Good Friday in any bar on any premises in respect of which the said liquor licensee is for the time being the holder of a liquor licence.

PART VI

Control of access to, and employment in, licensed premises by and of young persons

Control of persons under 16 in bars.

34. (1) Subject to the provisions of Part IX of this Ordinance, a liquor licensee shall not permit a person under the age of sixteen years to be present in any bar in licensed premises in respect of which that liquor licensee is for the time being the holder of a liquor licence other than during any period when that bar is closed for the sale and supply of intoxicating liquor.

(2) Nothing in the last preceding subsection shall be taken to prohibit a person under the age of sixteen years from being present in any bar in licensed premises in respect of which that liquor licensee is the holder of a liquor licence:

(a) if the said person under the age of sixteen years—

- (i) is a child of that liquor licensee, or
- (ii) resides in the licensed premises but is not employed therein and is accompanied by one of his parents or a person over the age of eighteen years, and
- (iii) the bar is not a bar in licensed premises in respect of which there is in force a Public House Licence or is not a designated public bar;

(b) if the said person under the age of sixteen years is in the bar solely for the purposes of passing to or from some other part of the licensed premises which is not a bar or to and from some other part of the licensed premises to or from which there is no other convenient means of access or egress.

35. (1) A liquor licensee shall not employ a person under the age of eighteen years to sell or supply intoxicating liquor to another person on licensed premises in respect of which the said liquor licensee holds a liquor licence otherwise than to a person for consumption with a meal on Licensed premises in respect of which there is in force a Café Licence or a Restaurant Licence or in the dining room of licensed premises in respect of which there is in force an Hotel Licence or a Residential Licence.

Prohibition
of
employment
of young
persons on
licensed
premises.

(2) A liquor licensee shall not employ or permit a person under the age of eighteen years to sell or supply intoxicating liquor to another person on licensed premises in respect of which he is for the time being the holder of a liquor licence for consumption of the said licensed premises.

PART VII

Sale, supply and consumption of intoxicating liquor to and by young persons

Prohibition of sale or supply to young persons.

36. A liquor licensee, his servant or agent shall not sell or supply or permit any other person to sell or supply intoxicating liquor to a person under the age of eighteen years.

Licensee shall not permit consumption of intoxicating liquor by young persons.

37. A liquor licensee, his servant or agent shall not permit intoxicating liquor to be consumed by a person under the age of eighteen years on any licensed premises in respect of which the said liquor licensee is for the time being the holder of a liquor licence.

Young persons shall not purchase intoxicating liquor on licensed premises.

38. A person under the age of eighteen years shall not purchase or attempt to purchase intoxicating liquor on licensed premises.

Prohibition of purchase of intoxicating liquor for young persons.

39. A person shall not purchase or attempt to purchase intoxicating liquor for consumption by a person under the age of eighteen years on licensed premises.

40. A person under the age of eighteen years shall not:—
- (a) obtain or receive or attempt to obtain or receive intoxicating liquor, or
 - (b) accept or attempt to accept intoxicating liquor from another person; or
 - (c) consume or attempt to consume intoxicating liquor,

Prohibition of obtaining, etc. intoxicating liquor by young persons.

on licensed premises.

41. A liquor licensee shall cause to be displayed at all times in a prominent place in the licensed premises in respect of which he holds a liquor licence in such manner as to be easily read by persons using the licensed premises a notice, in clear and legible black letters of not less than five millimetres in height on a white background, in the terms and the form set out in the Third Schedule to this Ordinance.

Display of notice concerning offences by and in connection with young persons.

PART VIII

General conditions of the exercise of liquor licences and the sale, supply and consumption of intoxicating liquor and matters ancillary thereto

42. (1) A liquor licensee shall not, without the permission in writing of the Committee in that behalf, absent himself from the business of personally supervising the exercise of his liquor licence for any reason whatsoever for a period exceeding seven days; the permission, however, of the Committee shall not be valid for a period in excess of two months.

Absence of liquor licensee.

(2) A liquor licensee desiring so to absent himself for a period in excess of the said period of two months shall, after giving seven clear days' prior notice, in writing, to the Committee, apply to the Ordinary Court for permission to that effect.

(3) On application being made to it under the provisions of the last preceding subsection, the Ordinary Court may grant such permission, for such period and subject to such conditions as it may think necessary or expedient, after hearing any representations which the Committee may wish to make.

(4) A liquor licensee shall, at the time of making an application under subsections (1) or (2) of this section, present for the approval of the Committee or of the Ordinary Court, as the case may be, a suitable person to supervise personally the exercise of his liquor licence during his absence and in default of presenting such person the application shall be refused.

(5) A person approved under the provisions of the last preceding subsection shall, during the absence of the holder of the liquor licence, be personally responsible for the supervision of the exercise of the liquor licence as if he were the holder of it and shall be liable for any contraventions of this Ordinance as if he were the holder of the liquor licence.

Decease or
incapacity of
liquor
licensee.

43. (1) On the decease of a liquor licensee or on his being certified by a medical practitioner authorised according to the law for the time being in force to practise in this Island as incapable of personally exercising his liquor licence, the Committee may, on

the application of the legal personal representative of the late liquor licensee or duly authorised representative of the liquor licensee, as the case may be, grant him permission to carry on the business hitherto carried on under the liquor licence for such period as may be necessary to enable application to be made to the Royal Court for the grant of a liquor licence under the provisions of section twelve of this Ordinance.

(2) A person shall not after the decease of a liquor licensee or after a liquor licensee becomes incapable of personally exercising his licence, carry on the business hitherto carried on under the liquor licence without the permission referred to in subsection (1) of this section.

44. A liquor licensee who by reason of marriage or otherwise changes his name or changes the name of any premises in respect of which he holds a liquor licence shall, as soon thereafter as is reasonably practicable, notify Her Majesty's Greffier, the Chief Officer and the States Treasurer, in writing, of such change and shall at the same time send to Her Majesty's Greffier the liquor licence certificate issued to him in pursuance of the provisions of section nineteen of this Ordinance and Her Majesty's Greffier shall amend the same accordingly.

Change of name of liquor licensee or licensed premises.

45. (1) A liquor licensee shall not permit a person under the influence of drink or whose conduct is violent or riotous to remain on any licensed premises in respect of which he holds a liquor licence, or supply any intoxicating liquor to a person under the influence of drink and, to enable him to maintain order, he may order any person to

Drunkenness and disorderly conduct on licensed premises.

leave those licensed premises and, using only such force as may be necessary, eject from those licensed premises any such person without giving a reason for so doing.

(2) If a liquor licensee is charged with permitting a person under the influence of drink or whose conduct is violent or riotous to be on any licensed premises as aforesaid in contravention of the provisions of this section, and it is proved that that person was under the influence of drink or was violent or riotous on those licensed premises, the burden of proving that the liquor licensee or the persons employed by him or both took all reasonable steps for preventing drunkenness or violent or riotous conduct on those licensed premises shall be on the liquor licensee.

(3) A person shall not be under the influence of drink on licensed premises.

(4) A liquor licensee may refuse to admit to and may, using only such force as may be necessary, eject from his licensed premises as aforesaid any person who is under the influence of drink, violent, quarrelsome or disorderly or whose presence on those licensed premises is undesirable and any person whose presence on those licensed premises would subject him to a penalty under the provisions of this Ordinance.

(5) Any such person as is described in the last preceding subsection shall, upon being so requested by the liquor licensee, or his servant or agent, or by a police officer, quit the licensed premises concerned and, if he refuses or fails so to do, a police officer, the liquor licensee, his servants

or agents may eject or assist in ejecting such person from those premises, using only such force as may be necessary.

46. A liquor licensee shall not cause or permit any noise to emanate from the licensed premises in respect of which he holds the liquor licence in such manner or of such volume as to give reasonable cause for annoyance to other persons in other premises or in a public place.

Prohibition of undue noise from licensed premises.

47. (1) A liquor licensee shall not knowingly permit any licensed premises in respect of which he holds a liquor licence to be the habitual resort or place of meeting of reputed prostitutes, whether the object of their so resorting is or is not for the purposes of soliciting, save that nothing in this section shall prohibit a liquor licensee from allowing such a person to remain on the licensed premises for the purpose of obtaining reasonable refreshment for such time as is necessary for that purpose.

Prohibition of licensed premises for immoral purposes.

(2) A liquor licensee shall not use any licensed premises in respect of which he holds a liquor licence or any other premises of which those licensed premises form part as a brothel or permit any such licensed premises to be so used.

48. (1) A liquor licensee shall not sell, supply or permit the sale or supply of intoxicating liquor to any person, other than a resident in the licensed premises, on any licensed premises in respect of which the liquor licensee holds a liquor licence, to be consumed on the licensed premises unless it is paid for at the time when it is sold or supplied.

Payment for liquor.

(2) A person other than a resident in licensed premises or a guest of such a resident shall not consume any intoxicating liquor on licensed premises unless it be paid for before or at the time when it is sold or supplied:

PROVIDED that if the intoxicating liquor is sold or supplied for consumption with a meal supplied at the same time and is consumed with such meal, the provisions of subsections (1) and (2) of this section shall not be deemed to be contravened if the price of the intoxicating liquor is paid together with the price of such meal.

(3) Nothing in this section shall be deemed to prohibit or restrict the sale or supply of intoxicating liquor to or in any canteen where the sale of intoxicating liquor is carried on under the authority of a Secretary of State or His Excellency the Lieutenant Governor or in any Mess of Officers or Non-Commissioned Officers of Her Majesty's Armed Forces.

(4) A liquor licensee shall not receive or permit the receipt of anything by way of pledge for the payment of a debt due to him in respect of the sale or supply of intoxicating liquor save from a person resident or recently resident in the licensed premises.

(5) Any person acting in contravention of subsections (1) or (4) of this section shall be debarred from taking legal proceedings for the recovery of the amount of the debt due in respect of the intoxicating liquor sold or supplied and in the case of a contravention of subsection (4) of this section he shall, in addition, restore the object given by way of pledge.

49. Notwithstanding any of the provisions of sections fifty-seven, fifty-eight, fifty-nine and sixty, a liquor licensee may sell or supply or permit the sale or supply of intoxicating liquor in miniature containers commonly known as "miniatures".

Sale of
miniatures.

50. (1) Nothing in this Ordinance contained, other than subsection (2) of this section, shall be taken to prohibit or restrict the sale, supply or consumption of intoxicating liquor in confectionery which—

Saving for
liqueur
chocolates.

(a) does not contain intoxicating liquor in a proportion greater than one fiftieth of a gallon of intoxicating liquor (computed as proof spirit) per pound of the confectionery, and

(b) either consists of separate pieces each weighing not more than one and a half ounces or is designed to be broken into such pieces for the purposes of consumption.

(2) A person shall not sell or supply or permit any other person to sell or supply nor shall any servant or agent of a person sell or supply intoxicating liquor in confectionery to a person under the age of eighteen years.

51. A liquor licensee shall cause the liquor licence certificate issued to him in pursuance of the provisions of section nineteen of this Ordinance to be displayed at all times in a prominent place in the licensed premises to which the said certificate relates in such manner as to be easily read by persons using the said licensed premises.

Display of
liquor
licence
certificate.

Display of
sale price
list.

52. (1) A liquor licensee who is the holder of an Hotel Licence, Public Hall Licence, Public House Licence, Café Licence, Restaurant Licence, Residential Licence (Class I) or Airport Licence shall cause to be displayed at all times in a prominent place in every bar and in every other part of the licensed premises in respect of which he holds the liquor licence in which intoxicating liquor is sold or supplied or exposed for sale or supply in such manner as to be easily read by persons using the licensed premises, a list, in clear and legible black letters of not less than five millimetres in height on a white background, showing plainly the prices per measure at which are sold—

- (a) brandy, whisky, rum, gin and vodka,
- (b) port, sherry, vermouth and other fortified wines,
- (c) beer, porter, cider and perry,

for consumption on the licensed premises in respect of which the said liquor licensee holds the liquor licence.

(2) In this section the expression “measure” means in respect of:—

- (a) brandy, whisky, rum, gin and vodka, one fluid ounce;
- (b) port, sherry, vermouth and other fortified wines, a quantity of not less than one and sixty-seven hundredths of a fluid ounce;
- (c) beer, porter, cider and perry, if draught, per half pint or ten fluid ounces and per pint or twenty fluid ounces, if from a stoppered bottle or sealed container, per bottle or container, as the case may be.

53. A liquor licensee shall not—

Offences in
relation to
police
officers.

- (a) knowingly harbour or permit the harbouring of a police officer or permit a police officer to remain on any licensed premises in respect of which he holds a liquor licence during any period when that police officer is on duty otherwise than for the purposes of that duty;
- (b) knowingly sell or supply any intoxicating liquor to a police officer during any period when that police officer is on duty otherwise than by the authority of that police officer's superior in rank.

54. (1) A police officer may, at all reasonable times, enter upon any licensed premises, other than the premises of any club, for the purposes of ensuring that the provisions of this Ordinance are being complied with.

Powers of
entry of
police
officers.

(2) A person shall not impede or obstruct the entry of a police officer acting in pursuance of the provisions of the last preceding subsection.

55. A liquor licensee shall not, after notification in writing that His Excellency the Lieutenant Governor has placed the licensed premises in respect of which he holds the liquor licence out of bounds, permit any person wearing the uniform of one of Her Majesty's Armed Forces to enter those licensed premises or sell or supply or permit the sale, supply or consumption of intoxicating liquor to or by any such person.

Premises
out of
bounds to
members of
H.M. Forces.

Respon-
sibility of
liquor
licensee for
other
persons.

56. A liquor license shall be deemed to be responsible in respect of contraventions, other than a contravention of section thirty-six hereof, of any of the provisions of this Ordinance by his servants and agents on any licensed premises in respect of which he holds the liquor licence and the liquor licensee shall be liable to be convicted in respect of any such contravention.

Strength of
spirits.

57. A liquor licensee, other than the holder of a Club Licence, his servant or agent shall not sell or supply or expose for sale or supply or permit the sale or supply of any spirit:—

(a) at a strength of less than—

(i) sixty-five per centum of proof, or

(ii) thirty-seven per centum of alcohol by volume at twenty degrees Centigrade;

or

(b) at a strength in excess of—

(i) one hundred and five per centum of proof, or

(ii) sixty per centum of alcohol by volume at twenty degrees Centigrade.

Prohibition
on sale of
spirits
otherwise
than in
marked
bottle or
container.

58. A liquor licensee shall not sell or supply or permit the sale or supply of any spirit on any licensed premises in respect of which he holds a liquor licence in or from a bottle or other container unless there is clearly marked on the bottle or other container or on a label attached or affixed to the bottle or other container the alcoholic strength of the spirit contained in the bottle or other container.

59. A liquor licensee shall not sell or supply or permit the sale or supply of any spirit from or in a bottle or other container on any licensed premises in respect of which he holds a liquor licence of which the alcoholic strength is less than that shown on the bottle or other container or on a label attached or affixed to the bottle or other container as being the alcoholic strength of the spirit contained in the bottle or other container.

Prohibition of sale of spirits of less strength than marked on bottle or container.

60. (1) A liquor licensee who is the holder of an Hotel Licence, Public Hall Licence, Public House Licence, Café Licence, Residential Licence, Restaurant Licence or Airport Licence shall not sell or supply or permit the sale or supply of:—

Measures of certain spirits and wines.

- (a) brandy, whisky, rum, gin or vodka otherwise than in quantities of one fluid ounce or a multiple thereof;
- (b) port, sherry, vermouth or any other fortified wine otherwise than in quantities of not less than one and sixty-seven hundredths of a fluid ounce;

for consumption on the licensed premises in respect of which he holds the liquor licence.

(2) A person desirous of obtaining any of the intoxicating liquors specified in the last preceding subsection at a bar counter on any licensed premises in respect of which there is for the time being in force a liquor licence of any of the categories specified in the said subsection may request to see the intoxicating liquor being measured from the optic, glass or other measuring device which is being used for the sale or supply of the intoxicating liquor and upon such a request being made the liquor

licensee shall not sell or supply or permit the sale or supply of, nor shall any servant or agent of his sell or supply, the intoxicating liquor to that person for consumption on the said licensed premises otherwise than in a manner or at a place which enables that person to see the intoxicating liquor being measured as aforesaid.

(3) Nothing in the provisions of the last two preceding subsections shall apply to the sale or supply of any of the intoxicating liquors specified in subsection (1) of this section when sold or supplied pre-packed in a stoppered or sealed container or as a constituent of a mixture of two or more kinds of intoxicating liquors.

Powers of entry for the purposes of sections 57, 58, 59 and 60.

61. The Chief Officer, the States Gauger and any person appointed in that behalf by either of them may at all reasonable times enter upon any licensed premises, other than the premises of any club, for the purposes of examining and taking samples of any intoxicating liquor therein for the purpose of ensuring that the provisions of section fifty-seven, section fifty-eight, section fifty-nine or section sixty of this Ordinance are being or have been complied with.

Powers of the Bailiff to grant warrant for entry on premises other than licensed premises.

62. (1) The Bailiff, if satisfied by information in writing by the Chief Officer that there is reasonable ground to believe that in any premises, in respect of any part of which there is not in force a liquor licence, intoxicating liquor is being sold or supplied, may, in his discretion, grant 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, if need be by force, the premises specified in the warrant and examine the same and search for intoxicating liquor therein, and seize and remove any intoxicating liquor found therein and the containers thereof.

(2) A person shall not impede or obstruct the entry of any police officer acting in pursuance of a warrant granted under the provisions of the last preceding subsection.

63. Nothing in this Ordinance contained shall be taken to prohibit or restrict:—

Supply to residents, servants and other persons.

- (a) the sale or supply to, or consumption by, any person of intoxicating liquor in any licensed premises in which he is residing;
- (b) the supply of intoxicating liquor—
 - (i) to any member of the staff of a liquor licensee entertained by him at his expense for consumption on the licensed premises in respect of which the said liquor licensee is the holder for the time being of a liquor licence;

or
 - (ii) to any person entertained by a liquor licensee at his expense for consumption only on some part of the licensed premises in respect of which the said liquor licensee is the holder for the time being of a liquor licence and for the time being used by the said liquor licensee solely as accommodation for himself and his family;

or the consumption in such circumstances of intoxicating liquor so supplied;

- (c) the supply of intoxicating liquor to a trader for the purposes of his trade or to a club for the purposes of the club; or
- (d) the sale or supply of intoxicating liquor to or in any canteen where the supply of intoxicating liquor is carried on under the authority of a Secretary of State or His Excellency the Lieutenant Governor, or to any Mess of Officers or Non-Commissioned Officers of Her Majesty's Armed Forces.

PART IX

Access to bars on licensed premises by young persons for consumption of bar lunches

Bar Lunch permits.

64. Notwithstanding the provisions of Part VI of this Ordinance, the Royal Court may, on application being made to it in that behalf, grant to a liquor licensee a permit (hereinafter referred to as "a bar lunch permit") permitting, on any week day other than Christmas Day or Good Friday between the hours of midday and thirty minutes after two o'clock in the afternoon, persons under the age of sixteen years to be present in such bar in the licensed premises in respect of which the liquor licensee is the holder of a liquor licence as may be specified by the Royal Court in the bar lunch permit for the purposes of consuming a bar lunch in accordance with the provisions of this Part of this Ordinance if the Royal Court is satisfied that such bar is suitable for such persons to be present therein for such purposes.

65. Subject to the succeeding provisions of this Ordinance, a liquor licensee who is desirous of obtaining a bar lunch permit shall make application in that behalf to the Royal Court in accordance with the succeeding provisions of this Part of this Ordinance and such application shall contain the following particulars, that is to say—

Particulars
in
application
for bar
lunch
permit.

- (a) the full name and address of the said liquor licensee,
- (b) a description of the physical characteristics, amenities and arrangements of the bar in respect of which the application is being made, and
- (c) the category of liquor licence of which the said liquor licensee is the holder in respect of the licensed premises of which the said bar forms part.

66. A liquor licensee before making an application in accordance with the provisions of the last preceding section shall:—

Formalities
prior to
making an
application
for a bar
lunch
permit.

- (a) at least twenty-one clear days prior to the date on which he proposes to make the said application send—
 - (i) to the Committee,
 - (ii) to the Constables of the Parish in which the licensed premises of which the bar in respect of which the said application is to be made forms part are situate,

a notice in writing which shall state that the said liquor licensee proposes to make the application for the bar lunch permit and which shall specify the situation of the said licensed premises and the date and hour on and at which the said liquor licensee proposes to make the application for the bar lunch permit;

- (b) cause a notice containing a statement of the fact that the said liquor licensee proposes to make the application for a bar lunch permit, the date and hour on and at which the said liquor licensee proposes to make the said application and the particulars set out in section sixty-five of this Ordinance to be published in the manner for the time being prescribed by law on at least two weekly occasions prior to the day on which the said liquor licensee proposes to make the said application.

Constables duties in respect of application for bar lunch permit.

67. As soon as may be after receipt of the notice sent to them under the provisions of sub-paragraph (ii) of paragraph (a) of the last preceding section, the Constables of the Parish in which the licensed premises of which the bar in respect of which the application for a bar lunch permit is to be made forms part are situate shall visit the said licensed premises and, in particular, shall inspect the said bar and shall make a report thereon to the Douzaine of the said Parish.

Court not to dispose of application for bar lunch permit unless formalities complied with.

68. The Royal Court shall not dispose of an application for a bar lunch permit under the provisions of this Part of this Ordinance unless the provisions of sections sixty-five, sixty-six and sixty-seven of this Ordinance have been complied with.

69. (1) At the time of the hearing of an application for the grant of a bar lunch permit in accordance with the provisions of section sixty-four of this Ordinance, there shall be presented to the Royal Court by or on behalf of each of the following, that is to say:—

Report to the Royal Court by the Constables and Douzaine and Committee.

- (a) the Constables and Douzaine of the Parish in which the licensed premises of which the bar in respect of which the said application is being made form part are situate;
- (b) the Committee;

a report which shall be in writing and shall contain the following particulars—

- (c) a description of the physical characteristics, amenities and arrangements of the said bar;
- (d) the suitability of the said bar for the exercise and the supervision of the bar lunch permit;
- (e) the objections, if any, of the said Constables and Douzaine or the Committee, as the case may be, to the application.

(2) In compiling their respective reports for the purposes of the last preceding subsection the Constables and Douzaine of a Parish and the Committee shall take into account the following factors:—

- (a) the proportion which the area of the bar occupied by tables and chairs for use for the service of bar lunches bears to the total area of the bar;

- (b) the proportion which the area of the bar occupied by the bar counter and other facilities for the service of intoxicating liquor bears to the total area of the bar;
- (c) the proximity of the bar counter to the area of the bar occupied by tables and chairs for use for the service of bar lunches;
- (d) the obtrusiveness of the bar counter as a feature of the bar;
- (e) the general characteristics of the bar and the licensed premises as a whole.

(3) Nothing in the last preceding subsection contained shall be taken to preclude the Constables and Douzaine of a Parish or the Committee in compiling their respective reports for the purposes of subsection (1) of this section from taking into account from time to time, such other factors as the Constables and Douzaine of a Parish or the Committee, as the case may be, deem relevant or desirable.

Bar lunch permit may be granted subject to conditions.

70. When the Royal Court grants a bar lunch permit under the provisions of section sixty-four of this Ordinance the Royal Court may grant such permit subject to such conditions as the Royal Court may deem it necessary or expedient to impose.

Issue of bar lunch certificate by H.M. Greffier.

71. When the Royal Court grants a bar lunch permit under the provisions of section sixty-four of this Ordinance or as soon as may be thereafter, Her Majesty's Greffier shall, upon being satisfied that the liquor licensee concerned has paid the

appropriate fees required to be paid in accordance with the provisions of Part XII of this Ordinance, issue to the liquor licensee concerned a bar lunch certificate in such form as Her Majesty's Greffier may, from time to time, determine.

72. Her Majesty's Greffier shall keep a register of all bar lunch permits granted under the provisions of section sixty-four of this Ordinance.

H.M. Greffier to keep register of bar lunch permits.
Bar lunch permit to be displayed.

73. A liquor licensee to whom a bar lunch certificate has been issued in pursuance of the provisions of section seventy-two of this Ordinance shall cause that bar lunch certificate to be displayed at all times in a prominent place in the bar to which the said permit relates in such manner as to be easily read by persons using the said bar.

74. Unless suspended or ordered to be forfeited under any of the provisions of this Ordinance, a bar lunch permit granted under the provisions of section sixty-four of this Ordinance shall be valid on such day as the Royal Court may direct and until the expiration of the period of two years next following the said day and thereafter, upon being renewed in accordance with the provisions of the next succeeding section, shall be valid until the expiration of the period of two years next following the date of such renewal.

Period of validity of bar lunch permits.

75. A bar lunch permit granted under the provisions of section sixty-four of this Ordinance may be renewed for a period of two years upon application being made in that behalf to the Royal Court on or before the expiration of the period of validity of the said bar lunch permit since the day of the grant of the said bar lunch permit or the day of the last renewal of the said bar lunch permit, as the case may be.

Renewal of bar lunch permits.

Formalities
in connec-
tion with
applications
for bar
lunch
permits.

76. A liquor licensee before making an application to the Royal Court for the renewal of a bar lunch permit in accordance with the provisions of the last preceding section shall, at least twenty-one days prior to the date on which he proposes to make the said application, cause a notice containing a statement of the fact that the said liquor licensee proposes to make the application for the renewal of the bar lunch permit, the date and hour on and at which the said liquor licensee proposes to make the said application and the particulars set out in section sixty-five of this Ordinance to be published in the manner for the time being prescribed by law on at least two weekly occasions prior to the day on which the said liquor licensee proposes to make the said application.

Report of
Constables
and
Douzaine on
renewal of
bar lunch
permit.

77. At the time of the hearing of an application for the renewal of a bar lunch permit in accordance with the provisions of section seventy-five there shall be presented to the Royal Court by or on behalf of the Constables and Douzaine of the Parish in which the licensed premises of which the bar in respect of which the said application is being made forms part are situate, a report on the continued suitability or otherwise of the said bar for the exercise and supervision of the said bar lunch permit and the objections, if any, of the said Constables and Douzaine to the said application.

Visit by
Constables
to report on
continued
suitability of
premises
with bar
lunch
permit.

78. The Constables of the Parish in which any licensed premises on which there is a bar in respect of which there is for the time being in force a bar lunch permit are situate may, from time to time, visit the said licensed premises and, in particular, inspect the said bar and shall report to the Douzaine of the said Parish if the said Constables are of opinion that the said bar is no longer suitable—

- (a) for the consumption therein of a bar lunch by persons under the age of sixteen years,
or
(b) for the exercise and supervision of the said bar lunch permit.

79. (1) The Royal Court may, upon application being made to it in that behalf by a Law Officer of the Crown—

- (a) suspend, vary or order the forfeiture of a bar lunch permit;
(b) refuse to renew a bar lunch permit;

Law Officer may apply for bar lunch permit to be suspended, varied or forfeited or not renewed.

and in such a case the Law Officer shall summon the liquor licensee named in the said application to appear before the Royal Court to show cause why the said bar lunch permit should not be suspended, varied, forfeited or renewed and any such summons shall state the grounds upon which the Law Officer intends to rely to support his application.

(2) A Law Officer of the Crown may in any case at his discretion and shall, at the request of the Committee or the Constables of the Parish in which the licensed premises of which a bar in respect of which there is for the time being in force a bar lunch permit are situate, make an application in pursuance of the provisions of the last preceding subsection.

80. The Royal Court shall not grant a bar lunch permit under the provisions of section sixty-four of this Ordinance or renew a bar lunch permit under the provisions of section seventy-six of this Ordinance unless the liquor licensee concerned has paid the appropriate fees required to be paid in accordance with the provisions of Part XII of this Ordinance.

Fees for bar lunch permit to be paid.

Cessation of
validity of
bar lunch
permits.

81. (1) A bar lunch permit shall cease to be valid—

- (a) if any alterations of the kind referred to in subsection (1) of section twenty-seven of this Ordinance are made to the licensed premises of which the bar to which the said bar lunch permit relates forms part, or
- (b) if the liquor license holder who is for the time being the holder of the liquor licence in respect of the licensed premises of which the bar to which the said bar lunch permit relates forms part, ceases to be the holder of the said liquor licence in respect of the said licensed premises.

(2) Nothing in the last preceding subsection shall be taken to preclude a liquor licensee from making an application in pursuance of the provisions of section sixty-five of this Ordinance for the grant of a bar lunch permit to replace a bar lunch permit which has ceased to be valid by virtue of the provisions of the last preceding subsection.

Conditions
of exercise
of bar lunch
permit.

82. A liquor licensee shall not authorise or permit a person under the age of sixteen years to be present in a bar in respect of which he is the holder of a bar lunch permit:—

- (a) otherwise than under and in accordance with the terms and conditions of the said bar lunch permit;
- (b) otherwise than between the hours of mid-day and thirty minutes after two o'clock in the afternoon on any week day other than Christmas Day or Good Friday;

- (c) unless the person under the age of sixteen years is at all times seated at a table used for the service of bar lunches;
- (d) unless the person under the age of sixteen years is accompanied at a table used for the service of bar lunches by another person who is over the age of eighteen years; and
- (e) unless the said person under the age of sixteen years—
 - (i) is consuming a bar lunch, or
 - (ii) has consumed a bar lunch since he last entered the said bar, or
 - (iii) has ordered, or there has been ordered for his consumption, a bar lunch since he last entered the said bar.

83. In this Part of this Ordinance the expression “bar lunch” means food which has been cooked or prepared on the licensed premises of which the bar in which the bar lunch is to be consumed forms part.

Interpreta-
tion of this
Part of this
Ordinance

84. Nothing in this Part of this Ordinance contained shall be taken to authorise or permit the sale or supply to, or the consumption by, a person under the age of eighteen years of intoxicating liquor.

Bar lunch
permit not
to authorise
sale, supply
or con-
sumption of
intoxicating
liquor by
young
persons.

PART X

Control of the sale and consumption of intoxicating liquor on vessels in the territorial waters

Sale and supply of intoxicating liquor on vessels.

85. Nothing in this Ordinance contained shall be taken to prohibit or restrict the sale or supply of intoxicating liquor:—

- (a) on a vessel to which this Part of this Ordinance applies—
 - (i) which is on passage within the territorial waters adjacent to the Islands of Guernsey, Herm and Jethou, and
 - (ii) in respect of which there is for the time being in force a licence granted by the Royal Court under the provisions of section ninety-two of this Ordinance (hereinafter referred to as “a passenger vessel liquor licence”);
- (b) on a vessel carrying passengers for reward which is sheltering in the territorial waters adjacent to the Islands of Guernsey, Herm and Jethou due to stress of weather, engine or other breakdown or any other emergency whatsoever;
- (c) on a cruise vessel within the territorial waters adjacent to the Islands of Guernsey, Herm and Jethou which enters the said waters from a place outside the said waters;
- (d) on a vessel carrying passengers for reward, other than a vessel to which this Part of this Ordinance applies, within the territorial waters adjacent to the Islands of Guernsey, Herm and Jethou on passage from or to

a place in any of the Islands of Guernsey, Herm or Jethou or in the said territorial waters to or from a place outside the said Islands or outside the said territorial waters so however that a person shall not sell, expose for sale or consume intoxicating liquor or attempt to sell or consume intoxicating liquor while such vessel is berthed, moored or anchored in or at a place in any of the said Islands or in the said territorial waters;

- (e) on a vessel which is not carrying any passengers for reward within the territorial waters adjacent to the Islands of Guernsey, Herm and Jethou on passage from or to a place in any of the Islands of Guernsey, Herm or Jethou or in the said territorial waters to or from a place outside the said Islands or outside the said territorial waters.

86. The Royal Court shall not grant a passenger vessel liquor licence otherwise than to the owner of a vessel to which this Part of this Ordinance applies.

Persons who may hold a passenger vessel liquor licence.

87. Subject to the succeeding provisions of this Part of this Ordinance, the owner of a vessel to which this Part of this Ordinance applies who is desirous of obtaining a passenger vessel liquor licence in respect of the said vessel shall make application in that behalf to the Royal Court in accordance with the succeeding provisions of this Part of this Ordinance and such application shall be in writing and shall contain the following particulars, that is to say—

Particulars in application for passenger vessel liquor licence.

- (a) the full name and address of the owner of the vessel in respect of which the application for the passenger vessel liquor licence is being made or, if the owner of the said vessel is a body corporate, the name of that body corporate and the address of its registered office if situate in this Island or, if its registered office is not so situate, its principal or last known principal place of business in this Island, and
- (b) the name and a description of the vessel in respect of which the application for the passenger vessel liquor licence is being made and, in particular, a description of the accommodation on the said vessel which it is intended should be used for the sale and consumption of intoxicating liquor.

Formalities
prior to
making an
application
for a
passenger
vessel liquor
licence.

88. The owner of a vessel to which this Part of this Ordinance applies before making an application in accordance with the provisions of the last preceding section shall:—

- (a) at least twenty-one clear days prior to the date on which he proposes to make the said application send to the Board a notice in writing which shall state that he proposes to make the said application and which shall specify the name of the vessel in respect of which he proposes to make the said application and the date and hour on and at which he proposes to make the application for the passenger vessel liquor licence;

- (b) cause a notice containing a statement of the fact that the said owner proposes to make the said application, the date and hour on and at which the said owner proposes to make the said application and the particulars set out in section eighty-seven of this Ordinance to be published in the manner for the time being prescribed by law on at least two weekly occasions prior to the day on which the said owner proposes to make the said application;
- (c) at least twenty-one clear days prior to the day on which the said owner proposes to make the said application supply the Chief Officer—
 - (i) with full and complete information about his ownership of the vessel in respect of which he is making the said application.
 - (ii) the names, if required, of at least two references to whom reference may be made, and
 - (iii) in the event of the said owner not having had his ordinary place of residence in this Island for a continuous period of at least three years immediately prior to the date on which the said owner proposes to make the said application, with such information about his place or places of residence prior to establishing or last establishing his ordinary place of residence in this Island as the Chief

Officer may require in order that the Chief Officer may obtain a certificate of character concerning the said person from the chief officer of police of the relevant district or districts.

Harbour-master's duties in respect of application for a passenger vessel liquor licence.

89. As soon as may be after receipt of the notice sent to the Board under the provisions of paragraph (a) of the last preceding section, the States Harbour-master shall visit the vessel in respect of which the application for a passenger vessel liquor licence is to be made and, in particular, shall inspect the accommodation on the said vessel which it is intended should be used for the sale and consumption of intoxicating liquor and shall make a report thereon to the Board.

Court not to dispose of application for a passenger vessel liquor licence unless formalities complied with.

90. The Royal Court shall not dispose of an application for a passenger vessel liquor licence under the provisions of this Part of this Ordinance unless the provisions of sections eighty-seven, eighty-eight and eighty-nine of this Ordinance have been complied with.

Report to the Royal Court by the Board.

91. At the time of the hearing of an application for the grant of a passenger vessel liquor licence in accordance with the provisions of section eighty-seven of this Ordinance, there shall be presented to the Royal Court:—

- (a) by or on behalf of the Board a report containing—
 - (i) a description of the vessel in respect of which the said application is being made and, in particular, a description of the accommodation on the said vessel which it is intended should be

used for the sale and consumption of intoxicating liquor,

(ii) the suitability of the said accommodation for the sale and consumption of intoxicating liquor,

(iii) the views of the Board on and objections, if any, to, the said application;

(b) by or on behalf of the Committee—

(i) any reference or certificate of character in the possession of the Chief Officer relating to the said owner,

(ii) a report containing the views of the Committee on and objections, if any, to, the said application.

92. The Royal Court may, on application being made to it in accordance with the provisions of section eighty-seven of this Ordinance and after taking into consideration the report upon the application presented to it by the Board and the Committee in accordance with the provisions of the last preceding section, grant to the applicant therefor a passenger vessel liquor licence for the sale and consumption of intoxicating liquor on the vessel or such accommodation therein as may be specified in the said licence.

93. The Royal Court shall not grant a passenger vessel liquor licence unless:—

(a) the Royal Court is satisfied that the vessel in respect of which the passenger vessel liquor licence is being applied for is a vessel to which this Part of this Ordinance applies and any such passenger vessel liquor

licence so granted shall cease to be valid upon the vessel in respect of which it was granted ceasing for any reason to be a vessel to which this Part of this Ordinance applies or the person to whom it was granted ceasing for any reason to be the owner of the said vessel; and

- (b) unless the Royal Court is satisfied that the accommodation in the said vessel which is to be used for the sale and consumption of intoxicating liquor is so constructed and arranged to provide adequate space in front of the bar counter from which intoxicating liquor is to be served or dispensed clear of tables, chairs and other obstructions and an aisle running the full length of the said accommodation.

Prohibition
and sale or
supply of
intoxicating
liquor on
vessels.

94. Subject to the succeeding provision of this Part of this Ordinance, a person shall not sell, expose for sale or attempt to sell intoxicating liquor on a vessel in respect of which there is for the time being in force a passenger vessel liquor licence while that vessel is on passage in the territorial waters adjacent to the Islands of Guernsey, Herm and Jethou:—

- (a) unless he is for the time being the holder of a permit for the sale of intoxicating liquor granted by the Royal Court in accordance with the provisions of section one hundred of this Ordinance (hereinafter referred to as “a master’s liquor permit”);
- (b) otherwise than under and in accordance with the succeeding provisions of this Part of this Ordinance and the terms and conditions of the master’s liquor permit of which he is for the time being the holder.

95. The Royal Court shall not grant a master's liquor permit otherwise than to a person who is for the time being the master or person in charge of a vessel in respect of which there is for the time being in force a passenger vessel liquor licence.

Persons who may hold a master's liquor permit.

96. Subject to the succeeding provisions of this Part of this Ordinance, a person desirous of obtaining a master's liquor permit shall make application in that behalf to the Royal Court in accordance with the succeeding provisions of this Part of this Ordinance and such application shall be in writing and shall contain the following particulars, that is to say—

Particulars in application for a master's liquor permit.

- (a) the full name and address of the said person,
- (b) the name of the said vessel, and
- (c) the full name and address of the owner of the said vessel.

97. A person before making an application in accordance with the provisions of the last preceding section shall:—

Formalities prior to making an application for a master's liquor permit.

- (a) at least twenty-one clear days prior to the date on which he proposes to make the said application send to the Committee a notice in writing which shall state that he proposes to make the application for the master's liquor permit and which shall state the date and the hour on and at which it is proposed to make the application;
- (b) cause a notice containing a statement of the fact that the said person proposes to make the said application for a master's

liquor permit, the date and hour on and at which the said person proposes to make the said application and the particulars set out in section ninety-six of this Ordinance to be published in the manner for the time being prescribed by law on at least two weekly occasions prior to the day on which the said person proposes to make the said application;

- (c) at least twenty-one clear days prior to the date on which the said person proposes to make the said application supply the Chief Officer—
- (i) with full and complete information about, and the nature of, his previous employment,
 - (ii) the names, if required, of at least two referees to whom reference may be made, and
 - (iii) in the event of the said person not having had his ordinary place of residence in this Island for a continuous period of at least three years immediately prior to the date on which the said person proposes to make the said application, with such information about his place or places of residence prior to establishing or last establishing his ordinary place of residence in this Island as the Chief Officer may require in order that the Chief Officer may obtain a certificate or certificates of character concerning the said person from the chief officer of police of the relevant district or districts.

98. The Royal Court shall not dispose of an application for a master's liquor permit under this Part of this Ordinance unless the provisions of sections ninety-five and ninety-six of this Ordinance have been complied with.

Court not to dispose of an application for a master's liquor permit.

99. At the time of the hearing of an application for the grant of a master's liquor permit in accordance with the provisions of section one hundred of this Ordinance—

Report to the Royal Court by the Police Committee.

(a) there shall be presented to the Royal Court by or on behalf of the Committee a report containing their views on the said application;

(b) there shall be presented to the Royal Court by or on behalf of the Committee any reference or certificate of character in the possession of the Chief Officer relating to the applicant.

100. The Royal Court may, on application being made to it in accordance with the provisions of section ninety-six of this Ordinance and after taking into consideration the reports upon the application presented to it by the Committee in accordance with the provisions of paragraph (a) of the last preceding section, grant to the applicant therefor a master's liquor permit for the sale of intoxicating liquor on a vessel in respect of which there is for the time being in force a passenger vessel liquor licence while that vessel is on passage in the territorial waters adjacent to the Islands of Guernsey, Herm and Jethou.

Grant of master's liquor permit by Royal Court.

Vessel must
be on
approved
charter.

101. (1) A person to whom a master's liquor permit has been granted shall not exercise that master's liquor permit otherwise than on a vessel in respect of which there is for the time being in force a passenger vessel liquor licence whilst that vessel is on passage in the territorial waters adjacent to the Islands of Guernsey, Herm and Jethou and is on charter to a body or organisation and that charter and that body or organisation has been approved by the Ordinary Court in accordance with the succeeding provisions of this section.

(2) Any person to whom a master's liquor permit has been granted and who is desirous of obtaining the approval of the Ordinary Court for the purposes of the last preceding subsection shall make application in that behalf to the Ordinary Court and such application shall be in writing and shall contain the following particulars, that is to say—

- (a) the full name and address, if any, of the said body or organisation on behalf of which the application is being made and the nature and purposes or objects of the said body or organisation,
- (b) the purpose of and the date and time of the charter for which the approval is being sought.

(3) A person before making an application in accordance with the provisions of the last preceding subsection shall, at least fourteen clear days prior to the date on which he proposes to make the said application, send to the Committee a notice in writing which shall state that he proposes to make

the application, the date and hour on and at which he proposes to make the application and which shall contain the particulars set out in the last preceding subsection.

(4) At the time of the hearing of an application for the approval of the Ordinary Court for the purposes of subsection (1) of this section there shall be presented to the Ordinary Court by or on behalf of the Committee a report containing their views on the said application.

(5) Where the Ordinary Court grants its approval of a charter or body or organisation for the purposes of subsection (1) of this section the Ordinary Court may grant such approval subject to such conditions as the Ordinary Court may deem it necessary or expedient to impose.

102. A person who is for the time being the holder of a master's liquor permit may exercise the said permit on any vessel to which this Part of this Ordinance applies in respect of which there is for the time being in force a passenger vessel liquor licence whilst on passage on the territorial waters adjacent to the Islands of Guernsey, Herm and Jethou.

Exercise of
master's
liquor
permit.

103. When the Royal Court grants a passenger vessel liquor licence or a master's liquor permit under the provisions of this Part of this Ordinance or as soon as may be thereafter, Her Majesty's Greffier shall, upon being satisfied that the person to whom the said licence or permit, as the case may be, was granted has paid the fees required to be paid in accordance with the provisions of Part XII of this Ordinance, issue to the said person a pas-

Issue of
passenger
vessel liquor
certificate
by H.M.
Greffier.

senger vessel liquor certificate in such form as Her Majesty's Greffier may, from time to time, determine.

H.M. Greffier to keep register of passenger vessel liquor licences and master's liquor permits.

104. Her Majesty's Greffier shall enter in the register kept in accordance with the provisions of section twenty of this Ordinance a record of all passenger vessel liquor licences and master's liquor permits granted by the Royal Court under the provisions of this Part of this Ordinance.

Register to be amended by H.M. Greffier.

105. Her Majesty's Greffier shall—

- (a) upon the Royal Court ordering the suspension or forfeiture of a passenger vessel liquor licence or a master's liquor permit or directing the States Treasurer not to renew a passenger vessel liquor licence or a master's liquor permit; or
- (b) upon a passenger vessel liquor licence or a master's liquor permit ceasing for any other reason whatsoever to be valid;

from time to time amend the register kept in accordance with the provisions of the last preceding section.

Law Officer may apply for a passenger vessel liquor licence or a master's liquor permit to be suspended.

106. (1) The Royal Court may, upon an application being made to it in that behalf by a Law Officer of the Crown—

- (a) suspend, vary or order the forfeiture of a passenger vessel liquor licence or a master's liquor permit;
- (b) direct the States Treasurer not to renew a passenger vessel liquor licence or a master's liquor permit held by the person named in the application;

and in such a case the Law Officer shall summon the person named in the application to appear before

the Royal Court to show cause why his passenger vessel liquor licence or master's liquor permit, should not be suspended, varied or forfeited or to show cause why the Royal Court should not direct the States Treasurer not to renew his passenger vessel liquor licence or master's liquor permit, as the case may be; any such summons as aforesaid shall state the grounds upon which the Law Officer intends to rely to support his application.

(2) A Law Officer of the Crown may in any case at his discretion and shall, at the request of the Board or the Committee, make an application in pursuance of the provisions of the last preceding subsection.

107. Where the Royal Court, in pursuance of any of the provisions of this Ordinance, orders the suspension of a passenger vessel liquor licence or a master's liquor permit and where the period of suspension does not terminate until after the unexpired portion of the period for which the passenger vessel liquor licence or the master's liquor permit is then current the holder of the said licence or said permit may, upon payment of the appropriate fee in pursuance of the provisions of Part XII of this Ordinance, renew that licence or that permit at the end of the period then current but such licence or such permit, after renewal as aforesaid, shall be of no effect until the end of the period of suspension as aforesaid.

Renewal of passenger vessel liquor licence and master's liquor permit after suspension.

108. (1) Unless suspended or ordered to be forfeited under any of the provisions of this Ordinance, a passenger vessel liquor licence or a master's liquor permit shall be valid on such day as the Royal Court shall direct and until the thirty-first day of December next following and thereafter, upon being re-

Period of validity of passenger vessel liquor licence and master's liquor permit.

newed in accordance with the provisions of section one hundred and nine of this Ordinance, shall be valid during the period commencing on the first day of January in any year and ending on the thirty-first day of December of that year.

(2) Notwithstanding the provisions of the last preceding subsection, where, in respect of a passenger vessel liquor licence or a master's liquor permit granted before the thirtieth day of June in any year, the first half-yearly payment only is paid in pursuance of the provisions of subsection (1) of section one hundred and forty-one of this Ordinance, then the said licence or permit shall cease to be valid on that date in that year unless, on or before that date, the second of such payments is made.

Renewal of
passenger
vessel liquor
licence and
master's
liquor
permit.

109. A passenger vessel liquor licence or a master's liquor permit granted under the provisions of this Part of this Ordinance shall, subject to the provisions of section one hundred and six of this Ordinance, be renewed for any year upon the payment, on or before the thirty-first day of December next preceding, to the States Treasurer of either the annual fee specified in section one hundred and thirty-five of this Ordinance in one payment or by the payment of that annual sum in two payments as prescribed in subsection (1) of section one hundred and forty-one of this Ordinance save that in the latter event the said licence or the said permit shall cease to be valid on the thirtieth day of June next following unless on or before that date the second of such payments is made.

Conditions
of sale and
supply of
intoxicating
liquor on
vessels.

110. A person shall not sell or supply or expose for sale or attempt to sell or supply or consume or attempt to consume intoxicating liquor on a vessel in respect of which a passenger vessel liquor licence is in force:—

- (a) at any time unless a person who is the holder of a master's liquor permit is on board the said vessel and personally supervising the exercise of the said permit;
- (b) when the said vessel is berthed, moored or anchored in a port or other place used for the embarkation or dis-embarkation of passengers in any of the Islands of Guernsey, Herm or Jethou or when the said vessel is anchored or moored within the territorial waters adjacent to the said Islands;
- (c) to any person on the said vessel other than to a person who is a member of a body or organisation which has been approved by the Ordinary Court under the provisions of section one hundred and one of this Ordinance and for the consumption by the said person on the said vessel.

111. A person who is the holder of a master's liquor permit shall not permit a person under the age of eighteen years to be on board a vessel in respect of which there is for the time being in force a passenger vessel liquor licence at any time while the said master's liquor permit is being exercised unless the last mentioned person is accompanied by another person who is over the age of eighteen years.

Young persons not to be on board vessel with licence unless with adult.

112. A person shall not, on any vessel in respect of which there is for the time being in force a passenger vessel liquor licence:—

Licensing hours on vessels with permit.

- (a) sell, supply, expose for sale or consume intoxicating liquor;

- (b) attempt to sell, attempt to supply or attempt to consume intoxicating liquor;
- (c) permit, in the case where the said person is the holder of the master's liquor permit by his servant or agent or otherwise, the sale, the supply, the exposure for sale or the consumption of intoxicating liquor;

at any time otherwise than:—

- (d) on any weekday other than Christmas Day and Good Friday between the hours of thirty minutes after ten o'clock in the forenoon and eleven o'clock in the afternoon;
- (e) on Christmas Day (falling otherwise than on a Sunday) and Good Friday—
 - (i) between the hours of eleven o'clock in the forenoon and thirty minutes after midday, and
 - (ii) between seven o'clock in the afternoon and thirty minutes after nine o'clock in the afternoon.

Powers of
police
officers to
stop and
enter vessels.

113. (1) A police officer may, at all reasonable times, require any vessel in respect of which there is for the time being in force a passenger vessel liquor licence to be stopped and may enter upon any such vessel for the purposes of ensuring that the provisions of this Part of this Ordinance are being complied with and may enter upon any such vessel which is berthed, moored or anchored for the said purposes.

(2) A person shall not refuse or fail to comply with any requirement of a police officer to stop a vessel or impede or obstruct the entry of a police

officer on a vessel acting in pursuance of the provisions of the last preceding subsection.

114. The provisions of Part VI and Part VII of this Ordinance and the provisions of sections forty-three, forty-four, forty-nine, fifty, fifty-one, fifty-two, fifty-six, fifty-seven, fifty-eight, fifty-nine and sixty of this Ordinance shall apply to and in relation to a person who is the holder of a master's liquor permit as if the said person were a liquor licensee and the said Parts and the said sections of this Ordinance shall apply in relation to a vessel in respect of which there is for the time being in force a passenger vessel liquor licence as they apply to and in relation to licensed premises and proceedings may be taken and penalties enforced against any such person as though he were a liquor licensee.

Application of certain provisions to holders of passenger vessel liquor licences and permits, etc.

115. This Part of this Ordinance shall apply to any vessel—

Vessels to which this Part of this Ordinance applies.

- (a) in respect of which there is for the time being in force a passenger steamer certificate issued under the provisions of section eight of the Law entitled "Loi relative à la Marine Marchande dans le Bailliage de l'Île de Guernesey" registered on the sixth day of June, nineteen hundred and sixteen^(a), and
- (b) which the said passenger steamer certificate declares to be fit to carry passengers in excess of ninety.

(a) Ordres en Conseil Vol. V, p. 189.

Interpreta-
tion of Part
X.

116. In this Part of this Ordinance, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

“the Board” means the States Board of Administration;

“cruise vessel” means a vessel which enters a port or the territorial waters adjacent to the Islands of Guernsey, Herm and Jethou solely for the purpose of enabling passengers thereon to visit any of the said Islands as part of the itinerary of a cruise or for the purpose of embarking or disembarking passengers beginning or ending a cruise in the vessel;

“passenger” means any person carried on a vessel but does not include a member of the crew of the vessel;

“vessel” means anything for the conveyance by water of human beings or of property.

PART XI

Clubs

Club
Licences.

117. 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 by the Royal Court in accordance with the provisions of section twelve of this Ordinance for the supply of such liquor.

Application
for Club
Licence to
be made by
president or
secretary.

118. A Club Licence may be granted by the Royal Court under the provisions of section twelve of this Ordinance to a club as if that club were a body corporate on the application of the president or secretary of the club in accordance with the succeeding provisions of this Part of this Ordinance.

119. A person before making an application in pursuance of the provisions of the last preceding section shall:—

Formalities
prior to
making an
application
for a Club
Licence.

- (a) at least twenty-one clear days prior to the date on which he proposes to make the said application send—
- (i) to the Committee a notice in writing which shall state that he proposes to make the said application for the Club Licence and which shall specify the situation of the premises of the club in respect of which the said application is to be made, the date and hour on and at which the said person proposes to make the said application and the name and address of the person (hereinafter referred to as “the designated person”), being an officer or other member of the club committee, designated by the said committee to be responsible for the exercise of the said licence,
 - (ii) to the Constables of the Parish in which the premises of the club in respect of which the said application is to be made are situate, a notice in writing which shall state that he proposes to make the said application, the situation of the said premises and the date and hour on and at which the said person proposes to make the said application,

(iii) to a Law Officer of the Crown for his approval a copy of the rules of the club to which the said application relates;

(b) cause a notice containing the particulars specified in sub-paragraph (i) of paragraph (a) of this subsection to be affixed, for a period of at least fourteen clear days immediately prior to the date on which the said person proposes to make the said application, to, on, or as near as possible to, the said premises in such manner as to enable it to be easily read by a person in a public place adjacent to the said premises.

Designated person to be present at hearing of application for a Club Licence.

120. At the time of an application under the provisions of section one hundred and eighteen of this Ordinance the designated person shall be present before the Royal Court and if approved as such by the Royal Court and if the Club Licence which is the subject of the said application is granted by the Royal Court, the name of the said designated person shall be endorsed on the said Club Licence by Her Majesty's Greffier and shall be entered by him upon the records at the Greffe.

Section 3(d) to apply to designated person.

121. The provisions of paragraph (d) of section three of this Ordinance shall apply to a designated person whenever and in the same way as they would apply if the designated person were an applicant for a liquor licence other than a Club Licence.

Provisions relating to rules of clubs.

122. (1) Subject to the provisions of the next succeeding subsection, during such time as a Club Licence 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 a Law Officer of the Crown for his approval; and any such purported addition or alteration shall have no effect until such approval has been signified to the designated person.

(2) No change in the rules of a club regulating the hours during which a person may supply or consume intoxicating liquor on the premises of the club shall be effected without the sanction of the Royal Court.

(3) The designated person shall as soon as may be after a Club Licence has been granted in pursuance of section twelve of this Ordinance deposit with Her Majesty's Greffier a copy of the rules of the club initialled by a Law Officer of the Crown.

(4) During such time as a Club Licence continues to be valid a copy of any addition to or alteration of the rules of the club, initialled by a Law Officer of the Crown, shall, within the fifteen days next following any such addition or alteration becoming effective, be deposited by the designated person with Her Majesty's Greffier.

123. (1) The provisions of section forty-two of this Ordinance shall apply to a designated person as though he were the holder of a liquor licence.

Provisions relating to designated person.

(2) On the designated person ceasing to act in that capacity, the Committee, 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 Committee's opinion, be necessary to enable application to be made to the Royal Court for approval of a new designated person save, however, the permission of the Committee shall not be valid for a period in excess of two months.

(3) As respects a Club Licence granted in pursuance of section twelve 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.

Grant of additional licensing hours for club.

124. (1) Notwithstanding any of the provisions of this Ordinance and subject to the provisions of the next succeeding section the Ordinary Court may, on an application being made to it in that behalf by the President or secretary of a club and after hearing a report of the Chief Officer thereon, grant permission to that club, subject to such conditions as the Ordinary Court may deem necessary or expedient, to exercise the liquor licence held by that club either—

- (a) during such days and hours, other than the days and hours regulated by and included in the rules of the club, as may be specified; or
- (b) on any premises, other than those named in that liquor licence (hereafter in this section referred to as "the additional licensed club premises") as may be specified;

or both during such hours and on such additional licensed club premises.

(2) The President or secretary, as the case may be, of a club before making an application to the Ordinary Court in accordance with the provisions of the last preceding subsection shall at least four clear days, which days shall not include a Saturday or a Sunday, prior to the date on which it is proposed

to make the said application send to the Constables of the Parish in which the premises of the club or the additional licensed club premises are situate a notice in writing which shall state that the club proposes to make the said application and which shall specify the date and hour on and at which the club proposes to make the said application.

(3) Where a Law Officer of the Crown is satisfied in all the circumstances that, in the case of a club which is desirous of obtaining any permission under the provisions of subsection (1) of this section, there is no opportunity for that club to apply to the Ordinary Court for such permission before the time when the club wishes to exercise the liquor licence in accordance with such permission the Law Officer may grant any such permission as could be granted by the Ordinary Court under the provisions of subsection (1) of this section.

(4) A Law Officer of the Crown who grants any permission under the provisions of the last preceding subsection shall, as soon as may be thereafter, inform the Chief Officer of the fact.

(5) The appropriate fees set out in Part XII of this Ordinance shall be paid in respect of the grant of any permission under the provisions of subsection (1) or subsection (3) of this section.

(6) When any permission is granted under the provisions of subsection (1) or subsection (3) of this section in connection with an event or social occasion and that event or social occasion does not take place then that permission shall be deemed not to have been granted unless the president or secretary of the club satisfies a Law Officer of the Crown that

there are special circumstances which make it just and reasonable that the grant of that permission should not be invalidated, then the Law Officer, on being so satisfied, may authorise the exercise of the liquor licence in accordance with such permission notwithstanding that that event or social occasion will not take place.

(7) Where it is desired to supply and permit the consumption of intoxicating liquor at two or more events or social occasions which are to be held—

- (a) on the same day or during the same hours, other than on a day or during the hours regulated by and included in the rules of the club; or
- (b) on the same premises during the same day or during the same hours as aforesaid, being premises other than those named in the liquor licence of which the club is the holder,

a separate application for permission shall be made under the provisions of subsection (1) or subsection (3) of this section in respect of each such event or social occasion and the fees provided for in subsection (5) of this section shall be paid in respect of each such permission granted under the provisions of subsection (1) or subsection (3) of this section.

Power of
Bailiff to
grant
warrant for
entry on
club
premises.

125. (1) Where the Chief Officer 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, the Bailiff, on receiving from the Chief Officer a written report thereon, may,

in his discretion, grant a warrant under his hand to the Chief Officer whereby it shall be lawful for the Chief Officer, any police officer not below the rank of Sergeant named in the warrant, or any other person under the command of the Chief Officer, at any time during one month or for such less time as may be specified in the warrant, to enter, if need be by force, the said premises for the purpose of ascertaining the manner in which the said Club Licence is being exercised.

(2) 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 Royal Court to show cause why the Club Licence should not be either suspended or forfeited and the Royal 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.

126. A person shall not supply or consume or attempt to supply or consume or permit the supply or consumption of intoxicating liquor on any premises of any club in respect of which there is in force a Club Licence otherwise than—

Permitted
hours in
respect of
clubs.

- (a) on any weekday, during any period of ten hours or periods amounting in all to ten hours, between ten o'clock in the forenoon and midnight;
- (b) on any Sunday, Christmas Day and Good Friday during any period of five hours or

periods amounting in all to five hours between noon and ten o'clock in the afternoon;

such period or periods to be regulated by and included in the rules of the club subject to the approval of the Royal Court.

Interpretation of Part XI.

127. In this Part of this Ordinance the expression "club committee" means the president, the secretary, the treasurer and the members of the committee of a club and includes a quorum of that committee.

PART XII

Fees

Fees prior to application for liquor licences, etc.

128. (1) Subject to the provisions of subsection (3) of this section, prior to the time of an application for the grant of a liquor licence under the provisions of section twelve of this Ordinance including, if required:

- (a) the grant of a bar lunch permit under the provisions of section sixty-four of this Ordinance;
- (b) the designation of a part of licensed premises as a designated public bar under the provisions of section fourteen of this Ordinance;

if made by the same applicant, at the same sitting of the Royal Court and in respect of the same premises as the application for the grant of the said liquor licence the applicant therefor shall pay—

- (c) to the States Treasurer a fee in the sum of fifty pounds, and
- (d) to the Constables of the Parish concerned who have examined the premises in respect of which the application is being made a fee in the sum of ten pounds.

(2) Prior to the time of an application for the grant of more than one liquor licence under the provisions of section twelve of this Ordinance by the same applicant, at the same sitting of the Royal Court and in respect of the same premises including, if required:—

- (a) the grant of one or more bar lunch permits under the provisions of section sixty-four of this Ordinance;
- (b) the designation of one or more parts of the licensed premises as a designated public bar or designated public bars under the provisions of section fourteen of this Ordinance;

if made by the same applicant, at the same sitting of the Royal Court and in respect of the same premises as the applications for the grant of the said liquor licences the applicant therefore shall pay—

- (c) to the States Treasurer a fee in the sum of fifty pounds, and
- (b) to the Constables of the Parish concerned who have examined the premises in respect of which the applications are being made a fee in the sum of ten pounds.

(3) Prior to the time of an application for a Residential Licence (Class II) or a General Off-Licence restricted to the sale of certain kinds of intoxicating liquor under the provisions of section thirteen of this Ordinance the applicant therefor shall pay—

- (a) to the States Treasurer a fee in the sum of ten pounds, and
- (b) to the Constables of the Parish concerned who have examined the premises in respect of which the application is being made a fee in the sum of ten pounds.

Fees prior to application for additional category of licence, etc.

129. Prior to the time of an application for the grant of a liquor licence under the provisions of section twelve of this Ordinance by an applicant who is for the time being the holder of another category of liquor licence in respect of the premises to which the application relates the applicant therefor shall pay—

- (a) to the States Treasurer a fee in the sum of fifty pounds, and
- (b) to the Constables of the Parish concerned who have examined the premises in respect of which the application is being made a fee in the sum of ten pounds.

Fees prior to application for bar lunch permit or designated public bar only

130. Prior to the time of an application:—

- (a) for the grant of a bar lunch permit or more than one bar lunch permit;
- (b) for the designation of one or more parts of licensed premises as a designated public bar or designated public bars;

other than an application for a bar lunch permit or the designation of a designated public bar in the circumstances referred to in sections one hundred and twenty-eight or one hundred and twenty-nine of this Ordinance the applicant therefor shall pay—

- (c) to the States Treasurer a fee in the sum of ten pounds, and
- (d) to the Constables of the Parish concerned who have examined the premises in respect of which the application or applications is or are being made a fee in the sum of ten pounds.

131. Prior to the time of an application for the grant of a passenger vessel liquor licence or a master's liquor permit the applicant therefor shall pay to the States Treasurer a fee in the sum of ten pounds.

Fees payable prior to application for passenger vessel liquor licence and Master's liquor permit.

132. Prior to the time of an application for a Club Licence the applicant therefor shall pay to the States Treasurer a fee in the sum of fifty pounds.

Fees payable prior to application for Club Licence.

133. (1) Subject to the provisions of subsection (2) of this section, the fee payable to the States Treasurer on the renewal of one or more liquor licences granted under the provisions of section twelve of this Ordinance held by the same liquor licensee in respect of the same premises including the renewal of one or more bar lunch permits or the renewal of the designation of one or more designated public bars held by that liquor licensee in respect of the said premises and renewable on the same day shall be fifty pounds.

Fees for renewal of liquor licences, etc.

(2) The fee payable to the States Treasurer on the renewal of a Residential Licence (Class II) or a General Off-Licence restricted to the sale of certain kinds of intoxicating liquor under the provisions of section thirteen of this Ordinance shall be ten pounds.

Fees for renewal of bar lunch permit or designated public bar only.

134. The fee payable to the States Treasurer on the renewal of a bar lunch permit granted under the provisions of section sixty-four of this Ordinance other than the renewal of one or more bar lunch permits or the renewal of the designation of one or more designated public bars in the circumstances referred to in the last preceding section shall be ten pounds save that if more than one such permit held by the same liquor licensee in respect of the same premises are renewable on the same day the fee payable to the States Treasurer in respect of the renewal of all such bar lunch permits shall be ten pounds.

Fees for renewal of passenger vessel liquor licence and master's liquor permit.
Fees for renewal of Club Licences.

135. The fee payable to the States Treasurer on the renewal of a passenger vessel liquor licence or a master's liquor permit shall be ten pounds.

136. The fee payable to the States Treasurer on the renewal of a Club Licence shall be fifty pounds.

Fees prior to application for another designated official or another designated person.

137. Prior to the time of an application to the Royal Court:—

- (a) under the provisions of subsection (5) of section seven of this Ordinance for the approval of another officer or manager of a body corporate to be the designated official

in respect of the liquor licence of which that body corporate is the holder, there shall be payable to the States Treasurer by that body corporate a fee in the sum of twenty-five pounds;

- (b) under the provisions of subsection (2) of section one hundred and twenty-three of this Ordinance for the approval of another person to be the designated person in respect of a Club Licence there shall be payable to the States Treasurer a fee in the sum of twenty-five pounds.

138. No fee shall be payable under this Part of this Ordinance in respect of an application to the Ordinary Court for the grant of an occasional liquor permit under the provisions of section thirty-one of this Ordinance.

No fees for occasional liquor permit.

139. One quarter of any sum received by the States Treasurer in pursuance of the provisions of section one hundred and twenty-eight, section one hundred and twenty-nine or section one hundred and thirty of this Ordinance shall be credited to the account of the Royal Court, another quarter to the account of Her Majesty's Greffier and the balance shall be credited to the General Revenue of the States.

Distribution of fees received by States Treasurer.

140. A person shall not be entitled to a reimbursement of any fee or any part of any fee paid under any of the preceding provisions of this Part of this Ordinance if the liquor licence, bar lunch permit or master's liquor permit concerned is not granted or renewed.

No reimbursement of liquor licence, etc., not granted or renewed.

Method of
payment of
fees.

141. (1) The fee in respect of a liquor licence, required to be paid under the provisions of paragraph (c) of subsection (1) of section one hundred and twenty-eight, paragraph (c) of subsection (2) of section one hundred and twenty-eight, paragraph (a) of section one hundred and twenty-nine or paragraph (c) of section one hundred and thirty of this Ordinance may be paid in two half-yearly payments in advance, the first of such payments for any year to be paid on or before the thirty-first day of December next preceding and the second of such payments on or before the thirtieth day of June of that year.

(2) Where a liquor licence is granted under the provisions of section twelve of this Ordinance at any time after the expiration of a period of two weeks commencing on the first day of the half year then current, there shall be paid in respect of that liquor licence the same proportion of the fee payable under the provisions of any of the aforesaid paragraphs in respect of that half year as the unexpired portion of the half year from the date of the grant of the liquor licence to the end of the year bears to the complete half year, both periods calculated in weeks; any fraction of a week of two days or less forming part of any such unexpired portion shall be disregarded and any such fraction in excess of two days shall be regarded as a complete week.

(3) In the event of the holder of a liquor licence granted under the provisions of section twelve of this Ordinance 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 a half year for which

the fee provided for in this Part of this Ordinance 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 nineteen of this Ordinance and the licensee, upon presenting the liquor licence certificate so cancelled to the States Treasurer, shall be entitled to a reimbursement of the same proportion of the fee paid in respect of the complete half year as the unexpired portion of the half year from the date of his ceasing to exercise the licence until the end of that half year bears to the complete half year, both periods calculated in weeks; any fraction of a week forming part of any such unexpired portion shall be disregarded.

(4) 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.

142. (1) Prior to the time of an application under the provisions of paragraph (a) of subsection (1) of section twenty-eight of this Ordinance by a liquor licensee for permission to exercise his liquor licence during such additional hours, other than the hours permitted under the provisions of section thirty-two of this Ordinance in respect of that category of liquor licence, as may be specified in the said application, the said liquor licensee shall pay to the States Treasurer a fee of five pounds for each such additional hour or part of such additional hour during which he is applying to exercise the said liquor licence.

Fees prior to application for additional hours or additional premises.

(2) Prior to the time of an application under the provisions of paragraph (b) of subsection (1) of section twenty-eight of this Ordinance by a liquor licensee for provision to exercise his liquor licence on such premises, other than those named in the said liquor licence, as may be specified in the said application the said liquor licensee shall pay to the States Treasurer a fee of one pound for each hour or part of an hour during which he is applying to exercise the said liquor licence on the said additional premises save not more than five pounds shall be so payable in respect of such exercise of the said liquor licence on any one day.

States
Treasurer to
credit
certain fees
to Royal
Court and
Grefle.

143. The States Treasurer shall credit to the account of the Royal Court and to the account of the Grefle in equal shares the sum received by him in respect of applications for permission under the provisions of paragraph (a) or of paragraph (b) of subsection (1) of section twenty-eight of this Ordinance.

No re im-
bursement of
fees paid
under section
one hundred
and forty-
two.

144. A liquor licensee shall not be entitled to a reimbursement of any fee or any part of any fee paid under any of the provisions of section one hundred and forty-two of this Ordinance if the permission concerned is not granted.

PART XIII

Offences and Penalties

Prosecution
and
punishment
of offences.

145. (1) Except where otherwise specifically provided, the Fourth Schedule to this Ordinance shall have effect, in accordance with the provisions of subsection (2) of this section, with respect to the way in which offences under this Ordinance are punishable on conviction.

(2) In relation to a contravention of, or a failure to comply with, any of the provisions of this Ordinance specified in Column 1 of the Fourth Schedule to this Ordinance Columns 2 and 3 of the said Fourth Schedule show the punishments which may be imposed on a person convicted of any such contravention or such failure and a reference in the said Column 2 or 3 to a sum of money gives the maximum fine which may be imposed and a reference to a period gives the maximum term of imprisonment which may be imposed.

146. (1) Subject to the provisions of subsection (2) of this section, the court by or before which a person is convicted of a contravention of, or a failure to comply with, any of the provisions of this Ordinance may order any intoxicating liquor and any container of intoxicating liquor found on the premises to which the conviction relates or any intoxicating liquor shown to the satisfaction of the court to relate to such conviction or such failure to be confiscated for the account of the States or to be forfeited and either destroyed or dealt with in such other manner as the court may order.

Court may order confiscation of intoxicating liquor on conviction.

(2) The court shall not order any intoxicating liquor or any container of intoxicating liquor to be confiscated or forfeited under this section, where the person claiming to be the owner of or otherwise to be interested in the said intoxicating liquor applies to be heard by the court unless an opportunity has been given to him to show cause why the order should not be made.

147. (1) In any proceedings against a liquor licensee, his servant or agent for a contravention of, or a failure to comply with, the provisions of section thirty-six or section thirty-seven of this

Defences to charges under section thirty-six or thirty-seven.

Ordinance it shall be a defence for the said liquor licensee, his servant or agent, as the case may be, to prove to the satisfaction of the court that he did not know nor had reasonable cause to suspect or could after reasonable enquiry have ascertained that the person to whom intoxicating liquor was sold or supplied or by whom the intoxicating liquor was consumed was under the age of eighteen years.

(2) In any proceedings against a liquor licensee, his servant or agent for a contravention of, or a failure to comply with, the provisions of section thirty-six or section thirty-seven of this Ordinance it shall be a defence for the said liquor licensee, his servant or agent, as the case may be, to prove to the satisfaction of the court that the offence was committed because of a false statement made to the said liquor licensee, his servant or agent, as the case may be, by another person and that the said liquor licensee, his servant or agent, as the case may be, did not nor had reasonable cause to suspect nor could after reasonable enquiry have ascertained that the said statement was false.

False
statements.

(a) who, in connection with any application for the grant of a liquor licence or in connection with any application for the grant of any permit or any permission under any of the provisions of this Ordinance knowingly makes any false statement or recklessly makes any statement which is false in a material particular or produces or furnishes any information which he knows to be false; or

(b) who knowingly fails to produce or furnish any information which he is required to produce or furnish under any of the provisions of this Ordinance;

shall be guilty of an offence and liable, on conviction, to a fine not exceeding five hundred pounds.

149. When the Chief Officer, a police officer or a person under the command of the Chief Officer has entered any premises in pursuance of a warrant under the provisions of subsection (1) of section sixty-two of this Ordinance and has seized and removed any intoxicating liquor, any person found at the time on the premises shall, until the contrary is proved, be deemed to have been on the premises for the purpose of illegally dealing in intoxicating liquor and shall be guilty of an offence and shall be liable, on conviction, to a fine not exceeding five hundred pounds.

Certain persons deemed to be on unlicensed premises for illegally dealing in intoxicating liquor.

150. (1) A body corporate which is the holder of a liquor licence shall not exercise that liquor licence otherwise than under the personal supervision of a designated official approved by the Royal Court under the provisions of subsection (3) of section seven of this Ordinance or to whom permission has been granted under the provisions of subsection (5) of that section.

Penalty for body corporate failing to replace designated official.

(2) A body corporate which contravenes the provisions of the last preceding subsection shall be guilty of an offence and liable, on conviction, to a fine not exceeding one hundred pounds and to the suspension or forfeiture of its licence at the discretion of the court.

Offences by
bodies
corporate.

151. Where an offence under this Ordinance which has been committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any negligence on the part of, any director, manager, secretary or other similar officer of the body corporate, he as well as the body corporate shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

PART XIV

Savings and transitional provisions

Saving for
existing
liquor
licences.

152. Subject to the provisions of this Ordinance, any liquor licence granted under any Ordinance repealed by this Ordinance for the sale or supply of intoxicating liquor and valid immediately prior to the appointed day shall continue to have effect as though it were a liquor licence of the same category granted under the provisions of this Ordinance and any conditions attached thereto were conditions attached under the provisions of this Ordinance.

Conversion
of existing
Beer
Off-Licences.

153. Any Beer Off-Licence granted under any Ordinance repealed by this Ordinance and valid immediately prior to the appointed day shall cease to be valid on the appointed day and the Royal Court shall be deemed to have granted on the appointed day to the holder of any such Beer Off-Licence a General Off-Licence under the provisions of this Ordinance in respect of the same premises and as soon as may be thereafter Her Majesty's Greffier shall issue to the liquor licensee concerned a new liquor licence certificate appropriate to a General Off-Licence and shall amend the register kept in accordance with the provisions of section twenty of this Ordinance accordingly.

154. Subject to the provisions of section fourteen of this Ordinance, the Inn Licences granted under any Ordinance repealed by this Ordinance in respect of each of the following premises, that is to say:—

Conversion
of existing
Inn
Licences.

The Imperial Hotel
 The Queen's Hotel
 The Yacht Hotel
 The Vazon Bay Hotel
 The Continental Hotel
 The Longfrie Hotel
 The Victoria Arms Hotel
 The Red Lion Hotel

and valid immediately before the appointed day shall each cease to be valid on the appointed day and the Royal Court shall be deemed to have granted on the appointed day to the holder of each of the said Inn Licences an Hotel Licence under the provisions of this Ordinance in respect of the same premises and as soon as may be thereafter Her Majesty's Greffier shall issue to each of the liquor licensees concerned a new liquor licence certificate appropriate to an Hotel Licence and shall amend the register kept in accordance with the provisions of section twenty of this Ordinance accordingly.

155. Any application to the Royal Court for a liquor licence under the provisions of the Ordinance of 1960, which shall have been commenced prior to the appointed day but which has not been granted or refused prior to the appointed day shall, for the purposes of this Ordinance be deemed, after

Saving for
applications
made but
not granted
or refused.

the appointed day, to be an application under the provisions of this Ordinance for such category of liquor licence as the applicant shall at the time of the hearing of the application elect.

Transitional provisions relating to register of liquor licences.

156. Her Majesty's Greffier shall, subject to the preceding provisions of this Part of this Ordinance, on the appointed day enter in the register of liquor licences required to be kept under the provisions of section twenty of this Ordinance the register of liquor licences kept under section fourteen of the Liquor Licensing Ordinance, 1960, and in force immediately prior to the appointed day.

PART XV

Service of notices, interpretation, repeals, extent, citation and commencement

Service of notices.

157. Any notice which may be served for the purposes of this Ordinance shall be validly served—

- (a) on any person, if delivered to him, left, or sent by registered post or recorded delivery service to him, at his usual or last known place of abode;
- (b) on any firm, if delivered to any partner of the firm, or left at, or sent by registered post or recorded delivery service to, the principal or last known place of business of the firm;
- (c) on any body corporate, if left at, or sent by registered post or recorded delivery service to, its registered office if situate in this Island or, if its registered office is not so situate, its principal or last known principal place of business in this Island.

158. (1) In this Ordinance, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them— Interpretation.

“appointed day” means the first day of January, nineteen hundred and eighty-five;

“bar” in relation to licensed premises includes any place exclusively or mainly used for the sale and consumption of intoxicating liquor but does not include a bar at any time when it is usual in the premises for it to be, and it is—

(a) set apart for the service of meals, and

(b) not used for the sale or supply of intoxicating liquor otherwise than to persons having table meals there and for consumption by such a person as an ancillary to his meal;

“bar counter” means any counter, hatch or other place whatsoever at or from which intoxicating liquor is sold, supplied or dispensed;

“bar lunch permit” means a permit granted under the provisions of section sixty-four of this Ordinance;

“boarding permit” means a boarding permit granted under the provisions of the Tourist Law, 1948;

“Chief Officer” means the Chief Officer of the Island Police Force;

“the Committee” means the Island Police Committee;

- “half year” means the period of six months ending on the thirtieth day of June or the thirty-first day of December in any year, as the case may be;
- “intoxicating liquor” includes spirits, wines, beer, porter, cider and perry and including any other liquor with an alcoholic content intended for human consumption but excludes any liquor where the alcoholic content is less than two degrees of proof spirit;
- “licensed premises” means any premises in respect of which a liquor licence is in force;
- “liquor licence” means a liquor licence granted under the provisions of section twelve of this Ordinance;
- “liquor licensee” means a person to whom a liquor licence has been granted;
- “a meal” means cooked or prepared food of a value of not less than one pound exclusive of any service or other extra charge;
- “occasional liquor permit” means a permit granted under the provisions of section thirty-one of this Ordinance;
- “the Ordinance of 1960” means the Liquor Licensing Ordinance, 1960;
- “the Ordinary Court” means the Royal Court sitting as an Ordinary Court;
- “police officer” means a member of the salaried police force of the Island of Guernsey;
- “the promulgated hours” means the hours for the time being promulgated by or on behalf of the States Board of Administration as

being the hours in any day during which La Villiaze Airport is available for use;

“public place” means any place to which the public have access, whether on payment or otherwise;

“the Royal Court” means the Royal Court sitting as a Full Court;

“self-catering unit” means any premises in respect of which there is for the time being in force a boarding permit granted under the provisions of the Tourist Law, 1948, which are treated by the Tourist Board as a self-catering unit;

“stoppered” means closed with a plug or stopper;

“the Tourist Board” means the States Tourist Board;

“two weekly occasions” means two occasions separated by at least seven clear days;

“week” means any period of seven consecutive days.

(2) For the purposes of this Ordinance spirits shall be deemed to be at proof if the volume of the ethyl alcohol contained therein made up to the volume of the spirits with distilled water has a weight equal to that of twelve-thirteenths of a volume of distilled water equal to the volume of the spirits, the volume of each liquid being computed as at fifty-one degrees Fahrenheit.

(3) For the purposes of this Ordinance, intoxicating liquor supplied or consumed or taken with a meal shall be deemed to include an aperitif supplied, consumed or taken immediately prior to a meal and a liqueur supplied, consumed or taken immediately after a meal.

(4) Any reference in this Ordinance to any other enactment shall be deemed to include a reference to that enactment as amended, repealed and re-enacted, extended or applied by or under any other enactment including this Ordinance.

Repeals. 159. The enactments set out in the left hand column of the Fifth Schedule to this Ordinance are hereby repealed to the extent set out in the right hand column of the said Schedule.

Extent. 160. This Ordinance shall have effect in the Islands of Guernsey, Herm and Jethou and the territorial waters adjacent thereto.

Citation. 161. This Ordinance may be cited as the Liquor Licensing Ordinance, 1984.

Commence-
ment. 162. (1) This Ordinance other than section fifty-eight thereof shall come into force on the first day of January, nineteen hundred and eighty-five.

(2) Section fifty-eight of this Ordinance shall come into force on the first day of January, nineteen hundred and eighty-six.

(3) Notwithstanding the provisos of subsection (1) of this section, any application for the grant of a liquor licence, bar lunch permit, passenger vessel liquor licence, master's liquor permit or for the designation of a designated public bar which may be made under any of the provisions of this Ordinance may be made at any time after the States have by Resolution approved this Ordinance and before the appointed day subject to the restriction that any such application shall not be granted or refused until the appointed day.

FIRST SCHEDULE Subsection
(2) of section twelve

Categories of Liquor Licences

1. Hotel Licences.
2. Public Hall Licences.
3. Public House Licences.
4. Café Licences.
5. Restaurant Licences.
6. Residential Licences (Class I).
7. Residential Licences (Class II).
8. General Off-Licences for the sale of intoxicating liquor off the licensed premises.
9. Airport Licence.
10. Club Licences.

SECOND SCHEDULE
Section thirty-two
and thirty-three

Permitted hours and particular conditions of the exercise of liquor licences

Paragraph	COLUMN 1 Categories of liquor licences	COLUMN 2 Permitted Hours	COLUMN 3 Conditions of exercise of the liquor licences set out in Column 1
1.	Hotel Licence—other than a designated public bar therein	<p><i>Weekdays other than Christmas Day and Good Friday</i> 10.30 a.m.—11.45 p.m.</p> <p><i>Christmas Day (falling otherwise than on a Sunday) and Good Friday</i> 11.00 a.m.—12.30 p.m. (2.30 p.m. if intoxicating liquor served with a meal) 7.00 p.m.—9.30 p.m. (10.30 p.m. if intoxicating liquor served with a meal)</p> <p style="text-align: center;"><i>Sunday</i></p> <p>Midday—2.30 p.m. 7.30 p.m.—10.30 p.m. Provided that the intoxicating liquor is served with a meal.</p>	

Paragraph	COLUMN 1 Categories of liquor licences	COLUMN 2 Permitted Hours	COLUMN 3 Conditions of exercise of the liquor licences set out in Column 1
2.	Hotel Licence—a designated public bar therein	<p><i>Weekdays other than Christmas Day and Good Friday</i> 10.30 a.m.—11.00 p.m.</p> <p><i>Christmas Day (falling otherwise than on a Sunday) and Good Friday</i> 11.00 a.m.—12.30 p.m. 7.00 p.m.—9.30 p.m.</p> <p><i>Sunday</i> None</p>	A liquor licensee shall close or caused to be closed any designated public bar in any licensed premises in respect of which he holds an Hotel Licence other than on the days and during the hours specified in Column 2 of this paragraph of this Schedule.
3.	Public Hall Licence—other than a designated public bar therein	<p><i>Weekdays other than Christmas Day and Good Friday</i> 10.30 a.m.—11.45 p.m.</p> <p><i>Christmas Day (falling otherwise than on a Sunday) and Good Friday</i> 11.00 a.m.—12.30 p.m. 7.00 p.m.—9.30 p.m.</p> <p><i>Sunday</i> None</p>	A liquor licensee shall not sell or supply intoxicating liquor or cause or permit such liquor to be sold, supplied or consumed on the licensed premises in respect of which he holds the Public Hall Licence except, subject to the provisions of section thirty-two of this Ordinance, during any period when anything other than a cinematograph show, within the terms of the licence held in respect of those premises under the provisions of the Public Halls Law is being presented, performed or carried out during an additional period of thirty minutes immediately preceding the commencement of each presentation, performance or carrying out thereof. For the purposes of this condition the expression "cinematograph show" shall not include a cinematograph show organised by a club or a society.

Paragraph	COLUMN 1 Categories of liquor licences	COLUMN 2 Permitted Hours	COLUMN 3 Conditions of exercise of the liquor licences set out in Column 1
4.	Public Hall Licence—a designated public bar therein	<p><i>Weekdays other than Christmas Day and Good Friday</i> 10.30 a.m.—11.00 p.m.</p> <p><i>Christmas Day (falling otherwise than on a Sunday) and Good Friday</i> 11.00 a.m.—12.30 p.m. 7.00 p.m.— 9.30 p.m.</p> <p><i>Sunday</i> None</p>	<p>A liquor licensee shall close or caused to be closed any designated public bar in any licensed premises in respect of which he holds a Public Hall Licence other than on the days and during the hours specified in Column 2 of this paragraph of this Schedule.</p>
5.	Public House Licence	<p><i>Weekdays other than Christmas Day and Good Friday</i> 10.30 a.m.—11.00 p.m.</p> <p><i>Christmas Day (falling otherwise than on a Sunday) and Good Friday</i> 11.00 a.m.—12.30 p.m. 7.00 p.m.— 9.30 p.m.</p> <p><i>Sunday</i> None</p>	<p>1. A liquor licensee shall close or caused to be closed the licensed premises in respect of which he holds the Public House Licence other than on the days and during the hours specified in Column 2 of this paragraph of this Schedule.</p> <p>2. A liquor licensee shall not, on the licensed premises in respect of which he holds the Public House Licence or on any premises in his occupation of which the said licensed premises form part, carry on or engage in any trade or business other than the provision of board or lodging or board and lodging or the sale of intoxicating or non intoxicating liquor, tobacco, cigars, cigarettes, matches or food to be consumed on the said licensed premises or the said premises, as the case may be.</p>

Paragraph	COLUMN 1 Categories of liquor licences	COLUMN 2 Permitted Hours	COLUMN 3 Conditions of exercise of the liquor licences set out in Column 1
6.	Café Licence	<p><i>Weekdays other than Christmas Day and Good Friday</i> 10.30 a.m.—11.45 p.m.</p> <p><i>Christmas Day (falling otherwise than on a Sunday) and Good Friday</i> 11.00 a.m.—12.30 p.m.</p> <p>(2.30 p.m. if intoxicating liquor served with a meal)</p> <p>7.00 p.m.— 9.30 p.m.</p> <p>(10.30 p.m. if intoxicating liquor served with a meal)</p> <p>...<i>Sunday</i> Midday— 2.30 p.m. 7.30 p.m.—10.30 p.m.</p> <p>Provided that the intoxicating Liquor is served with a meal.</p>	<p>1. A liquor licensee shall not sell or supply intoxicating liquor or cause or permit such liquor to be sold, supplied or consumed on the licensed premises in respect of which he holds the Café Licence except to and by a person seated at a table.</p> <p>2. A liquor licensee shall, upon the request of any person, sell and supply to that person food or non intoxicating beverages or both such food and such beverages for consumption on the licensed premises in respect of which he holds the Café Licence.</p> <p>3. A liquor licensee shall not sell or supply intoxicating liquor or cause or permit such liquor to be sold, supplied or consumed on the licensed premises in respect of which he holds the Café Licence on a Sunday except to and by a person seated at a table and consuming a meal.</p>

Paragraph	COLUMN 1 Categories of liquor licences	COLUMN 2 Permitted Hours	COLUMN 3 Conditions of exercise of the liquor licences set out in Column 1
7.	Restaurant Licence	<p><i>Weekdays other than Christmas Day and Good Friday</i> 10.30 a.m.—11.45 p.m.</p> <p><i>Christmas Day (falling otherwise than on a Sunday) and Good Friday</i> 11.00 a.m.— 2.30 p.m. 7.00 p.m.—10.30 p.m.</p> <p><i>Sunday</i> Midday— 2.30 p.m.</p> <p>7.30 p.m.—10.30 p.m.</p>	<p>A liquor licensee shall not sell or supply intoxicating liquor or cause or permit such liquor to be sold, supplied or consumed on the licensed premises in respect of which he holds the Restaurant Licence except to and by a person seated at a table and consuming a meal.</p>

Paragraph	COLUMN 1 Categories of liquor licences	COLUMN 2 Permitted Hours	COLUMN 3 Conditions of exercise of the liquor licences set out in Column 1
8.	Residential Licence (Class I)	<p><i>Weekdays other than Christmas Day and Good Friday</i> 10.30 a.m.—11.45 p.m.</p> <p><i>Christmas Day (falling otherwise than on a Sunday) and Good Friday</i> 11.00 a.m.—12.30 p.m. 2.30 p.m. if intoxicating liquor served with a meal 7.00 p.m.—9.30 p.m. (10.30 p.m. if intoxicating liquor served with a meal)</p> <p><i>Sunday</i> Midday—2.30 p.m. 7.30 p.m.—10.30 p.m.</p> <p>Provided that the intoxicating liquor is served with a meal.</p>	<p>A liquor licensee shall not sell or supply intoxicating liquor or cause or permit such liquor to be sold, supplied or consumed in the licensed premises in respect of which he holds the Residential Licence (Class I) except to and by a resident in the said premises or to and by a guest of such a resident and, in the latter case, the liquor licensee shall—</p> <p>(a) enter or cause to be entered in a book kept solely for that purpose the name and address of every such guest and the name and address of the resident whose guest he is, and</p> <p>(b) produce or cause to be produced the said book to a police officer on demand.</p>

Paragraph	COLUMN 1 Categories of liquor licences	COLUMN 2 Permitted Hours	COLUMN 3 Conditions of exercise of the liquor licences set out in Column 1
9.	Residential Licence (Class II)	<p><i>Weekdays other than Christmas Day and Good Friday</i> 10.30 a.m.—11.45 p.m.</p> <p><i>Christmas Day (falling otherwise than on Sunday) and Good Friday</i> 11.00 a.m.—2.30 p.m. 7.00 p.m.—10.30 p.m.</p> <p><i>Sunday</i> Midday—2.30 p.m. 7.30 p.m.—10.30 p.m.</p>	<p>1. A liquor licensee shall not sell or supply intoxicating liquor other than wine, beer, cider or perry or permit such liquor to be sold, supplied or consumed in the licensed premises in respect of which he holds the Residential Licence (Class II).</p> <p>2. A liquor licensee shall not sell or supply wine, beer, cider or perry or permit any such liquor to be sold, supplied or consumed in the licensed premises in respect of which he holds the Residential Licence (Class II) except to and by a resident in such premises with a meal or to and by a guest of such a resident with a meal and, in such latter case, the liquor licensee shall—</p> <p>(a) enter or cause to be entered in a book kept solely for that purpose the name and address of the resident whose guest he is, and</p> <p>(b) produce or cause to be produced the said book to a police officer on demand.</p> <p>3. A liquor licensee who holds a Residential Licence (Class II) shall not, on or about any part of the licensed premises in respect of which he holds the Residential Licence (Class II), expose or cause or permit to be exposed in any manner whatsoever any intoxicating liquor whatsoever or any advertisement or notice relating to any such liquor or any optic or other device for serving any such liquor for the purposes of offering or attempting to offer any such liquor for sale, supply or consumption.</p>

Paragraph	COLUMN 1 Categories of liquor licences	COLUMN 2 Permitted Hours	COLUMN 3 Conditions of exercise of the liquor licences set out in Column 1
10.	General Off-Licence	<p><i>Weekdays other than Christmas Day and Good Friday</i> 8.00 a.m.— 9.00 p.m.</p> <p><i>Christmas Day (falling otherwise than on a Sunday) and Good Friday</i> None Sunday None</p>	<p>1. A liquor licensee shall not sell or supply intoxicating liquor or cause or permit such liquor to be sold or supplied:—</p> <p>(a) otherwise than in stoppered or sealed containers; or</p> <p>(b) to any person for consumption on the licensed premises or on any premises in the occupation of that liquor licensee of which the licensed premises form part in respect of which he holds the General Off-Licence.</p> <p>2. A liquor licensee whose General Off-Licence has been granted subject to a condition that or whose General Off-Licence has been endorsed to the effect that the General Off-Licence may only be exercised for the sale and supply of such kinds of intoxicating liquor as may be specified in the grant thereof or on the endorsement thereto, shall not sell or supply intoxicating liquor or cause or permit intoxicating liquor to be sold or supplied other than intoxicating liquor of a kind specified in the said grant or on the said endorsement, as the case may be.</p>

Paragraph	COLUMN 1 Categories of liquor licences	COLUMN 2 Permitted Hours	COLUMN 3 Conditions of exercise of the liquor licences set out in Column 1
11.	Airport Licence	<p><i>Weekdays other than Christmas Day and Good Friday</i></p> <p>A. The hour on any weekday at which the Terminal Building at La Villiaze Airport is open for use— —10.30 a.m. save that during that period a liquor licensee who is the holder of an Airport Licence shall not sell or supply or permit another person to sell or supply intoxicating liquor— (i) other than wines and spirits in stoppered or sealed containers, or (ii) to any person for consumption on the premises in respect of which he holds that licence.</p> <p>B. 10.30 a.m.—to the end of promulgated hours or 11.00 p.m. whichever time is the earlier.</p>	<p>A liquor licensee who is the holder of an Airport Licence shall not exercise or attempt to exercise that liquor licence on any days or during any hours when La Villiaze Airport is officially closed for flying by or on behalf of the States Board of Administration.</p>

Paragraph	COLUMN 1 Categories of liquor licences	COLUMN 2 Permitted Hours	COLUMN 3 Conditions of exercise of the liquor licences set out in Column 1
11.		<p><i>Christmas Day (falling otherwise than on a Sunday) and Good Friday</i></p> <p>11.00 a.m.—12.30 p.m. 7.00 p.m.— 9.30 p.m.</p> <p><i>Sunday</i> None</p>	

THIRD SCHEDULE

Section forty-one

The Liquor Licensing Ordinance, 1984

NOTICE

Offences by and in connection with persons
under eighteen years of age

1. It is an offence for a person under the age of eighteen years to purchase or attempt to purchase intoxicating liquor on licensed premises—

Maximum penalty for first offence £300.

Maximum penalty for second or subsequent offence £500.

2. It is an offence for another person to purchase or attempt to purchase intoxicating liquor for consumption by a person under the age of eighteen years on licensed premises—

Maximum penalty for first offence £300.

Maximum penalty for second or subsequent offence £500.

3. It is an offence for a person under the age of eighteen years:—

(a) to obtain or receive or attempt to receive intoxicating liquor on licensed premises;

(b) to accept or attempt to accept intoxicating liquor from another person on licensed premises;

- (c) to consume or attempt to consume intoxicating liquor on licensed premises—

Maximum penalty for first offence £300.

Maximum penalty for second or subsequent offence £500.

N.B. This Notice is for information only and in case of doubt reference should be made to sections thirty-eight, thirty-nine and forty of the Liquor Licensing Ordinance, 1984.

FOURTH SCHEDULE
Punishment of Offences

Section one hundred
and forty-five

Section or provisions making offence COLUMN 1	Punishment	
	First offence COLUMN 2	Second or subsequent offence COLUMN 3
Section 1(a), (b) or (c)	£1,000 or 6 months or both	Fine of unlimited amount or one year or both
Section 32	£300	£500 or 6 months or both
Section 33	£300	£500 or 6 months or both
Section 35	£200	£300
Section 36	£200	£300
Section 37	£200	£300
Section 38	£300	£500
Section 39	£300	£500
Section 40	£300	£500
Section 117	£1,000 or 6 months or both	Fine of unlimited amount or one year or both
Section 126	£300	£500 or 6 months or both
Except where otherwise specifically provided in this Ordinance any sec- tion or provision of this Ordinance not specifically referred to in this column of this Schedule	£250	£500 or 6 months or both

FIFTH SCHEDULE

Repeals

Section one hundred
and fifty-nine

Ordinances repealed	Extent of repeal
The Liquor Licensing Ordinance, 1960(b).	So far as it remains unrepealed.
The Liquor Licensing (Amendment) Ordinance, 1960(c).	So far as it remains unrepealed.
The Liquor Licensing (Amendment) (No. 2) Ordinance, 1960(d).	The whole Ordinance.
The Liquor Licensing (Amendment) (No. 3) Ordinance, 1960(e).	So far as it remains unrepealed.
The Liquor Licensing (Amendment) Ordinance, 1963(f).	The whole Ordinance.
The Liquor Licensing (Amendment) Ordinance, 1963(g).	So far as it remains unrepealed.
The Liquor Licensing (Amendment) Ordinance, 1965(h).	So far as it remains unrepealed.
The Liquor Licensing (Amendment) (No. 2) Ordinance, 1965(i).	The whole Ordinance.
The Liquor Licensing (Amendment) Ordinance, 1967(j).	So far as it remains unrepealed.
The Liquor Licensing (Amendment) (No. 2) Ordinance, 1967(k).	The whole Ordinance.

- (b) Recueil d'Ordonnances Tome XII, p. 314.
 (c) Recueil d'Ordonnances Tome XII, p. 369.
 (d) Recueil d'Ordonnances Tome XII, p. 377.
 (e) Recueil d'Ordonnances Tome XII, p. 394.
 (f) Recueil d'Ordonnances Tome XIII, p. 282.
 (g) Recueil d'Ordonnances Tome XIII, p. 312.
 (h) Recueil d'Ordonnances Tome XIV, p. 126.
 (i) Recueil d'Ordonnances Tome XIV, p. 149.
 (j) Recueil d'Ordonnances Tome XV, p. 9.
 (k) Recueil d'Ordonnances Tome XV, p. 204.

Ordinances repealed	Extent of repeal
The Liquor Licensing (Amendment) Ordinance, 1968(<i>l</i>).	So far as it remains unrepealed.
The Liquor Licensing (Amendment) (No. 2) Ordinance, 1968(<i>m</i>).	The whole Ordinance.
The Liquor Licensing (Amendment) (No. 2) Ordinance, 1971(<i>n</i>).	So far as it remains unrepealed.
The Liquor Licensing (Amendment) (No. 3) Ordinance, 1971(<i>o</i>).	The whole Ordinance.
The Liquor Licensing (Amendment) Ordinance, 1973(<i>p</i>).	The whole Ordinance.
The Liquor Licensing (Amendment) Ordinance, 1977(<i>q</i>).	The whole Ordinance.
The Liquor Licensing (Amendment) Ordinance, 1980(<i>r</i>).	The whole Ordinance.

(*l*) Recueil d'Ordonnances Tome XV, p. 382.

(*m*) Recueil d'Ordonnances Tome XV, p. 397.

(*n*) Recueil d'Ordonnances Tome XVII, p. 182.

(*o*) Recueil d'Ordonnances Tome XVII, p. 278.

(*p*) Recueil d'Ordonnances Tome XIX, p. 214.

(*q*) No. XIII of 1977.

(*r*) No. XXI of 1980.

K. H. TOUGH,

Her Majesty's Greffier.