

The Liquor Licensing Ordinance, 1993

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The Liquor Licensing Ordinance, 1993

THE STATES, in pursuance of their Resolution of the 28th day of April, 1993^a, hereby order:-

PART I

CONTROL OF SALE AND SUPPLY OF INTOXICATING LIQUOR

Prohibition on sale or supply without a liquor licence

1. (1) A person shall not, otherwise than as the servant or agent of a liquor licensee, sell, offer for sale, expose for sale or attempt to sell or offer for sale intoxicating liquor:-

- (a) unless he holds a liquor licence under section 9;
- (b) on any premises or part of any premises other than those for which he holds a liquor licence;
- (c) otherwise than in compliance with the provisions of this Ordinance and the terms and conditions of his liquor licence.

PART II

APPLICATIONS FOR GRANT OF LIQUOR LICENCES

Particulars in application.

^a on Article V of Billet d'État No. VII of 1993

2. (1) A person desirous of obtaining a liquor licence (an "applicant") shall apply to the Royal Court in accordance with the provisions of this Part of this Ordinance.

(2) An application for a liquor licence (an "application") shall include the following particulars –

- (a) the full name and address of the applicant;
- (b) a full description of the premises for which the application is made (the "premises"), and
- (c) the category of licence applied for.

Formalities prior to application.

3. An applicant shall:-

- (a) at least 21 clear days prior to the date on which he proposes to make the application send to:-
 - (i) the Committee,
 - (ii) the Constables of the Parish in which the licensed premises are or (where section 4(1) applies) will be situated, and
 - (iii) the Tourist Board (where a boarding permit is in force for the premises or such a permit will be applied for prior to the date of the application),

a notice in writing giving the location of the premises and full details of the date and time of the proposed application;

- (b) cause a notice containing the details prescribed in section 2(2) and full details of the date and time of the proposed application to be published in the Gazette Officielle in the manner prescribed by law on two weekly occasions prior to the said date and time;
- (c) unless a liquor licence of the same category as that applied for is in force on the premises, cause a notice containing the details set out in section 2(2) to be affixed on or near to the said premises in such a manner as to be easily read by a person in a public place adjacent to those premises for 14 clear days prior to the date of the proposed application;
- (d) at least 21 clear days prior to the date of the proposed application, supply the Chief Officer with such details as may be required as to his previous occupations and places of residence, together with the names of at least two referees.

Formalities prior to applications for provisional licences

4. (1) An applicant in respect of premises projected but not yet completed or in respect of which structural alterations are being or will be undertaken (an applicant for a "provisional liquor licence") shall comply with the requirements of sections 2 and 3.

(2) An applicant for a provisional liquor licence shall, at least 21 clear days prior to the date of the proposed application, lodge plans at the Greffe of the projected premises or proposed structural alterations showing full details thereof and at the same time cause copies thereof to be sent to the persons and bodies listed in section 3(a).

(3) A body corporate which is an applicant under this section need not supply details of a designated official within the meaning of section 7 at the time of giving notice of the application.

Applications for provisional licences

5. (1) The Royal Court may, on an application being made to it under section 4 grant a provisional licence to the applicant, which shall be inoperative until confirmed in accordance with this section.

(2) The Royal Court may when determining an application for a provisional liquor licence require such variations of the plans to be made as it deems necessary or expedient and specify the period in which the projected premises or any structural alterations shall be completed and a copy of the plans together with any such variations shall be lodged at the Greffe signed by Her Majesty's Greffier.

(3) An applicant for the confirmation of the grant of a provisional liquor licence (a "grant") shall comply with the provisions of sections 2 and 3(a)(i) and (iii).

(4) The Royal Court may, in its absolute discretion, refuse an application for a grant and in the case of such refusal the provisional liquor licence shall thereupon cease to be valid or have any legal effect whatsoever.

Duties of Royal Court

6. The Royal Court shall not dispose of any application under this Part of this Ordinance unless the provisions of this

Ordinance, when applicable to the particular case, have been complied with.

Applications by bodies corporate

7. (1) A liquor licence may be granted to a body corporate on application by it ("the applicant") in accordance with this section.

(2) When giving notice of such application the applicant shall furnish the Committee with the name and address of the person to be designated as responsible for the conduct of the liquor licence (the "designated official") and such a person shall be treated as an applicant for a liquor licence in his own right for the purposes of this Ordinance.

(3) The provisions of this Ordinance shall apply to a designated official of a body corporate which holds a liquor licence as if he were the holder of that liquor licence.

(4) The said designated official shall be present at the hearing of any application under this Part of the Ordinance and if approved his name shall be endorsed upon the licence and entered upon the records at the Greffe.

(5) Without prejudice to subsection (6), on the designated official ceasing to act, application shall be made to the Royal Court for the approval of another designated official.

(6) On the designated official ceasing to act, the Committee, on application by the body corporate may grant to another person, designated by the said body corporate, a temporary permission to carry on the liquor licence for such period, not exceeding two months, which the Committee deems necessary to enable an application to be made under subsection (5) and such a person shall be the designated official during that period.

- (7) It is hereby declared that -
- (a) a designated official shall be treated as if he were the holder of a liquor licence for the purposes of any proceedings taken and penalties enforced against him;
 - (b) nothing in this section shall derogate from the application of any other provisions of this Ordinance to a body corporate which is the holder of a liquor licence;
 - (c) proceedings may be taken and penalties enforced against a body corporate which is the holder of a liquor licence whether or not taken or enforced against a designated official.

PART III

GRANT, SUSPENSION, VARIATION AND FORFEITURE OF LIQUOR LICENCES

Reports to the Court

8. (1) Upon the hearing of an application -
- (a) for a liquor licence or a provisional liquor licence, reports shall be presented to the Royal Court in accordance with this section;
 - (b) for a grant within the meaning of section 5(3), reports shall be presented to the Royal Court in accordance with subsections (4)(b) and (5).

(2) The Constables and Douzaine of the Parish where the premises are or will be shall submit a written report containing the following particulars:-

- (a) a description of the premises or projected premises concerned and their immediate neighbourhood;
- (b) (other than where the application is in respect of a General Off-Licence), details of the toilet facilities available or to be available and the opinion of the Constables and Douzaine as to their adequacy;
- (c) the objections, if any, of the Constables and Douzaine to the application.

(3) If objections are made in accordance with subsection (2)(c), one of the Constables or Douzaine shall attend personally before the Royal Court at the making of the application and in default of such appearance the Royal Court may hear and determine the said application.

(4) The Committee shall submit a written report containing its views on the application and any other information that it considers appropriate in the circumstances, including:-

- (a) details of any references or certificates of character relating to the applicant;
- (b) (in the case of an application for a grant) whether the premises demonstrate any material departure from the plans lodged at the Greffe.

(5) The Tourist Board shall submit a written report containing its views on the application where a boarding permit is in force for the premises or an application has been made for a boarding permit in respect of the premises, projected premises or premises to undergo (or undergoing) structural alterations.

Grant of Liquor Licence

9. (1) The Royal Court may, on application being made to it in accordance with the provisions of this Ordinance and after taking into account the reports submitted by virtue of section 8, grant to the applicant a liquor licence for the sale of intoxicating liquor on the premises or such part thereof as may be specified in the licence.

(2) A liquor licence shall be in one of the categories set out in the 1st Schedule.

(3) The Royal Court shall not grant an application for a Residential Licence unless satisfied a boarding permit is in force for the premises and that they are classified as an hotel or guest house by the Tourist Board.

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

Period of validity of liquor licences and renewals

10. (1) Unless suspended or forfeited under this Ordinance, a liquor licence granted under section 9 shall be valid from such day as the Royal Court directs until the 31st December next following and thereafter, if renewed, shall be valid from the 1st January until the 31st December in that year.

(2) A liquor licence shall, subject to the provisions of subsections (3) to (5) and section 12 be granted or renewed for any year upon the payment on or before the 31st December preceding to Her

Majesty's Greffier of the annual fee prescribed in the 4th Schedule in one payment, and in default shall cease to be valid on the 1st January next following.

(3) The Committee may, if it considers there is good reason to do so, object to the renewal of a liquor licence and (without prejudice to the generality of the foregoing) shall consider any objections it receives from any person or body.

(4) Any objection to a renewal of a liquor licence shall be lodged in writing at the Greffe before the date fixed for Michaelmas Chief Pleas and a copy served on the liquor licensee.

(5) The Royal Court shall consider any objection made under this section and shall have power to renew the licence, renew it with conditions attached, or refuse to renew it.

(6) Upon considering an objection, the Royal Court shall hear the evidence in support thereof and any evidence by or on behalf of the liquor licensee before reaching a decision.

(7) The powers set out in this section are in addition to and not in derogation from the powers contained in section 12.

Functions of H.M. Greffier

11. (1) Her Majesty's Greffier shall as soon as reasonably practicable after a liquor licence has been granted by the Royal Court, and upon being satisfied that the fees prescribed by this Ordinance have been paid, issue to the liquor licensee concerned a liquor licence certificate in such form as Her Majesty's Greffier may from time to time determine.

(2) Her Majesty's Greffier shall keep a register of all liquor licences granted by the Royal Court under the provisions of section 9.

(3) Her Majesty's Greffier shall from time to time amend the register kept in accordance with subsection (2) in the following circumstances -

- (a) upon suspension, forfeiture or non-renewal of a liquor licence; or
- (b) where a liquor licensee informs him that he has ceased or will cease to exercise that licence; or
- (c) upon a change of name by a liquor licensee or a change in the name of any licensed premises; or
- (d) upon a change in designated official or designated person; or
- (e) upon a liquor licence ceasing for any other reason to be valid.

Applications by Law Officers

12. (1) The Royal Court may, upon an application being made to it by or on behalf of a Law Officer of the Crown -

- (a) suspend, vary or order the forfeiture of a liquor licence;
- (b) direct Her Majesty's Greffier not to renew a liquor licence held by the liquor licensee named in the application.

(2) In proceedings under this section the Law Officers 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 forfeited or why the Royal Court should not

direct Her Majesty's Greffier not to renew the liquor licence; and the summons shall state shortly the grounds upon which the Law Officer intends to rely to support the application.

(3) Upon considering an application, the Royal Court shall hear the evidence in support thereof and any evidence by or on behalf of the liquor licensee before reaching a decision.

(4) 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 where a boarding permit is in force for the licensed premises, at the request of the Tourist Board, make an application in pursuance of the provisions of subsection (1).

Renewal of liquor licence after suspension

13. Where a Court orders the suspension of a liquor licence in pursuance of any of the provisions of this Ordinance and that period of suspension does not end 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, renew that liquor licence at the end of the period then current but the liquor licence so renewed shall be of no effect until the period of suspension is ended.

Procedure when licensed premises are destroyed or damaged

14. (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 of the liquor licence impossible or impracticable, the Chief Officer shall make a written report of the details to a Law Officer of the Crown.

(2) Within a reasonable time after receipt of the report made under subsection (1) the Law Officers shall apply to the Royal Court for an order under subsection (4).

(3) The Law Officers shall (unless not reasonably practicable) cause a notice of the application made under subsection (2) to be served on the liquor licensee concerned requiring him to attend the hearing of the application.

(4) Upon an application being made under the provisions of subsection (2) the Royal Court may make such order as it may deem appropriate in the circumstances, including (without prejudice to the generality of the foregoing) -

- (a) sanctioning the continued exercise of the liquor licence in the premises to which it relates or other premises, subject to such conditions as are deemed appropriate; or
- (b) ordering the forfeiture of the liquor licence or its suspension for such period as is deemed appropriate.

(5) The Royal Court may at any time, upon the application of the liquor licensee or a Law Officer, vary or revoke any Order made under this section and notice of such an application shall be served on the Law Officer by the liquor licensee or on the liquor licensee (unless not reasonably practicable) by the Law Officer as the case may be.

(6) The Royal Court may determine an application made by or on behalf of a Law Officer, notwithstanding the absence of the liquor licensee at the hearing.

PART IV

ALTERATIONS AND ADDITIONS TO LICENSED PREMISES, ADDITIONAL HOURS AND UNLICENSED PREMISES

Permission to exercise liquor licence on additional part of licensed premises

15. (1) A liquor licensee who is desirous of exercising the liquor licence he holds on any part of the licensed premises not specified in that liquor licence shall apply to the Royal Court for permission to do so.

(2) Before determining an application under this section, the Royal Court shall consider written reports presented to it by the Committee, the Constables of the Parish where the licensed premises are situated and (where there is in respect of the premises to which the application relates a boarding permit) the Tourist Board.

(3) The Royal Court shall not determine an application under this section unless plans of the proposed additional parts have been deposited at the Greffe on or before the date of the application.

(4) Upon an application being made under this section, the Royal Court may -

- (a) grant the said application;
- (b) grant the said application with such conditions as it deems necessary or expedient;
- (c) refuse the said application.

(5) Where an application is granted with conditions under subsection (4)(b) and these conditions are not complied with, an application may be made in accordance with section 12.

Alterations to licensed premises

16. (1) A liquor licence shall not as respects any licensed premises for which he holds a liquor licence -

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

without the approval of the Royal Court.

(2) Before determining an application under this section, the Royal Court shall consider written reports presented to it by the Committee, the Constables of the Parish where the licensed premises are situated and (where there is in respect of the premises to which the application relates a boarding permit) the Tourist Board.

(3) The Royal Court shall not determine an application under this section unless plans of the proposed alterations have been deposited at the Greffe on or before the date of the application.

(4) Upon application being made to it under this section, the Royal Court may -

- (a) grant the said application;

- (b) grant the said application with such conditions as it deems necessary or expedient;
- (c) refuse the said application.

(5) Where an application is granted with conditions under subsection (4)(b) and these conditions are not complied with an application may be made in accordance with section 12.

General Orders of Extension

17. (1) On application by the Committee the Royal Court may grant a General Order of Extension for licensed premises (a "General Order").

(2) A General Order shall have the effect of permitting the exercise of liquor licences during such additional hours as it may specify.

(3) A General Order may be limited to certain categories of liquor licence and specify different additional hours for each category.

(4) The Committee shall cause a notice containing the details of an application to be made under this section and the date and time thereof to be published in the Gazette Officielle on at least one occasion prior to the said date and time and shall further cause a notice containing the details of any General Order granted in accordance with this section to be published in the Gazette Officielle on at least one occasion after such grant.

Additional hours and additional premises

18. (1) The Ordinary Court may, upon application by a liquor licensee and after hearing a report of the Chief Officer thereon, grant to that liquor licensee permission, subject to such conditions as

may be deemed necessary or expedient, for the exercise of his liquor licence either -

- (a) during such additional hours in respect of that category of liquor licence as may be specified in the application; or
- (b) on such premises ("the additional premises"), other than those named in the liquor licence as may be specified in the application; or
- (c) both during such additional hours and on such additional premises.

(2) A liquor licensee, at least 4 clear days prior to the date on which he proposes to make an application under this section, shall send written notice thereof to the Constables of the Parish in which the licensed premises or additional premises are situated and to the Chief Officer specifying the date and hour of the proposed application.

(3) Where a Law Officer of the Crown is satisfied that there is no reasonable opportunity for an application to be made to the Ordinary Court under this section, the Law Officer may grant any permission that could have been granted by the Ordinary Court and shall inform the Chief Officer thereof as soon as reasonably practicable thereafter.

(4) When any permission has been granted under this section for an event or social occasion which does not take place then that permission shall be invalidated unless a Law Officer of the Crown is satisfied that it is reasonable to authorise the exercise of the liquor licence in accordance with such permission.

(5) 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 in the same day, a separate application for permission shall be made under this section in respect of each.

(6) 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 this section 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 1.45 a.m. 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.

Grant of occasional liquor permits.

19. (1) The Ordinary Court may grant an occasional liquor permit (a "permit") to a person appointed by a Society for that purpose for the sale, supply and consumption of intoxicating liquor on the day, during the hours, subject to the conditions and in or near the premises specified in the said permit for the purposes of an event or social occasion which is promoted for raising money to be applied to the purposes of the Society.

(2) In this section a "Society" means a club, institution, organisation or association of persons by whatever name called, including a branch of a larger such body, established for one or more of the following -

- (a) charitable purposes;
- (b) participation in or support of athletics, games or cultural activities;
- (c) other purposes which are neither for private gain nor for a business or commercial undertaking.

(3) A person to whom a permit is granted under this section shall be personally responsible for the exercise thereof and, for the purposes of this Ordinance, shall be treated as a liquor licensee and proceedings may be taken and penalties enforced against him accordingly.

(4) No person at an event or social function for which a permit has been granted under this section shall -

- (a) supply or attempt to supply, or permit the supply of, intoxicating liquor, whether as a prize or otherwise, or
- (b) permit the consumption of intoxicating liquor,

to or by a person under the age of 18 years.

(5) The provisions of section 18(3) apply to this section.

PART V

PERMITTED HOURS AND CONDITIONS OF THE EXERCISE OF LIQUOR LICENCES

Prohibition of sale etc. of intoxicating liquor other than in permitted hours and subject to conditions.

20. (1) A person shall not in any licensed premises:-

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

- (c) permit, if a liquor licensee, the sale, supply or consumption of intoxicating liquor;

at any time otherwise than on on the days and during the hours specified in the 2nd Schedule in relation to the category of liquor licence then in force for the licensed premises, or in accordance with any General Order granted under section 17, any permission granted under section 18, a meal permit granted under section 43, or a nightclub permit granted under section 53.

(2) A liquor licensee shall not exercise the liquor licence in force in respect of licensed premises otherwise than subject to the conditions specified in the 2nd Schedule which relate to that category of liquor licence.

(3) 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 unless authorised by a meal permit under section 43.

PART VI

CONTROL OF ACCESS TO AND EMPLOYMENT IN LICENSED PREMISES OF YOUNG PERSONS

Control of persons under 18 in bars

21. (1) Subject to the provisions of Part IX of this Ordinance, a liquor licensee, his servant or agent shall not permit a person under the age of 18 years (a "young person") to be present in any bar in licensed premises except where -

- (a) the young person is a child of the liquor licensee; or

- (b) the young person resides on the licensed premises but is not employed there and is accompanied by a parent or person over the age of 18 years; or
- (c) the bar is on licensed premises where a meal permit under section 43 is in force and the conditions of that permit are being complied with; or
- (d) the young person is in a bar solely whilst passing to or from some other part of the licensed premises which is not a bar, or to or from another part of the licensed premises to or from which there is no other reasonable means of access or egress; or
- (e) the bar counter is closed.

(2) A liquor licensee shall not, otherwise than in association with a meal, employ or permit a young person to sell or supply intoxicating liquor to another person on any licensed premises.

PART VII

SALE, SUPPLY AND CONSUMPTION OF INTOXICATING LIQUOR AND YOUNG PERSONS

Prohibition on sale, supply or consumption or purchase by young persons

22. (1) 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 young person.

(2) A liquor licensee, his servant or agent shall not permit intoxicating liquor to be consumed by a young person on any licensed premises in respect of which the liquor licensee holds a liquor licence.

(3) A young person shall not purchase or attempt to purchase intoxicating liquor on licensed premises.

(4) A person shall not purchase, or attempt to purchase or supply or attempt to supply intoxicating liquor for consumption by a young person on licensed premises.

Prohibition of obtaining etc. intoxicating liquor by young persons

23. A young person shall not on licensed premises:-

- (a) obtain, or receive or attempt to obtain or receive intoxicating liquor; or
- (b) accept or attempt to accept intoxicating liquor from any other person; or
- (c) consume or attempt to consume intoxicating liquor.

Display of Notices

24. A liquor licensee shall cause to be displayed at all times, in a prominent place in his licensed premises in such a manner as to be easily read by persons resorting thereto, a notice, in clear and legible black letters, of not less than 5 millimetres in height on a white background in the form set out in the 3rd Schedule.

PART VIII

**GENERAL CONDITIONS OF THE EXERCISE OF
LIQUOR LICENCES AND THE SALE ETC. OF
INTOXICATING LIQUOR**

Absence of liquor licensee

25. (1) A liquor licensee shall not absent himself from the business of personally supervising the exercise of his liquor licence for any reason whatsoever for a period exceeding 7 days but not exceeding 2 months without the permission in writing of the Committee.

(2) A liquor licensee who wishes so to absent himself for a period in excess of 2 months shall, after giving 7 clear days prior notice in writing to the Committee, apply to the Ordinary Court for permission to do so.

(3) On application being made under subsection (2) the Ordinary Court shall hear any representations made by the Committee and may grant such permission for such period and subject to such conditions as it deems necessary or expedient.

(4) When permission is sought under subsection (1) or an application is made under subsection (2) the liquor licensee shall present for the approval of the Committee or the Ordinary Court, as the case may be, a suitable person to supervise personally the exercise of the liquor licence, as if he were the holder of it and who shall be liable for any contraventions of this Ordinance as if he were the liquor licensee.

(5) When a liquor licensee proposes to close to the public the premises, in respect of which he holds a liquor licence, for a period in excess of 7 days, he shall so inform the Committee in writing prior to such closure and further inform the Committee of the period for which such premises will remain closed.

Death or incapacity of liquor licensee

26. (1) On the death of a liquor licensee or on his being certified by an authorised medical practitioner as incapable of personally exercising his liquor licence, the Committee may on application by the legal personal representative or duly authorised representative of the

liquor licensee grant him permission to carry on the business for such period as may be necessary to enable an application for the grant of a liquor licence to be made to the Royal Court.

(2) The person granted permission under subsection (1) shall personally supervise 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 liquor licensee.

Change of name of liquor licensee or premises

27. A liquor licensee who changes his name or the name of his licensed premises shall as soon as reasonably practicable thereafter notify Her Majesty's Greffier and the Chief Officer in writing thereof and at the same time send his liquor licence to Her Majesty's Greffier for amendment.

Drunkenness and disorderly conduct

28. (1) A person shall not be on licensed premises while drunk.

(2) A liquor licensee or his servant or agent shall not permit a person who is drunk or whose conduct is violent or riotous to remain on his licensed premises or supply intoxicating liquor to a person who is drunk.

(3) A liquor licensee, or his servant or agent, may order any person whose conduct is within the ambit of subsection (2) to leave the licensed premises and using reasonable force may eject such a person therefrom without giving a reason.

(4) In any proceedings for a contravention of subsection (2) it shall be a defence for the accused to prove that all reasonable steps were taken to prevent drunkenness or violent or riotous conduct.

(5) A liquor licensee or his servant or agent may refuse to admit to and may, using reasonable force, eject from the licensed premises any person who is drunk, violent, quarrelsome or disorderly, or whose presence therein is undesirable or who would by his presence therein render the licensee or his servant or agent liable to a penalty under this Ordinance.

(6) A person whose conduct is within the ambit of subsection (5) shall quit licensed premises upon request by the licensee or his servant or agent or a Police Officer and if he refuses or fails so to do the licensee or his servant or agent or a Police Officer using reasonable force may eject such a person therefrom.

Prohibition of undue noise

29. A liquor licensee or his servant or agent 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 use for immoral purposes

30. (1) A liquor licensee shall not cause or permit any licensed premises in respect of which he holds the liquor licence to be a habitual resort or meeting place of reputed prostitutes, save for the purpose of obtaining reasonable refreshment for such time as is necessary for that purpose.

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

Payment for liquor

31. (1) A liquor licensee or his servant or agent shall not sell, supply or permit the sale or supply of intoxicating liquor on any licensed premises in respect of which he holds a liquor licence to any

person other than a resident therein, to be consumed on the licensed premises, unless it is paid for at the time it is sold or supplied.

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

(3) If intoxicating liquor is sold or supplied for consumption with a meal sold or supplied at the same time and is consumed with such meal the provisions of subsections (1) and (2) shall not be contravened if the price of the intoxicating liquor is paid together with the price of the meal.

(4) Nothing in this section shall be deemed to prohibit or restrict the sale or supply of intoxicating liquor to or in any canteen 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.

(5) 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 for the sale or supply of intoxicating liquor, save from a person resident in the licensed premises.

(6) A person who contravenes subsections (1) or (5) shall be debarred from taking legal proceedings for the recovery of the debt due in respect of the sale or supply of the intoxicating liquor and in respect of a contravention of subsection (5) shall, in addition, restore any object given by way of pledge.

Saving for liqueur chocolates

32. Nothing in this Ordinance shall be taken to prohibit or restrict the sale, supply or consumption of intoxicating liquors in confectionery which-

- (a) does not contain intoxicating liquor in a proportion greater than one fiftieth of a gallon of intoxicating liquor (computed as 57 per centum of alcohol by volume at 20° celsius) 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.

Display of liquor licence certificate

33. A liquor licensee shall display the liquor licence issued to him under section 9 or 78, as the case may be, at all times in a prominent place in the licensed premises to which the said certificate relates in such a way as to be easily read by persons resorting to the said licensed premises.

Display of sale price list

34. (1) A liquor licensee shall display at all times in a prominent place in every bar and every part of the licensed premises in respect of which he holds the liquor licence and in which intoxicating liquor is sold or supplied or exposed for sale or supply for consumption on the premises, a notice complying with the requirements of subsection (2).

(2) A notice under subsection (1) shall be in clear and legible black letters of not less than five millimetres in height on a white background, showing plainly the prices per measure and the size of the 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 said licensed premises.

Offence relating to Police Officers

35. A liquor licensee shall not -

- (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 on duty otherwise than by the authority of that Police Officer's superior in rank.

Powers of entry of Police Officers and the States Gauger

36. (1) A Police Officer may, at all reasonable times, enter upon any licensed premises, including club premises, for the purposes of ensuring that the provisions of this Ordinance are being complied with.

(2) The States Gauger and any person appointed in that behalf by him may, at all reasonable times, enter upon any licensed premises, other than the premises of a Club, for the purpose of examining and taking samples of intoxicating liquor therein to ensure that the provisions of Section 39 are being, or have been, complied with.

(3) A person shall not impede or obstruct a Police Officer or the States Gauger or a person appointed by him acting under the provisions of sub-section (1) or (2) as the case may be.

Premises out of bounds to H.M. Forces

37. A liquor licensee shall not, after written notification that His Excellency the Lieutenant-Governor has placed the licensed premises in respect of which he holds the licence out of bounds, permit any person wearing the uniform 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.

Responsibility of liquor licensees for other persons

38. A liquor licensee shall be deemed to be responsible for any contraventions of this Ordinance by his servants or agents on any licensed premises in respect of which he holds the liquor licence and shall be liable to be proceeded against and convicted in respect of any such contravention.

Sale of spirits

39. A liquor licensee shall not sell or supply or permit the sale or supply of any spirit on any premises in respect of which he holds a liquor licence –

- (a) in or from a bottle or other container unless there is clearly marked or labelled thereon the alcoholic strength of the spirit contained in the bottle or other container;
- (b) in or from a bottle or other container, the alcoholic strength of which is less than that marked or labelled thereon; or
- (c) of a strength greater than 60 per centum of alcohol by volume at 20 degrees celsius.

View of measures

40. (1) A person desirous of obtaining any intoxicating liquor at a bar counter on any licensed premises for consumption on the same licensed premises may request to see the intoxicating liquor being measured from the optic, glass or other measuring device which is being employed and upon such request the liquor licensee or his servant or agent shall ensure that the sale or supply of the intoxicating liquor takes place in a manner that enables that person to see the intoxicating liquor being measured.

(2) Nothing in subsection (1) shall apply to the sale or supply of intoxicating liquor which is pre-packed in a stoppered or sealed container or as part of a mixture of two or more kinds of intoxicating liquor.

Powers of the Bailiff to grant warrant for entry

41. (1) The Bailiff may, if satisfied by information in writing by or on behalf of the Chief Officer that there are reasonable grounds to suspect that intoxicating liquor is being sold or supplied on premises other than licensed premises, grant a warrant under his hand allowing any Police Officer named in the warrant at any time or times within one month from the date of issue thereof to enter, if necessary by force, the premises described in the warrant to search for and seize any substances believed to be intoxicating liquor and its containers found on the said premises.

(2) A person shall not impede or obstruct a Police Officer acting in pursuance of a warrant granted under subsection (1).

Supply to residents, servants and other persons

42. Nothing contained in this Ordinance shall be taken to prohibit or restrict –

- (a) the consumption of intoxicating liquor by a person, not being a young person, in any licensed premises where 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 of a liquor licence; or
 - (ii) to any person entertained by a liquor licensee at his expense on some part of the licensed premises in respect of which the said liquor licensee is the holder of a liquor licence and which is used solely as accommodation for the liquor licensee 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 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; or
- (e) notwithstanding the provisions of section 20, the sale or supply of intoxicating liquor by a liquor licensee to a person, not being

a young person, residing in those premises.

PART IX

MEAL PERMITS AND ACCESS TO BARS BY YOUNG PERSONS

General provisions relating to meal permits

43. (1) The Royal Court may, upon application, grant to a liquor licensee (other than in respect of premises where a General Off-Licence is in force) a permit under this section (a "meal permit").

(2) A meal permit will allow the provision of intoxicating liquor with a meal on licensed premises:-

- (a) until 12.45 a.m. on any weekday (other than Good Friday or Christmas Day but, subject thereto, including Saturday night running into Sunday morning); and
- (b) during the permitted hours on Sundays, Good Friday and Christmas Day.

(3) Persons under the age of 18 years may resort to licensed premises where there is a meal permit in force, whether accompanied by an adult or not, but shall not consume or be permitted to consume food or drink at a bar counter.

(4) A meal permit shall only apply to that part of the licensed premises for which it is granted and specified on the face of the said permit.

Particulars in application for meal permit

44. A liquor licensee who is desirous of obtaining a meal permit (the "applicant") shall apply to the Royal Court in accordance

with section 45 and the application shall contain the following particulars –

- (a) the applicant's full name and address;
- (b) a description of the physical characteristics, amenities and arrangements of the licensed premises in respect of which the application is being made together with a sketch or other adequate plan thereof; and
- (c) the category of liquor licence in force for the premises.

Prior formalities to application for meal permit

45. Prior to making an application under section 44, an applicant shall:-

- (a) at least 21 clear days before the date of the proposed application send a notice in writing of the application and the date and time it is intended to be made and specifying the location of the licensed premises to –
 - (i) the Committee,
 - (ii) the Constables of the Parish where the licensed premises are situated; and
 - (iii) (when a boarding permit is in force in respect of the licensed premises) to the Tourist Board;

- (b) cause a notice containing the particulars required by section 44 and the details set out in paragraph (a) of this section to be published, in the manner for the time being prescribed by law, in the Gazette Officielle on two weekly occasions prior to the date of the proposed application.

Constables' duties in connection with application for meal permit

46. Upon receipt of a notice under section 45(a)(ii) the Constables shall visit the licensed premises and make a report thereon to the Parish Douzaine.

Court not to dispose of application unless formalities complied with

47. The Royal Court shall not dispose of an application for a meal permit unless the provisions of sections 44, 45 and 46 have been complied with.

Reports to the Royal Court

48. (1) Upon the hearing of an application for the grant of a meal permit, written reports shall be presented to the Royal Court by or on behalf of the Constables and Douzaine, in accordance with section 46, the Committee, and, where appropriate, the Tourist Board.

(2) Reports presented in accordance with this section shall contain the following particulars -

- (a) a description of the physical characteristics, amenities and arrangements of the bar in respect of which the application is being made (the "bar");
- (b) the suitability of the bar for the exercise and supervision of the meal permit;

- (c) details of any objections by the Committee or the Constables and Douzaine.

(3) In compiling reports for the purposes of this section, the following shall be taken into account:-

- (a) the proportion which the area at the bar occupied by tables and chairs for use during the service of meals bears to the total area of the bar;
- (b) the proportion which the area at 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 during the service of meals;
- (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; and
- (f) any other matters that it is considered relevant or desirable to include.

Conditions of meal permits

49. The Royal Court may on granting a meal permit impose such conditions as it may deem necessary or expedient.

Issue of certificates by H.M. Greffier and keeping of register

50. (1) When the Royal Court grants a meal permit, or as soon as reasonably practicable thereafter, Her Majesty's Greffier shall,

upon being satisfied that the appropriate fees under this Ordinance have been paid, issue a meal permit certificate in such form as he may from time to time determine.

(2) Her Majesty's Greffier shall keep a register of all meal permits granted by the Royal Court.

Display of meal permit certificate

51. A liquor licensee to whom a meal permit has been issued shall display the certificate issued to him under section 50(1) at all times in a prominent place in the bar to which the said certificate relates in such a way as to be easily read by persons resorting to the said bar.

Period of validity and renewal of meal permits

52. (1) A meal permit granted under section 43 shall be valid from such day as the Royal Court directs until the 31st December next following and thereafter, if renewed, shall be valid from the 1st January until the 31st December in that year.

(2) A meal permit shall be renewed upon application unless the Committee objects and the Royal Court upholds such objection; any objection shall be lodged at the Greffe before the date fixed for Michaelmas Chief Pleas and a copy served on the liquor licensee.

(3) The Royal Court shall consider any objection made under this section and shall have power to renew the meal permit or refuse to renew it.

(4) Upon considering an objection the Royal Court shall hear the evidence in support thereof and any evidence by or on behalf of the liquor licensee.

(5) The Royal Court may refuse to renew a meal permit where -

- (a) the ambience of the bar has changed so that it is no longer suitable for families and children; or
- (b) the bar is likely to be run, or has been run in a manner unsuitable for families and children; or
- (c) the Court considers that there is any other good reason to refuse such renewal.

(6) An annual fee shall be payable for the grant or renewal of a meal permit and the provisions of section 10(2) shall apply thereto as if references in that section to a liquor licence were to a meal permit.

PART X

NIGHTCLUB PERMITS

General provisions relating to nightclub permits

53. (1) The Royal Court may, upon application, grant to a liquor licensee who holds a General Licence a permit under this section (a "nightclub permit").

(2) A nightclub permit will allow the supply and consumption of intoxicating liquor on licensed premises until 1.45 a.m. on any weekday (other than Good Friday and Christmas Day but, subject thereto, including Saturday night running into Sunday morning) if live entertainment or dancing is being provided or taking place at the time of the said supply and consumption.

(3) A nightclub permit will cease to have any effect upon the ending of the live entertainment or dancing required in subsection (2).

Particulars in application for nightclub permit

54. A liquor licensee who is desirous of obtaining a nightclub permit (the "applicant") shall apply to the Royal Court in accordance with section 55 and the application shall contain the following particulars –

- (a) the applicant's full name and address;
- (b) a full description of the premises in respect of which the application is made, together with a sketch or other adequate plan, including -
 - (i) details of the areas set aside for live entertainment, including the stage and associated areas;
 - (ii) details of the areas set aside for dancing;
 - (iii) details of the seating arrangements;
 - (iv) a description of the extent and location of the bar counter.

Prior formalities to application for nightclub permit

55. (1) Prior to making an application under section 54, the applicant shall -

- (a) at least 21 clear days before the date of the proposed application, send -
 - (i) to the Committee;

- (ii) to the Constables of the Parish where the licensed premises are situated; and
- (iii) (where a Boarding Permit is in force in respect of the licensed premises) to the Tourist Board;

a notice in writing stating that an application is to be made and the proposed date and time and specifying the situation of the said licensed premises and the details required under section 54(a) and (b).

- (b) cause a notice containing the particulars mentioned in paragraph (a) and required under section 54 to be published in the manner for the time being prescribed by law in the Gazette Officielle on two weekly occasions prior to the date of the proposed application.

(2) Applications for nightclub permits shall be listed for hearing on such date as the Royal Court determines.

Constables' duties in connection with application for nightclub permit

56. Upon receipt of a notice sent under section 55(a)(ii) the Constables shall visit the licensed premises and shall make a report thereon to the Parish Douzaine.

Court not to dispose of application unless formalities complied with

57. (1) The Royal Court shall not dispose of an application for a nightclub permit unless the provisions of sections 54, 55 and 56 have been complied with.

(2) The Royal Court shall not consider any application for a nightclub permit unless it is shown that the licensed premises in respect of which the application is made are the subject of a Salle Publique licence.

Reports to the Royal Court

58. (1) Upon the hearing of an application for the grant of a nightclub permit written reports shall be presented to the Royal Court by or on behalf of the Constables and Douzaine in accordance with section 56, the Committee and, where appropriate, the Tourist Board.

(2) Reports presented in accordance with this section shall contain the following particulars -

- (a) a description of the physical characteristics, amenities and arrangements of the premises in respect of which the application is being made (the "premises");
- (b) the suitability of the premises for the exercise and supervision of the nightclub permit;
- (c) details of any objections by the Committee, the Constables and Douzaine, or (where appropriate) the Tourist Board.

(3) In compiling reports for the purposes of this section, the following shall be taken into account:-

- (a) the suitability of the layout of the area set aside for any live entertainment and any area set aside for dancing;

- (b) the location and general characteristics of the bar counter;
- (c) the location of any fixed seating and the approximate layout of any moveable tables and chairs; and
- (d) any other matters that it is considered relevant or desirable to include.

Conditions of nightclub permits

59. (1) The Royal Court may on granting a nightclub permit impose such conditions as it may deem necessary or expedient.

(2) It shall be a condition of a nightclub permit that all persons employed in the function of a doorman shall be approved by the Chief Officer, who may withdraw his approval at any time for reasons that appear to him to be good and sufficient.

(3) No person shall be employed in the function of a doorman unless approved in that behalf by the Chief Officer and a liquor licensee shall not permit or cause such employment of a person not so approved.

(4) In this section "employed in the function of a doorman" means carrying out any of the functions of a doorman in connection with the regulation of entry into the licensed premises and the control of persons resorting thereto.

Issue of certificates by H.M. Greffier and keeping of register

60. (1) When the Royal Court grants a nightclub permit, or as soon as reasonably practicable thereafter, Her Majesty's Greffier shall, upon being satisfied that the appropriate fees under this Ordinance have been paid, issue a nightclub permit certificate in such form as he may from time to time determine.

(2) Her Majesty's Greffier shall keep a register of all nightclub permits granted by the Royal Court.

Display of nightclub permit certificate

61. A liquor licensee to whom a nightclub permit has been issued shall display the certificate issued to him under section 60(1) at all times in a prominent place in the part of the licensed premises to which the said certificate relates in such a way as to be easily read by persons who resort thereto.

Period of validity and renewal of nightclub permits

62. (1) A nightclub permit granted under section 53 shall be valid from such day as the Royal Court directs until the 31st December next following and thereafter, if renewed, shall be valid from the 1st January until the 31st December in that year.

(2) A nightclub permit shall be renewed upon application unless the Committee objects and the Royal Court upholds such objection; any objection shall be lodged at the Greffe before the date fixed for Michaelmas Chief Pleas and a copy served on the liquor licensee.

(3) The Royal Court shall consider any objection made under this section and shall have power to renew the nightclub permit or refuse to renew it.

(4) Upon considering an objection, the Royal Court shall hear the evidence in support thereof and any evidence by or on behalf of the liquor licensee.

(5) The Royal Court may refuse to renew a nightclub permit where-

- (a) there has been any change to the premises which makes them no longer acceptable for a nightclub permit; or

- (b) that the premises are likely to be run or have been run in an improper manner; or
- (c) the Court considers that there is any other good reason to refuse such renewal.

(6) An annual fee shall be payable for the grant or renewal of a nightclub permit and the provisions of section 10(2) shall apply thereto as if references therein to a liquor licence were to a nightclub permit.

PART XI

CONTROL OF THE SALE AND CONSUMPTION OF INTOXICATING LIQUOR ON VESSELS IN THE TERRITORIAL WATERS

Sale and supply of intoxicating liquor on vessels

63. 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 70 ("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 any 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 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.

Persons who may hold licence

64. 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.

Particulars in application for passenger vessel liquor licence

65. Subject to the 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 provisions of this Part of this Ordinance and such application shall contain the following particulars -

- (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 place of business in this Island; and
- (b) the name and 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.

Prior formalities to application for passenger vessel liquor licence

66. 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 21 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 specifying the name of the vessel in respect of which he proposes to make the said application and the date and hour on which he proposes to make the application;
- (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 65 to be published in the Gazette Officielle in the manner for the time being prescribed by law on two weekly occasions prior to the day on which the said owner proposes to make the said application;
- (c) at least 21 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) with such details as may be required as to his previous occupations and places of residence, together with the names of at least two referees.

Harbourmaster's duties

67. As soon as may be after receipt of the notice sent to the Board under the provisions of section 66(a) the States Harbourmaster shall visit the vessel in respect of which the application for a passenger vessel liquor licence is to be made and 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 unless formalities complied with

68. 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 65, 66 and 67 have been complied with.

Report to the Royal Court

69. 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 65, 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 any objections 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 any objections to the said application.

Grant of passenger vessel liquor licence

70. The Royal Court may, on application being made to it in accordance with the provisions of section 65 and after taking into consideration the reports upon the application presented to it, 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.

Conditions for grant of passenger vessel liquor licence

71. The Royal Court shall not grant a passenger vessel liquor licence unless it is satisfied:-

- (a) that the vessel in respect of which the passenger vessel liquor licence is being applied for is a vessel to which this Part of the 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 the Ordinance applies or the person to whom it was granted ceasing for any reason to be the owner of the said vessel; and
- (b) 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 of sale or supply of intoxicating liquor on vessels

72. Subject to the provisions 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 78 ("a master's liquor permit");

- (b) otherwise than under and in accordance with the provisions of this Part of this Ordinance and the terms and conditions of the master's liquor permit of which he is the holder.

Who may hold master's liquor permit

73. The Royal Court shall not grant a master's liquor permit otherwise than to a person who is 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.

Particulars in application for master's liquor permit

74. Subject to the succeeding provisions of this Part of this Ordinance, a person desirous of obtaining a master's liquor permit shall make written 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 -

- (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.

Prior formalities to application for master's liquor permit

75. A person before making an application in accordance with the provisions of the preceding section shall:-

- (a) at least 21 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 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 which the said person proposes to make the said application and the particulars set out in section 74 to be published in the Gazette Officielle in the manner 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 21 clear days prior to the date on which the said person proposes to make the said application supply the Chief Officer with such details as may be required as to his previous occupations and places of residence, together with the names of at least two referees.

Court not to dispose of application unless formalities complied with

76. 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 74 and 75 have been complied with.

Report to the Royal Court

77. 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 78 of this Ordinance there shall be presented to the Royal Court by or on behalf of the Committee:-

- (a) a report containing their views on the said application;
- (b) any reference or certificate of character in the possession of the Chief Officer relating to the applicant.

Grant of master's liquor permit

78. The Royal Court may, on application being made to it in accordance with the provisions of section 72 and after taking into consideration the reports upon the application presented to it by the Committee in accordance with the provisions of section 77(a) grant to the applicant 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.

Vessel must be on approved charter

79. (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 the 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 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 -

- (a) the full name and address, if any, of the said body or organisation on behalf of

which the application is being made and its nature and purposes or objects,

- (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 14 clear days prior to the date on which he proposes to make the application, send to the Committee a notice in writing which shall state that he proposes to make the application, the date and hour on which he proposes to make the application and which shall contain the particulars set out in subsection (2).

(4) At the time of the hearing of an application for the approval of the Ordinary Court for the purposes of subsection (1) 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) the Ordinary Court may grant such approval subject to such conditions as it may deem it necessary or expedient to impose.

(6) The provisions of section 18(3) apply to this section.

Exercise of master's liquor permit

80. 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.

Issue of certificate by H.M. Greffier

81. 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 appropriate fees under this Ordinance have been paid, issue to the said person a passenger vessel liquor licence certificate or a master's liquor permit, as the case may be, in such form as he may, from time to time, determine.

Keeping of register

82. Her Majesty's Greffier shall enter in the register kept in accordance with the provisions of section 11 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.

Amendment of register

83. 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 Her Majesty's Greffier 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;

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

Applications by Law Officers

84. (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 held by the person named in the application;
- (b) direct Her Majesty's Greffier 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 Her Majesty's Greffier not to renew his passenger vessel liquor licence or master's liquor permit, as the case may be; any such summons shall state the grounds upon which the Law Officer intends to rely to support his application.

(2) Upon considering an application, the Royal Court shall hear the evidence in support thereof and any evidence by or on behalf of the liquor licensee before making a decision.

(3) 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 subsection (1).

Renewal of licence or permit after suspension

85. 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, 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 such suspension.

Period of validity of permits and licences

86. 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 31st December next following and thereafter, upon being renewed in accordance with the provisions of section 87, shall be valid during the period commencing on the 1st January in any year and ending on the 31st December of that year.

Renewal of permits and licences

87. 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 84, be renewed for any year upon the payment, on or before the 31st day of December next preceding to Her Majesty's Greffier of the annual fee specified in the 4th Schedule in one payment, and in default shall cease to be valid on the 1st January next following.

Conditions of sale and supply of intoxicating liquor

88. 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 disembarkation 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 79 and for the consumption by the said person on the said vessel.

Young persons to be with adult

89. A person who is the holder of a master's liquor permit shall not permit a person under the age of 18 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 18 years.

Licensing hours on vessels with a permit

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

- (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 10.00 a.m. and 11.45 p.m.;
- (e) on Christmas Day (falling otherwise than on a Sunday) and Good Friday -
 - (i) between the hours of 11.00 a.m. and 12.30 p.m.; and
 - (ii) between 7.00 p.m. and 9.30 p.m.

Powers of Police Officers

91. (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.

Application of the provisions of this Ordinance to holders of licences and permits

92. The provisions 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 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.

Vessels to which this Part of Ordinance applies

93. This Part of the Ordinance shall apply to any vessel -

- (a) in respect of which there is for the time being in force a passenger steamer certificate issued under the provisions of section 8 of the Law entitled "Loi relative à la Marine Marchande dans le Bailliage de l'Ile de Guernesey" registered on the sixth day of June, 1916^b, and
- (b) which the said passenger steamer certificate declares to be fit to carry passengers in excess of ninety by day.

Interpretation of this Part

94. In this Part of this Ordinance, unless the context otherwise requires:-

"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;

^b Ordres en Conseil, Vol. V p. 189

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

PART XII

CLUBS

Club Licences

95. (1) A person shall not supply or consume intoxicating liquor on any club premises unless a Club Licence granted under section 9 is in force for those premises.

(2) Section 7 and Part III shall apply to Club Licences as if the Club were a body corporate, subject to the following exceptions and modifications:-

- (a) any applications by a Club shall be made by the President or Secretary thereof;
- (b) a "designated person" shall be appointed to be responsible for the conduct of the Club Licence as if he were for all purposes a "designated official" within the meaning of section 7;
- (c) section 7(7)(c) shall not apply.

(3) A Club Licence shall not be granted under Section 9 unless a copy of the rules of the Club to which the application relates have been approved by a Law Officer.

Provisions relating to club rules

96. (1) Any alterations or additions to club rules shall be submitted to a Law Officer for approval and shall have no effect until approval has been signified.

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

(3) The designated person shall, as soon as reasonably practicable after a Club Licence has been granted, deposit a copy of the club rules initialled by a Law Officer with Her Majesty's Greffier.

(4) The designated person shall, within 15 days thereafter, deposit a copy of any alteration or addition to club rules initialled by a Law Officer with Her Majesty's Greffier.

Additional hours for clubs

97. The provisions of sections 17 and 18 shall apply to clubs, provided that any application under section 18 shall be made by the President or Secretary thereof.

Permitted hours in respect of clubs

98. A person shall not supply or consume or attempt to supply or consume or permit the supply or consumption of intoxicating liquor in any club premises where a Club Licence is in force otherwise than -

- (a) on any weekday for any period between 10.00 a.m. and 12 midnight;
- (b) on any Sunday, Christmas Day and Good Friday, during any period of 8 hours or periods amounting in all to 8 hours between 12 noon and 11.00 p.m.;

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

PART XIII

FEES

Fees payable

99. (1) The fees prescribed in columns 1 and 2 of the 4th Schedule shall be payable to Her Majesty's Greffier and the Constables of the appropriate Parish respectively.

(2) Fees shall not be reimbursable (whether or not the application is granted).

(3) Fees payable in respect of extensions of hours shall be charged in respect of each day upon which an extension is sought.

(4) When an application is made to change a permit or licence and more than one change is sought then only one fee shall be payable.

PART XIV

OFFENCES AND PENALTIES

Prosecution and punishment of offences

100. (1) A person who contravenes or fails to comply with the provisions of sections 1 or 95 shall be guilty of an offence and liable on conviction to a fine not exceeding level 5 on the uniform scale or to imprisonment for a period not exceeding three months or both.

(2) A person who contravenes or fails to comply with the provisions of this Ordinance (other than sections 1 or 95) shall be guilty of an offence and liable on conviction to a fine not exceeding level 4 on the uniform scale.

(3) In addition to any penalty imposed under subsection (2) where a person is convicted of an offence under section 22(1) or (2) the Court may order the liquor licence to be suspended for a period not exceeding three months and upon such order being made (which shall be considered as part of the sentence for purposes of appeal) the licence shall cease to have effect during the period specified.

(4) In addition to any penalty imposed under subsection (2) where a person is convicted of an offence under section 28(2) or 29 the Court may order the liquor licence to be suspended for a period not exceeding seven days and in respect of any subsequent conviction for a period not exceeding three months and upon such order being made (which shall be considered as part of the sentence for purposes of appeal), the licence shall cease to have effect during the period specified.

(5) Where a Notice of Appeal has been lodged in accordance with the Magistrate's Court (Criminal Appeals) (Guernsey) Law, 1988^c it is hereby declared that any order under subsections (3) or (4) may be suspended by the Magistrate's Court until the disposal of the Appeal.

Additional legal provisions on offences

101. (1) A person who aids, abets or procures, or attempts to commit any offence under this Ordinance shall be treated as a principal offender and be liable to be proceeded against and punished accordingly.

(2) In any proceedings under section 22 it shall be a defence for the accused person to prove to the satisfaction of the Court that -

- (a) he did not know nor had reasonable cause to suspect nor could after reasonable

^c Ordres en Conseil No. XI of 1988

- enquiry have ascertained that the young person in respect of whom the charge is made was under 18 years of age; or
- (b) he committed the alleged offence because of a false statement made to him by another person and that he did not have reasonable cause to suspect nor could after reasonable enquiry have ascertained that the said statement was false.

(3) 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 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.

(4) When a warrant under section 41 has been executed and intoxicating liquor seized in pursuance thereof, 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 within the meaning of section 1 of this Ordinance.

Additional offences

102. The following shall be included in the offences punishable by virtue of section 100(2) -

- (a) where any person who in connection with any application under this Ordinance knowingly makes any false statement or representation or produces or furnishes any information which he knows or believes to be false; or

- (b) where a body corporate which is the holder of a liquor licence purports to exercise it otherwise than under the personal supervision of a designated official within the meaning of section 7.

PART XV

SAVINGS AND TRANSITIONAL PROVISIONS

Conversions of existing licences

103. On the date this Ordinance comes into force -

- (a) any Restricted General Off-Licence will have the same effect as a General Off-Licence within the meaning of this Ordinance and will fall to be renewed in the 31st December next following as a General Off-Licence;
- (b) any Hotel Licence, Public Hall Licence, Public House Licence, Café Licence or Restaurant Licence will have the same effect as a General Licence within the meaning of this Ordinance and will fall to be renewed on 31st December next following as a General Licence;
- (c) any Residential Class 1 or Class 2 Licence will have the same effect as a Residential Licence within the meaning of this Ordinance and will fall to be renewed on the 31st December next following as a Residential Licence;

- (d) the Airport Licence will have the same effect as the Port Licence within the meaning of this Ordinance and will fall to be renewed on the 31st December next following as the Port Licence.

Provisions relating to self-catering accommodation

104. Where a liquor licence is held for an hotel and annexe or self-catering accommodation associated with the hotel then on the date this Ordinance comes into force such premises shall be included in the General Licence for the hotel within the meaning of this Ordinance.

Provisions relating to access by young persons

105. (1) On the date that this Ordinance comes into force, any premises where a Restaurant Licence, a Café Licence, a Bar Lunch Permit, a Residential Licence or an Hotel Licence is in force (other than those parts of an hotel where a Public Bar Licence exists) shall be deemed to hold a Meal Permit under section 43 which will fall to be renewed on the 31st December next following.

(2) Any condition imposed by the Royal Court on the operation of any licence mentioned in subsection (1) or a Bar Lunch Permit shall continue in force during the operation of the Meal Permit.

Fees

106. No fees shall be payable for any conversion of licences under sections 103 to 105.

Offences and penalties

107. (1) Proceedings for any offences committed before the coming into force of this Ordinance shall be continued and determined as if this Ordinance was not in force.

(2) The penalties prescribed by this Ordinance shall apply only to offences committed after the date it came into force.

Saving for pending applications

108. Any application to the Royal Court for a liquor licence which is pending at the time this Ordinance comes into force shall be treated as an application under this Ordinance for a category of liquor licence that the applicant shall elect.

Register of liquor licences

109. Her Majesty's Greffier shall transfer liquor licences held before the date this Ordinance comes into force to the registers required to be kept by virtue of section 11(2), 50(2) and 82 in accordance with the transitional provisions and conversions set out in this Part of this Ordinance.

Interpretation of this Part

110. Expressions in this Part of this Ordinance defined in the Liquor Licensing Ordinances, 1984 to 1989^d, shall have the same meanings for the purposes of this Ordinance.

PART XVI

SERVICE OF NOTICES, INTERPRETATION, REPEALS, EXTENT AND CITATION

Service of Notices

111. A notice under this Ordinance is 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, within the Bailiwick or elsewhere;

^d Recueil d'Ordonnances, Tome XXIII pp. 87, 263 and 406, No. I of 1989; No. LI of 1990; No. IX of 1992. Ordres en Conseil, Vol. V, p. 56

- (b) on any partnership, if delivered to any partner, left or sent by registered post or recorded delivery service to the principal or last known place of business within the Bailiwick or elsewhere;
- (c) on any body corporate, if left at, or sent by registered post or recorded delivery service to its registered office if situated in the Bailiwick, or if not so situated, to its principal or last known place of business within the Bailiwick or elsewhere.

Interpretation

112. (1) In this Ordinance, unless the context otherwise requires -

"bar" includes any place exclusively or mainly used for the sale and consumption of intoxicating liquor but does not include a bar when 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 persons as an ancillary to the meal;

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

"boarding permit" means a boarding permit granted under the Tourist Law, 1948;

"Chief Officer" means the Chief Officer of the Island Police Force;

"the Committee" means the States Committee for Home Affairs;

"General Order of Extension" means an order granted under the provisions of section 17 of this Ordinance;

"intoxicating liquor" includes spirits, wines, beer, porter, cider and perry and includes any other liquors with an alcoholic content intended for human consumption but excludes any liquor where the alcoholic strength is less than 1.2 per centum of alcohol by volume at 20 degrees celsius;

"licensed premises" means any premises in respect of which a liquor licence is in force;

"liquor licence" means a liquor licence granted under the provision of section 9 of this Ordinance;

"a meal" means cooked or prepared food, of a value of £3 or more, exclusive of any service or other extra charge;

"a meal permit" means a permit granted under the provisions of section 43 of this Ordinance;

"a nightclub permit" means a permit granted under the provisions of section 53 of this Ordinance;

"an occasional liquor permit" means a permit granted under the provisions of section 19 of this Ordinance;

"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, or, within the limits of his jurisdiction, a member of the Special Constabulary;

"the promulgated hours" means the hours for the time being promulgated by the Board of Administration as being the hours in any day during which La Villaize 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;

"Salle Publique" means a "Salle Publique" as defined by Article 8 of the Loi ayant rapport aux licences pour les Salles Publiques registered on the 4th July, 1914^e.

"self-catering unit" means any premises where a boarding permit is in force, 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;

"week" means any period of seven consecutive days.

(2) For the purposes of this Ordinance a spirit shall be deemed to be a liquor which contains not less than 37 per centum of alcohol by volume at 20 degrees celsius.

(3) For the purposes of this Ordinance, intoxicating liquor supplied or consumed or taken immediately prior to or after a

^e Ordres en Conseil, Vol. V, p. 56

meal shall be deemed to have been supplied, consumed or taken with that 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.

Repeal

113. The Liquor Licensing Ordinances 1984 to 1989 are hereby repealed.

Extent

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

Citation

115. This Ordinance may be cited as the Liquor Licensing Ordinance, 1993.

Categories of Liquor Licences

1. General Licences.
2. Residential Licences.
3. General Off-Licences for the sale of intoxicating liquor for consumption off the licensed premises.
4. Port Licence.
5. Club Licences.

Permitted hours and conditions of the exercise of liquor licences

In this Schedule, "served with a meal" means served with a meal in accordance with a meal permit.

Paragraph	Categories of Liquor Licence	Permitted hours exercise	Conditions of
1.	General Licence <u>Friday</u>	<u>Weekdays other than Christmas Day or Good Friday</u> (i) 10.00 am - 11.45 pm; (ii) (if intoxicating liquor served with a meal) 10.00 am - 12.45 am (including Saturdays running into Sunday mornings); (iii) (if intoxicating liquor served in accordance with a nightclub permit) 10.00 am - 1.45 am (including Saturdays running into Sunday mornings).	
		<u>Christmas Day (falling otherwise than on a Sunday) and Good Friday</u> (i) 11.00 am - 12.30 pm; (ii) (if intoxicating liquor served with a meal) 11.00 am - 2.30 pm; (iii) 7.00 pm - 9.30 pm; (iv) (if intoxicating liquor served with a meal)	

7.00 pm - 10.30 pm.

Sunday

(Provided that intoxicating liquor
is served with a meal)

- (i) 12 noon - 3.30 pm;
 - (ii) 6.00 pm - 11.00 pm.
-

Paragraph	Categories of Liquor Licence	Permitted hours	Conditions of exercise
2.	Residential Licence	<u>Weekdays other than Christmas Day and Good Friday</u> 10.00 am - 11.45 pm <u>Christmas Day (falling otherwise than on a Sunday) and Good Friday</u>	A liquor licensee shall not sell or supply intoxicating liquor or cause or permit such liquor to be sold, supplied or consumed in premises for which he holds a Residential Licence except to and by a resident therein, or to and by the guest of a resident, and in the latter case, shall -
		(i) 11.00 am - 12.30 pm; (ii) (if intoxicating liquor served with a meal) 11.00 am - 2.30 pm; (iii) 7.00 pm - 9.30 pm; (iv) (if intoxicating liquor served with a meal) 7.00 pm - 10.30 pm.	(a) enter into a book kept solely for that purpose the name and address of the guest and the resident, and (b) produce the said book to a Police Officer on demand.

Sunday

(Provided that intoxicating
liquor is served with a meal)

- (i) 12 noon - 3.30 pm
 - (ii) 6.00 pm - 11.00 pm
-

Paragraph -	Categories of Liquor Licence	Permitted hours	Conditions of exercise
3.	General Off-Licence	<u>Weekdays other than Christmas Day and Good Friday</u> 8.00 am - 9.00 pm	A liquor licensee shall not sell or supply intoxicating liquor or cause such liquor to be sold or supplied:-
	<u>Christmas Day (falling otherwise than on a Sunday)</u>	None	(a) otherwise than in stoppered or sealed containers; or
	<u>Sunday</u>	None	(b) for consumption by any person on the licensed premises or any premises in the occupation of the liquor licensee of which the licensed premises form part, in respect of which he holds the General Off-Licence.
4.	Port Licence	<u>Weekdays other than Christmas Day or Good Friday</u>	The liquor licensee shall not exercise or attempt to exercise the Port Licence any time when the States Airport is officially closed.
		The hour on any weekday at the States Airport which Terminal Building at is open to the public until 10.00 am provided that during that period the liquor licensee shall not sell or supply or permit another person to sell or supply intoxicating liquor -	

- (a) other than wines and spirits in stoppered or sealed containers, or
- (b) to any person for consumption on the licensed premises;

10.00 am until the end of promulgated hours or 11.45 pm, whichever is earlier.

Christmas Day (falling otherwise than on a Sunday) and Good Friday

- (i) 11.00 am - 12.30 pm;
- (ii) 7.00 pm - 9.30 pm.

Sunday

None

5. Club Licence

Weekdays, other than Christmas Day or Good Friday

10.00 am - 12 midnight

Christmas Day (falling otherwise than on a Sunday) and Good Friday

Any period of 8 hours or periods amounting in all to 8 hours between 12 noon and 11.00 pm.

Sunday

Any period of 8 hours or periods amounting in all to 8 hours between 12 noon and 11.00 pm.

The period or periods for opening on Christmas Day (falling otherwise than on a Sunday), Good Friday and Sundays shall be regulated by and included in the rules of the club subject to the approval of the Royal Court (section 98).

The Liquor Licensing Ordinance, 1993

NOTICE

Offences concerning persons aged under 18 (young persons)

DON'T BUY IF UNDER 18 -

1. A young person shall not purchase or attempt to purchase intoxicating liquor on licensed premises.

DON'T BUY OR SUPPLY -
FOR AN UNDER 18

2. A person shall not purchase or attempt to purchase intoxicating liquor for a young person on licensed premises.

DON'T DRINK IF -
UNDER 18

3. A young person shall not on licensed premises -
 - (a) obtain or receive or attempt to obtain or receive intoxicating liquor on licensed premises.
 - (b) accept or attempt to accept intoxicating liquor from another person, or
 - (c) consume or attempt to consume intoxicating liquor.

WARNING! -

MAXIMUM PENALTY

£1000

Table of Fees payable in respect of applications and renewals.

In this Schedule, "designated official" includes designated person and any other person approved from time to time by the Court to supervise personally a liquor licence.

	<u>Column 1</u>	<u>Column 2</u>
	Payable to H.M. Greffier	Payable to the Constables of the appropriate Parish
<u>Liquor Licence</u>		
Application	£100	£20
Renewal	£100	Nil
Application for change to licence (including: structural alteration, extension for change of area, change of designated official)	£100	£20
<u>Meal Permit</u>		
Application	£50	£20
Renewal	£50	Nil
Application for change to permit (including: structural alteration, change of area, change of conditions or facilities)	£50	£20
<u>Nightclub Permit</u>		
Application	£100	£20
Renewal	£100	Nil
Application for change to permit (including: structural alteration, change of area, change of conditions or facilities).	£100	£20

Passenger Vessel Liquor Licence

Application	£100	Nil
Renewal	£100	Nil

Master's Liquor Permit

Application	£20	Nil
Renewal	£20	Nil

<u>Approved Charter Applications</u>	£10	Nil
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Extension of hours

Payable for each application for one licence on any one day	£10	Nil
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Short term extension to other premises

Application	£10	Nil
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<u>Occasional permit</u>	Nil	Nil
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