

MAGISTRATES' COURTS**Licensing (Chemists) Amendment Rules**

RULES, DATED 6TH JUNE 1969, MADE BY THE MINISTER OF HOME AFFAIRS UNDER SECTION 23 OF THE MAGISTRATES' COURTS ACT (NORTHERN IRELAND) 1964 AND SECTION 15(4) OF THE FINANCE ACT (NORTHERN IRELAND) 1967.

I, the Right Honourable Robert Wilson Porter, Q.C., Minister of Home Affairs for Northern Ireland, in exercise of the powers conferred on me by section 23 of the Magistrates' Courts Act (Northern Ireland) 1964(a), section 15(4) of the Finance Act (Northern Ireland) 1967(b) and all other powers thereunto enabling, do hereby, upon the recommendation of the Magistrates' Courts Rules Committee and after consultation with the Lord Chief Justice make the rules hereinafter set forth.

Dated this 6th day of June 1969.

R. W. Porter,
Minister of Home Affairs
for Northern Ireland.

The Ministry of Finance concurs in so much of the Schedule as amends Rule 9 of the Magistrates' Courts (Licensing) Rules (Northern Ireland) 1968(c).

Sealed with the Official Seal of the Ministry of Finance this 6th day of June 1969.

(L.S.)

James V. Morrison,
Assistant Secretary.

Citation

1. These Rules may be cited as the Magistrates' Courts Licensing (Chemists) Amendment Rules (Northern Ireland) 1969.

Amendment of principal rules as to grant or renewal of chemist's retail wine off-licence

2. The provisions of the Magistrates' Courts (Licensing) Rules (Northern Ireland) 1968 specified in column 1 of the Schedule are amended to the extent specified in column 2 of the Schedule.

(a) 1964. c. 21 (N.I.).
(b) 1967. c. 20 (N.I.).

(c) S.R. & O. (N.I.) 1968, No. 90.

SCHEDULE

Amendments of the Magistrates' Courts (Licensing) Rules
(Northern Ireland) 1968

1 Provision of Rules amended	2 Amendment
<p>Rule 4</p> <p>New Rule to be inserted</p>	<p>In paragraphs (3) and (4) of Rule 4 before the word "Notice" there shall be inserted the words "Except as provided by Rule 8A".</p> <p>After Rule 8 there shall be inserted the following Rule:—</p> <p><i>"Licences to chemists under section 12 of the Intoxicating Liquor Act (Northern Ireland) 1923</i></p> <p>8A.—(1) Subject to this Rule, an application for the grant or renewal by a court of summary jurisdiction of a licence under section 12 of the Intoxicating Liquor Act (Northern Ireland) 1923 to a duly registered pharmaceutical chemist or chemist and druggist (in these Rules referred to as a "chemist's retail wine off-licence") shall be made in the same manner as an application for the grant of a certificate under section 4(2) of that Act and the notice of such application shall be in Form 14.</p> <p>(2) A chemist's retail wine off-licence shall be in Form 15.</p> <p>(3) So much of Rule 6 as requires an applicant for the grant or renewal of an off-licence to send or produce to the court a receipt for payment of the Claims Fund Charge referred to in that Rule shall not apply to the grant or renewal of a chemist's retail wine off-licence."</p>
<p>Rule 9</p>	<p>In paragraph (2) after the words "for the grant of a certificate under section 4(2) of" there shall be inserted the words "or for the grant or renewal of a chemist's retail wine off-licence under section 12 of".</p>

In the Schedule after Form 13 there shall be inserted the following Forms:—

“FORM 14

Notice of Application for [Grant] [Renewal] of Chemist's Wine Retail Off-Licence

(State full names of applicant)

Petty Sessions District of

APPLICANT

carrying on business at

County [Borough] of

.....
(State full postal address of premises to be licensed)

TAKE NOTICE that I intend to apply to a court of summary jurisdiction for the above-named petty sessions district sitting at on the day of 19 , for the [grant of a licence] [renewal of a licence granted]* to me, a duly registered pharmaceutical chemist [or chemist and druggist], carrying on the business thereof at the above-named premises situate within the above-named petty sessions district and authorising me under section 12 of the Intoxicating Liquor Act (Northern Ireland) 1923 to sell wine upon the production of the order or prescription of a duly qualified medical practitioner for consumption off the premises and for use only in accordance with such order or prescription.

Applicant/or Solicitor for Applicant

Address of residence of Applicant:—

To the Clerk of Petty Sessions for the above-named petty sessions district and to the District Inspector at (state station for R.U.C. District in which applicant resides), and to the District Inspector at (state station for R.U.C. District in which premises to be licensed are situate).

Stamp: An adhesive petty sessions court stamp or stamps to the value of 5s. 0d. must be affixed to this notice in accordance with paragraph 1 of Schedule 2 to the Magistrates' Courts Rules (Northern Ireland) 1965 as amended by S.R. & O. (N.I.) 1967, No. 207.

Service: This notice must be served not less than 21 days before the sitting of the court to which the application is made.

†The application must be made to a court sitting in the petty sessions district in which the premises to be licensed are situate.

*Delete whichever is inapplicable.

FORM 15

CHEMIST'S RETAIL WINE OFF-LICENCE

Petty Sessions District of
County [Borough] of

Licence for the sale of wine by registered chemists or druggists
upon medical prescription

I, the Resident Magistrate sitting for the above-named petty sessions district in the said County [Borough] hereby license the applicant a duly registered pharmaceutical chemist [or chemist and druggist] to sell wine for consumption off the premises in accordance with section 12 of the Intoxicating Liquor Act (Northern Ireland) 1923 at the premises at in the above-named petty sessions district upon the production of the order or prescription of a duly qualified medical practitioner and for use only in accordance with such order or prescription.

This licence is valid as from and including the [1st] day of [October]
19 , until and including the 30th day of September 19

Resident Magistrate

This day of 19 "

EXPLANATORY NOTE

*(This Note is not part of the Rules, but is intended to
indicate their general purport.)*

These Rules amend the Magistrates' Courts (Licensing) Rules (Northern Ireland) 1968 so as to provide for the issue by courts of summary jurisdiction of licences under section 12 of the Intoxicating Liquor Act (Northern Ireland) 1923 authorising registered pharmaceutical chemists to sell wine upon a doctor's prescription.

The procedure including the Forms to be used in connection with the applications is also prescribed by these Rules.

1969. No. 146

As this Order has been classified as local it is not printed at length in this volume. A summary is given in the List of Statutory Rules and Orders of a Local Character under the heading NURSES AND MIDWIVES.