

1971. No. 184

[C]

MAGISTRATES' COURTS RULES**Licensing**

RULES, DATED 24TH JUNE 1971, MADE BY THE MINISTER OF HOME AFFAIRS UNDER SECTION 23 OF THE MAGISTRATES' COURTS ACT (NORTHERN IRELAND) 1964.

I, the Right Honourable Brian Faulkner, D.L., Minister of Home Affairs for Northern Ireland, in exercise of the powers conferred by section 23 of the Magistrates' Courts Act (Northern Ireland) 1964(a) section 86(1) of and paragraph 4 of Schedule 4, paragraph 2 of Schedule 5, paragraph 3 of Schedule 6, paragraph 4 of Schedule 7, paragraph 8(2) of Schedule 8 and paragraph 3 of Schedule 9 to the Licensing Act (Northern Ireland) 1971(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 24th day of June 1971.

Brian Faulkner,
Minister of Home Affairs.

The Ministry of Finance concurs in the making of Rule 16 as to court fees.

Sealed with the Official Seal of the Ministry of Finance this 24th day of June 1971.

(L.S.)

C. F. Darling,
Assistant Secretary.

PART I*Citation*

1. These Rules may be cited as the Magistrates' Courts (Licensing) Rules (Northern Ireland) 1971.

Revocation

2. The Magistrates' Courts (Licensing) Rules (Northern Ireland) 1968(c) are hereby revoked.

Interpretation

3.—(1) In these Rules—

“the Act” means the Licensing Act (Northern Ireland) 1971; and a reference to a section by number is a reference to that section as numbered in the Act.

(a) 1964. c. 21 (N.I.).
(b) 1971. c. 13 (N.I.).

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

(2) A reference to a Form by number is a reference to that Form as numbered in the Schedule to these Rules.

(3) The notes appended to the Forms do not form any part thereof and are so appended only for the purpose of assisting their proper completion.

PART II

RENEWAL OF LICENCES

Applications for the renewal of licences

4.—(1) Notice of application for the renewal of a licence shall be in Form 1.

(2) Where on such application the applicant intends also to make an application under section 29 (for an order specifying part of premises as suitable for extension licences) under section 44 (for an order directing that the hours be alternative permitted hours) or under section 45 (for an order directing the inclusion of additional permitted hours for hotel or restaurant) he shall attach to the notice in Form 1, served on the clerk of petty sessions and to the copy served on the divisional commander of the police division in which the premises are situated a notice in Form 2, 3, 4 or 5, as may be appropriate, and, where the application is under section 29, under section 44(1)(a), 44(2) or section 45, a plan of the premises distinguishing the part thereof to which the application relates.

(3) Notice of intention to object to the renewal of a licence shall be in Form 6.

Plans to be attached to notices of renewal

5.—(1) The plan referred to in Rule 4(2) and that required paragraph 6(1) of Schedule II to the Act to be attached to every notice of application for renewal of a licence for any premises after commencement date must be to scale on linen or substantial paper and shall show each floor of the premises on a separate page measuring approximately eighteen inches by eighteen inches and certified by a competent architect or surveyor, in addition in the case of plans referred to in the said paragraph 6(1), to complying with the requirements of that paragraph.

(2) The plan shall show the parts of the premises in which intoxicating liquor is sold, or in which it is intended that intoxicating liquor should be sold, by clearly distinguishing in bold hatched or shaded colour between that and other parts of the premises.

(3) Where the application relates to an hotel each of the following parts of the premises shall be clearly distinguished (by shading in separately each part in a different colour from the others) namely, the part:—

- (a) in which customers who are not residents or the guests of residents may be served with intoxicating liquor;
- (b) in which only residents may be so served;
- (c) set apart for the service of main table meals only to residents and their guests;

- (d) set apart for the service of main table meals whether to the public or to residents or their guests;
- (e) set apart for the service of intoxicating liquor and other beverages to diners before or after such meals.

Production of evidence that hotel or restaurant complies with requirements

6.—(1) Where application is made for the renewal of a licence for a hotel or restaurant, a copy of the certificate of the Northern Ireland Tourist Board that the premises are registered in the appropriate register under section 10 of the Development of Tourist Traffic Act (Northern Ireland) 1948(d) and, in the case of a restaurant, comply with the requirements of section 84(1) shall be lodged with the notice of application.

(2) Evidence for the purposes of section 84(4) that a licence was granted before 31st July 1902, or that the accommodation provided on the premises is approved by the Northern Ireland Tourist Board or that premises are in the register of guest houses, as the case may be, produced to the clerk of petty sessions may be in the form of a certified extract from the register of licences or a certificate of the Board, as may be appropriate.

PART III

TRANSFER OF LICENCES AND AUTHORISATIONS UNDER SECTION 26

Applications for transfer

7.—(1) Notice of application for the transfer of a licence shall be in Form 7.

(2) A short extract from a copy of the newspapers bearing the notices referred to in paragraph 1(a) of Schedule 5 to the Act and the date on which they were published shall be lodged with the clerk of petty sessions a reasonable time before the hearing of the application.

(3) Notice of intention to object to a transfer shall be in Form 8.

Protection Orders and authorisation of continuance in business

8.—(1) Notice of application for a protection order shall be in Form 9.

(2) Notice that a person is carrying on business by virtue of section 25 shall be in Form 10.

(3) Notice of application for an order under section 26 authorising the continuance of business under a licence in temporary or other premises shall be in Form 11.

(4) Notice of intention to object to the making of a protection order or an order under section 26 shall be in Form 12.

PART IV

OCCASIONAL LICENCES

Applications for the grant of an occasional licence

9.—(1) Notwithstanding anything in paragraph 2 of schedule 7 to the Act, a notice of application for the grant of an occasional licence shall be served not less than seven days before the time of the court sitting at which the application is to be made.

(2) Notice of application for the grant of an occasional licence shall be in Form 13.

(3) An occasional licence shall be in Form 14.

(4) The applicant for an occasional licence shall attach to the notice of application and to the copy thereof to be served on the divisional commander a written statement containing the particulars referred to in paragraph (5) made by the body organising the function to which the application relates.

(5) The written statement referred to in paragraph (4) shall be signed by an officer of the body and set out the name and purposes of the body, the nature of the function, the premises on which and the times during which the function is to be held. It shall state the names and addresses of each of the persons to be in personal charge of running the function.

(6) A caution such as is referred to in paragraph 3 of Schedule 7 to the Act shall be in Form 15 and the cautioner shall in addition to complying with that paragraph serve a copy of the caution on the person to whom the licence was granted.

(7) The divisional commander or a cautioner who intends to object to the grant of an occasional licence shall serve notice of his intention to object and his grounds for doing so in Form 16 upon the applicant and upon the clerk of petty sessions; but where the court is satisfied that the person intending to object has reasonable grounds for failure to serve any such notice, the court may nevertheless hear such person in considering the application.

(8) Where the divisional commander does not object to the grant of the licence he may so state on the bottom of the copy of the notice of the application which he receives and send the form to the clerk of petty sessions.

PART V

ALTERATIONS TO LICENSED PREMISES

Notice required by section 31(1)(ii)

10.—(1) The notice of an alteration to licensed premises required by order of some lawful authority referred to in section 31(1)(ii) of the Act shall be in Form 17.

(2) The proposed alterations shown in the plan required to be attached to Form 17 under paragraph 8(1) of Schedule 8 to the Act should be authenticated on behalf of the authority in question by the signature of an officer thereof having power to do so.

PART VI

EXTENSION LICENCES

Applications for extension licences

11.—(1) Notice of application for an extension licence shall be in Form 18 and of intention to object thereto shall be in Form 19.

(2) An extension licence shall be in Form 20.

(3) Paragraph (4), (5), and (8) of Rule 9 shall apply to applications for the grant of extension licences as they apply to occasional licences.

PART VII

MISCELLANEOUS

Claims Fund

12. Where a licence for premises of a kind mentioned in section 3(1)(a) or (b) of the Act is renewed before 1st April 1972, or any other date prescribed by order of the Ministry of Finance such as is referred to in paragraph 15(2) of Schedule 11 to the Act, any receipt issued for the purposes of section 16(2) of the Finance Act (Northern Ireland) 1967 in the name of the said Ministry for the Claims Fund charge payable in respect of the period during which the licence is valid shall be attached to the notice of application for renewal of the licence served on the clerk of petty sessions.

Plans

13.—(1) Where premises were licensed for which plans were deposited in the office of the Clerk of the Crown and peace and have been sent to the clerk of petty sessions or plans are in the possession of the clerk of petty sessions before the commencement of section 34(3) of the Act, those plans shall be indexed as relating to the register and kept as plans duly sent to such clerk under that section.

(2) Where by reason of any change in the boundaries of a petty sessions district or otherwise, premises should be registered in the register of another district, a certified copy of the relevant entry in the register and any plans relating thereto shall be sent by the clerk for the first-mentioned district to that of the other for inclusion in the register and he shall so inform the person holding the licence for the premises.

Copies of notices for divisional commander to be served at police station within police division

14.—(1) Any notice, document or copy thereof required by the Act or these Rules to be served upon the divisional commander of a police division shall be served, unless the divisional commander otherwise directs, by being lodged with the member of the Royal Ulster Constabulary for the time being in charge of a police station within the division in which the premises to which the document relates are situated or, as the case may be, in which the applicant resides.

(2) Notwithstanding anything in section 84(8), where the applicant is a body corporate paragraph (1) shall have effect as if for the reference to the police division in which the applicant resides there were substituted a reference to that in which the body has its principal or registered office.

Mode of service of documents

15.—(1) Any notice, document or copy thereof such as is referred to in Rule 14 or which is required by the Act or by these Rules to be served on the clerk of petty sessions or any other person or body may be served by the applicant, by his solicitor or a member of the staff in the solicitor's office over the age of sixteen years sending it by registered post or by the recorded delivery service in an envelope addressed to the intended recipient—

- (a) where Rule 14 applies, at the police station specified in that Rule;
- (b) where service is to be on the clerk of petty sessions or a local or official body, at the address of his or its office;
- (c) in any other case, at his residence.

(2) A notice of application or any other document served on the clerk of petty sessions shall be endorsed with a note of the mode and time of service of any document required by the Act or these Rules also to be served by the person effecting the service in connection with the application.

(3) Production of the Post Office receipt of posting shall be evidence of such posting.

Court fees

16. After item 13 in Schedule 2 (Court Fees) to the Magistrates' Courts Rules (Northern Ireland) 1965(e) there shall be added—

“14. A duplicate licence being certified copy of particulars issued under section 38(2) of the Licensing Act (Northern Ireland) 1971 recorded in the register of licences £5.00.

15. A notice of application for the renewal or transfer of a licence for the sale of intoxicating liquor by retail or for the grant of an occasional or extension licence £1.00.

16. A notice of application to a magistrates' court not otherwise provided for 25p.”

(e) S.R. & O. (N.I.) 1965, No. 206, as amended by S.R. & O. (N.I.) 1971, No. 37.

ARRANGEMENT OF FORMS IN SCHEDULE

PART I—RENEWAL

Form

1. Notice of application for renewal of a licence.
2. Notice of application for order on renewal of licence that part of licensed premises be specified as suitable for functions mentioned in section 49(6) (functions for which extension licence may be granted).
3. Notice of application for order on renewal of licence directing that permitted hours for off-sales in part of premises licensed under section 3(1)(a) of 1971 Act be alternative permitted hours.
4. Notice of application for order on renewal of licence directing that permitted hours for premises licensed for sale by retail for consumption off the premises be the alternative permitted hours.
5. Notice of application for order on renewal of licence for hotel [or restaurant] that on certain days and in a certain part [or in parts] thereof additional hours be included in the permitted hours.
6. Notice of intention to object to the renewal of a licence.

PART II—TRANSFER, PROTECTION ORDERS AND TEMPORARY CONTINUANCE

7. Notice of application for transfer of licence.
8. Notice of intention to object to transfer.
9. Notice of application for a protection order.
10. Notice by person carrying on business under a licence by virtue of section 25(1) [or 25(2)].
11. Notice of application for an order authorising the continuance of business under a licence in temporary or other premises.
12. Notice of intention to object to making of protection order [or authorisation of temporary continuance of business].

PART III—OCCASIONAL LICENCES

13. Notice of application for an occasional licence.
14. Occasional licence.
15. Caution stating that cautioner wishes to be heard on next following application for an occasional licence.
16. Notice of intention to object to the grant of an occasional licence.

PART IV—ALTERATIONS TO LICENSED PREMISES

17. Notice of alteration to licensed premises required by lawful authority.

PART V—EXTENSION LICENCES

18. Notice of application for an extension licence.
19. Notice of objection to the grant of an extension licence.
20. Extension licence.

SCHEDULE

PART I—RENEWAL

Form 1

LICENSING ACT (NORTHERN IRELAND) 1971
(Section 11 and Schedule 4 paragraphs 3 and 4)

Notice of application for renewal of a licence*(State full names of applicant)*

Applicant

Petty Sessions District of

who resides at

County [Borough] of

(State full postal address at which applicant resides)

TAKE NOTICE that I intend to apply to the Court for the above-named petty sessions district [1] sitting at
on the day of [2] [September] 19 , for the
renewal of the licence (attached to this notice) authorising the sale of
intoxicating liquor for the premises situated at

(full address of premises) as being premises of the following kind according to section 3(1) of the Licensing Act (Northern Ireland) 1971; namely—

- [3] [(a) premises in which the only or principal business carried on is the business of selling intoxicating liquor by retail for consumption either in or off the premises;]
- [(b) premises in which the only or principal business carried on is the business of selling intoxicating liquor by retail for consumption off the premises;]
- [(c) an hotel, i.e. premises or a set of premises registered in the register of hotels maintained by the Northern Ireland Tourist Board under section 10 of the Development of Tourist Traffic Act (Northern Ireland) 1948;]
- [(d) a restaurant, i.e. premises (*other* than those referred to in section 3(1)(a) of the Act) structurally adapted and used, or intended to be used, for providing customers with a customary main meal at mid-day or in the evening or both where there is in force a certificate of the Northern Ireland Tourist Board stating that the premises comply with the requirements set out in section 84(1) of the Licensing Act (Northern Ireland) 1971 (including their registration in the register of restaurants maintained under section 10 of the Development of Tourist Traffic Act (Northern Ireland) 1948;]
- [(e) a place of public entertainment i.e. premises used as a theatre or such other premises used for the purposes of such entertainments, in accordance with such conditions, as are prescribed by regulations made by the Ministry of Home Affairs;]
- [(f) a refreshment room in a railway station, an airport, harbour terminal or bus station;]
- [(g) a seamen's canteen;]

- [4] I am the owner of the business to be carried on under the licence.
 [or The following body corporate owns the business—
(full title of company etc. stating whether limited liability company or other body)
 of which the following persons are the directors—
(full names and addresses) and the following are the executive controllers—
(name persons other than directors who have executive control within the meaning of section 2(4) of the Act of 1971)
- [5] The owner of the premises is
 of
(full name)
(full address)
- [6] No alteration such as is specified in section 31 of the Licensing Act (Northern Ireland) 1971 has been made to the premises since the licence was last renewed (*or, in the case of a first renewal since it was granted*).

Dated this day of 19 .

Applicant
 [or Solicitor for Applicant]

To the Clerk of Petty Sessions for the above-named petty sessions district and to the Divisional Commander of the Police Division at *(Divisional Headquarters)* being the Division in which the premises are situated [and *(if different)* to the Divisional Commander of the Police Division at being the Division in which the applicant [7] resides].

NOTE:

- [1] This notice must be served not later than 9th August on the Clerk of Petty Sessions for the district in which the premises are situated and the Divisional Commander for the police division in which the premises are situated and also where the applicant resides in some other police division upon the Divisional Commander of the Division in which the applicant resides.

The copy of the notice to be served on the Divisional Commander may be lodged at any police station in the appropriate division.

As to meaning of "reside" where applicant is a body corporate, see note [7] below.

Where this is done, the Clerk of Petty Sessions may renew the licence in the absence of the applicant *except* where the application is also to transfer the licence or where—

- (a) notice of objection to renewal is served on the Clerk of Petty Sessions;
- (b) the licence to be renewed is one in force in relation to certain premises on which business has been interrupted (see section 14 of the Act of 1971);
- (c) the licence to be renewed is for a seamen's canteen or non-seagoing vessel;
- (d) application is made or an order is in force under the following sections of the Act—section 29 (suitability of part of premises for functions for which extension licences may be granted under section 49); section 44 (alternative permitted hours for off-licence premises); or section 45 (additional hours for hotel or restaurant providing certain entertainment).
- (e) the Clerk of Petty Sessions requires the application to be made to the court.

- [2] As to penalties for failure duly to serve notice of application see section 13 of the Act of 1971.
- [3] The *inapplicable* paragraphs must be deleted.
- [4] This includes any personal representative, trustee, assignee, committee, liquidator, receiver or guardian carrying on the business in exercise of a power conferred by or under any statutory provision, will or deed.
- [5] This means the person for the time being receiving the rack rent of the premises, whether on his own account or as personal representative, trustee, assignee, committee, liquidator, receiver or guardian or who would receive the same if the premises were let at a rack rent.
- [6] It is an offence under section 31 of the Act of 1971 to alter premises in certain respects so as to alter drinking facilities, etc.
- [7] Where an applicant is a body corporate any reference to a police division in which a person resides becomes a reference to that in which the body has its principal or registered office.

STAMP REQUIRED. A *petty sessions stamp* to the value of £1.00 must be affixed to this notice under the Magistrates' Courts (Licensing) Rules (Northern Ireland) 1971. This stamp is obtainable from the Clerk of Petty Sessions and a remittance for the amount must be enclosed with this notice together with the existing licence.

Form 2

LICENSING ACT (NORTHERN IRELAND) 1971
(Section 29)

Notice of application for order on renewal of licence that part of licensed premises be specified as suitable for functions mentioned in section 49(6) (functions for which extension licence may be granted)

(State full names of applicant)

Applicant
who resides at

Petty Sessions District of

County [Borough] of

(State full postal address at which applicant resides)

TAKE NOTICE that I intend upon the application to the Court for the above-named petty sessions district [1], sitting at _____ on the _____ day of _____ 19____, for the renewal of the licence authorising the sale of intoxicating liquor at the premises situated at

(full address of premises) as being premises of the kind mentioned in section 3(1)(a) of the Licensing Act (Northern Ireland) 1971 (namely, those in which the only or principal business carried on is the business of selling intoxicating liquor by retail for consumption either in or off the premises) to apply under section 29 of that Act for an order specifying the part of the premises particularly delineated on the [2] plan attached hereto as being suitable for [3] functions such as are mentioned in section 49(6) of the said Act on the grounds that—

- (i) the part so delineated is structurally adapted and used or intended to be used for the purpose of providing for the accommodation of persons frequenting it substantial refreshment to which the sale of intoxicating liquor is ancillary; and
- (ii) suitable means of access to that part of the premises otherwise than through any other part of the premises which is used for the sale of intoxicating liquor, are available for customers.

Dated this _____ day of _____ 19____

Signature of Applicant
or his Solicitor.

To the Clerk of Petty Sessions for the above-named petty sessions district and to the Divisional Commander of the _____ Police Division at (Divisional Headquarters) being the Division in which the premises are situated.

NOTES:

[1] This Notice must be attached to and served together with the notice of application for renewal of the licence in Form 1 in the Schedule to the Magistrates' Courts (Licensing) Rules (Northern Ireland) 1971 on the Clerk of Petty Sessions for the petty sessions district and to the copy served on the Divisional Commander of the Police Division in which the premises are situated.

[2] A plan of the entire premises drawn to the appropriate architectural scale on linen or substantial paper with each floor shown on a separate page measuring approximately 18" x 18" certified by a competent architect or surveyor must be attached to the notice and a copy served on the Divisional Commander referred to in Note 1.

This aspect of the plan must delineate clearly the part of the premises to which the application under section 29 relates and show how it is adapted to the purpose referred to in paragraph (i) of the notice as well as the suitable means of access referred to in paragraph (ii).

[3] The functions for which extension licences may be granted under section 49 of the Act are—

- (a) functions organised by any body established for social, charitable or benevolent purposes or for furthering the common interest of persons associated with any trade, profession, educational or cultural activity or any game or sport; or
- (b) functions (not exceeding six in number in any year) organised by the licence holder.

STAMP REQUIRED. A *petty sessions stamp* to the value of 25p must be affixed to this notice under the Magistrates' Courts (Licensing) Rules (Northern Ireland) 1971. This stamp is obtainable from the Clerk of Petty Sessions and a remittance for the amount must be enclosed with this notice.

Form 3

LICENSING ACT (NORTHERN IRELAND) 1971
(Section 44(1)(a))

Notice of application for order on renewal of licence directing that permitted hours for off-sales in part of premises licensed under section 3(1)(a) of 1971 Act be alternative permitted hours

(State full names of applicant)

Applicant
who resides at

Petty Sessions District of

County [Borough] of

(State full postal address at which applicant resides)

TAKE NOTICE that I intend upon the application to the Court for the above-named petty sessions district [1] sitting at _____ on the _____ day of _____ 19 _____ for the renewal of the licence authorising the sale of intoxicating liquor at the premises situated at

(full address of premises) as being premises of the kind mentioned in section 3(1)(a) of the Licensing Act (Northern Ireland) 1971 (namely those in which the only or principal business carried on is the business of selling intoxicating liquor by retail for consumption either in or off the premises) to apply for an order directing that the permitted hours for the part of the premises particularly delineated on the [2] plan attached hereto as being—

- (a) structurally adapted for the sale of intoxicating liquor for consumption off the premises, and
- (b) not connected by any internal means of passage open to customers with a part of the premises used for the sale of such liquor for consumption in the premises,

be [3] the alternative permitted hours on the condition (which the court may insert in the licence) that such part shall not be used for the sale of intoxicating liquor for consumption in the premises.

Dated this _____ day of _____ 19 _____

Signature of Applicant
or his Solicitor

To the Clerk of Petty Sessions for the above-named petty sessions district and to the Divisional Commander of the _____ Police Division at _____ (Divisional Headquarters) being the Division in which the premises are situated.

NOTE:

- [1] This notice must be attached to and served together with the notice of application for renewal of the licence in Form 1 in the Schedule to the Magistrates' Courts (Licensing) Rules (Northern Ireland) 1971 on the Clerk of Petty Sessions and the copy of the notice served on the Divisional Commander of the Police Division in which the premises are situated.
- [2] A plan of the entire premises drawn to the appropriate architectural scale and certified by a competent architect or surveyor must be attached to the notice and a copy served on the Divisional Commander referred to in Note 1.
- This aspect of the plan must delineate clearly the part of the premises to which the application under section 44 relates and show how it is adapted to the purpose referred to in paragraph (a) of the notice as well as the fact that there is not internal means of passage as stated in paragraph (b).
- [3] The "alternative permitted hours" means the hours on weekdays, other than Christmas Day, between 9.30 a.m. and 9.00 p.m. (instead of the permitted hours under section 42 of the Act, i.e. on weekdays other than Good Friday or Christmas Day, from 11.30 a.m. to 11.00 p.m. and on Good Friday from 5.00 p.m. to 11.00 p.m.).

STAMP REQUIRED. A *petty sessions stamp* to the value of 25p must be affixed to this notice under the Magistrates' Courts (Licensing) Rules (Northern Ireland) 1971. This stamp is obtainable from the Clerk of Petty Sessions and a remittance for the amount must be enclosed with this notice.

Form 4

LICENSING ACT (NORTHERN IRELAND) 1971
(Section 44(1)(b))

Notice of application for order on renewal of licence directing that permitted hours for premises licensed for sale by retail for consumption off the premises be the alternative permitted hours

(State full names of applicant)

Applicant
who resides at

Petty Sessions District of
County [Borough] of

(State full postal address at which applicant resides)

TAKE NOTICE that I intend upon the application to the Court for the above-named petty sessions district [1] sitting at the day of 19 , for the renewal of the existing licence authorising the sale of intoxicating liquor at the premises situated at

(full address of premises) as being premises of the kind mentioned in section 3(1)(b) of the Licensing Act (Northern Ireland) 1971 (namely, those in which the only or principal business carried on is the business of selling intoxicating liquor by retail for consumption off the premises) to apply for an order directing that the permitted hours for the premises be the alternative permitted hours.

Dated this day of 19 .

Signature of Applicant
or his Solicitor.

To the Clerk of Petty Sessions for the above-named petty sessions district and to the Divisional Commander of the Police Division at (Divisional Headquarters) being the Division in which the premises are situated.

NOTE:

[1] This Notice must be attached to and served together with the notice of application for renewal of the licence in Form 1 in the Schedule to the Magistrates' Courts (Licensing) Rules (Northern Ireland) 1971 on the Clerk of Petty Sessions and to the copy of the notice served on the Divisional Commander of the Police Division in which the premises are situated.

[2] The "alternative permitted hours" means the hours or week days, other than Christmas Day, between 9.30 a.m. and 9.00 p.m. (instead of the permitted hours under section 42 of the Act, i.e. on week days other than Good Friday or Christmas Day, from 11.30 a.m. to 11.00 p.m. and on Good Friday from 5.00 p.m. to 11.00 p.m.).

STAMP REQUIRED. A petty sessions stamp to the value of 25p must be affixed to this Notice under the Magistrates' Courts (Licensing) Rules (Northern Ireland) 1971. This stamp is obtainable from the clerk of petty sessions and a remittance for the amount must be enclosed with this notice.

Form 5

LICENSING ACT (NORTHERN IRELAND) 1971
(Section 45)

Notice of application for order on renewal of licence for hotel [or restaurant] that on certain days and in a certain part [or in parts] thereof additional hours be included in the permitted hours

(State full names of applicant)

Applicant

Petty Sessions District of

who resides at

County [Borough] of

(State full postal address at which applicant resides)

TAKE NOTICE that I intend upon the application to the Court for the above-named petty sessions district [1] sitting at _____ on the _____ day of _____ 19____ for the renewal of the existing licence authorising the sale of intoxicating liquor at the premises situated at _____

(full address of premises) being [an hotel] [a restaurant], to apply for an order directing that in the part [or parts] of the premises particularly delineated on the [2] plan attached hereto (as being structurally adapted and used or intended to be used for the purpose of habitually providing for the accommodation of persons frequenting that part musical or other [3] entertainment as well as substantial [4] refreshment) on the following weekdays (other than Christmas Day or Good Friday) namely

(here insert applicable days) during the following period

(specify period not exceeding one year) the hours from eleven in the evening to half-past one in the morning of the day next following shall in addition to the hours mentioned in sections 42 and 43 of the Licensing Act (Northern Ireland) 1971 [but subject to the condition referred to below] be included in the permitted hours for the [hotel] [restaurant].

[The said condition to be inserted in the licence is that the part [or parts] of the hotel referred to shall not be used for the sale of intoxicating liquor for consumption off the premises during the hours from eleven in the evening of any day specified in the order to half-past one in the morning of the day next following.]

Dated this

day of

19

Signature of Applicant
or his Solicitor.

To the Clerk of Petty Sessions for the above-named petty sessions district and to the Divisional Commander of the _____ Police Division at _____ (Divisional Headquarters) being the Division in which the premises are situated.

NOTE:

- [1] This Notice must be attached to and served together with the notice of application for renewal of the licence in Form 1 in the Schedule to the Magistrates' Courts (Licensing) Rules (Northern Ireland) 1971 on the Clerk of Petty Sessions and to the copy of the notice served on the Divisional Commander of the Police Division in which the premises are situated.
- [2] A plan of the entire premises drawn to the appropriate architectural scale on linen or substantial paper with each floor shown on a separate page measuring approximately 18" x 18" and certified by a competent architect or surveyor must be attached to the notice and a copy served on the Divisional Commander referred to in Note 1.

This aspect of plan must delineate the part [or parts] of the premises to which the application under section 45 relates and show how it is adapted to provide the entertainment and refreshment to which reference is made.
- [3] Entertainment does not include any form of entertainment given otherwise than by persons actually present and performing.
- [4] No part of the premises shall be treated for the purposes of section 45 of the Act as used or intended to be used for the purpose of habitually providing refreshment and entertainment during any period unless it is used or intended to be used for providing them *after*, and for a substantial period *preceding 11 p.m.* on every weekday during that period or on particular weekdays in every week during that period, any break for a period or periods not exceeding two weeks in any three successive months, or on any special occasion, or by reason of any emergency being disregarded.

STAMP REQUIRED. A *petty sessions stamp* to the value of 25p must be affixed to this Notice under the Magistrates' Courts (Licensing) Rules (Northern Ireland) 1971. This stamp is obtainable from the Clerk of Petty Sessions and a remittance for the amount must be enclosed with this notice.

Form 6

LICENSING ACT (NORTHERN IRELAND) 1971
(Section II and Schedule 4 paragraphs 5 and 6)

Notice of intention to object to the renewal of a licence

(State full names of applicant)

Applicant

who resides at

(State full postal address at which applicant resides)

Petty Sessions District of
County [Borough] of

TAKE NOTICE that I (full names and if member of the R.U.C. state rank) of (full address or, if member of the R.U.C. state police station) [or on behalf of (name of local body)] intend on hearing of the application of (full names of applicant) of (address of applicant) at the sitting of the Court for the above-named petty sessions district [1] at on the day of 19 for the renewal of the licence authorising the sale of intoxicating liquor for the premises situated at (full address of premises) to appear and object to such renewal on the following grounds—

(State briefly and precisely grounds of objection stating which of the [2] grounds specified in paragraph 5 of Schedule 4 to the Licensing Act (Northern Ireland) 1971 the objector relies on.)

Dated this day of 19

Objector
or Solicitor for Objector

To the Applicant and to the Clerk of Petty Sessions for the above-named petty sessions district [and (where the objector is not a member of the Royal Ulster Constabulary) to the Divisional Commander of the Police Division at (Divisional Headquarters)]

NOTE:

[1] The objector must be one of the following:—

- (a) the Divisional Commander upon whom the notice is served (or any other member of the R.U.C., not below the rank of sergeant nominated by him), or
- (b) the local body for the area; or
- (c) any person owning or residing or carrying on business in premises in the vicinity of the premises for which the renewal of the licence is sought.

[2] The following may be grounds for objecting to the renewal of the licence:—

- (a) that the applicant is not a fit person to hold a licence; or
- (b) that—
 - (i) the kind of premises specified in the notice is not that for which the licence was granted or the premises are not of the kind so specified; or
 - (ii) the premises are not suitable to be licensed for the sale of intoxicating liquor by retail; or
- (c) that the business carried on in the premises under the licence has not been conducted in a peaceable and orderly manner since the previous renewal of the licence or, where the renewal applied for is the first renewal of the licence, since the licence was granted; or
- (d) that—
 - (i) the business carried on in the premises under the licence, or
 - (ii) in the case of premises of a kind mentioned in section 3(1)(c) to (g), of the Act of 1971 (other than a hotel in respect of which the note and record mentioned in paragraph 7 of Schedule 11 have been made) the business to which the sale of intoxicating liquor under the licence is ancillary, has been discontinued.

PART II—TRANSFER, PROTECTION ORDERS AND
TEMPORARY CONTINUANCE

Form 7

LICENSING ACT (NORTHERN IRELAND) 1971
(Section 18 and Schedule 5 paras. 1 and 2)

Notice of application for transfer of licence

(State full names of applicant)

Applicant
who resides at

Petty Sessions District of
County [Borough] of

(State full postal address at which
applicant resides)

TAKE NOTICE that I intend at the sitting of the Court of Summary Jurisdiction for the above-named petty sessions district on
at _____ to apply for the transfer
to me of a licence ^{[[1]]} granted provisionally by the County Court for the
Division of _____ on
at _____] at present held by _____
(full names of present licensee) of
(full address of present licensee) for the premises at
(full address of licensed premises) being premises of the following kind according to section 3(1) of the Licensing Act (Northern Ireland) 1971, namely—

- [2] [(a) premises in which the only or principal business carried on is the business of selling liquor by retail for consumption either in or off the premises;]
- [(b) premises in which the only or principal business carried on is the business of selling intoxicating liquor by retail for consumption off the premises;]
- [(c) an hotel, i.e. premises or set of premises registered in the register of hotels maintained by the Northern Ireland Tourist Board under section 10 of the Development of Tourist Traffic Act (Northern Ireland) 1948;]
- [(d) a restaurant, i.e. premises (other than such as are mentioned in section 3(1)(a) of the Licensing Act (Northern Ireland) 1971) structurally adapted and used, or intended to be used for the purpose of providing persons frequenting the premises with a customary main meal at midday or in the evening or both and for which there is in force a certificate by the Northern Ireland Tourist Board stating that the premises comply with certain requirements (including registration in the register of restaurants maintained under section 10 of the Development of Tourist Traffic Act (Northern Ireland) 1948);]

[(e) a place of public entertainment, i.e. a theatre or such other premises used for the purposes of such entertainments, in accordance with such conditions as may be prescribed by regulations made by the Ministry of Home Affairs;]

[(f) a refreshment room in a railway station, an airport, a harbour terminal or a bus station;]

[(g) a seamen's canteen.]

[[³] A protection order authorising (name of person authorised) of (address) to carry on business under the licence was granted on Jurisdiction sitting for the at for the period of months from the date of the order [and further protection orders were granted by the following Courts on the following dates for the following periods (specify details of any further protection orders).]

[[⁴] The licence was suspended for a period of months by a Court of Summary Jurisdiction sitting for the petty sessions district of at on for the following offence—

[and the suspension is the subject of an appeal to the County Court for the Division of]

[I intend to ask the Court hearing this application to terminate the suspension.].

[[⁵] I am [or shall be] the owner of the business [to be] carried on under the licence.

[or The following body corporate owns [or will own] the business [to be] carried on under the licence—

(full title of company etc. stating whether limited liability company or other body) of which the following persons are the directors

(full names and addresses) and the following are the executive controllers—

(name persons other than directors who have executive control within the meaning of section 2(4) of the Act of 1971)].

[[⁶] The owner of the premises is (full names) of (full address).

[As the existing licence is due to expire on and the licence may be transferred within three months preceding the expiration of the current licensing year, the licence transferred may be renewed until the expiration of the next licensing year, i.e. 30th September 19 .]

The licence will be deposited with the clerk of petty sessions before or at the hearing of the application.

Dated this

day of

19

Applicant
or Solicitor for
Applicant

To the Clerk of Petty Sessions for the above-named petty sessions district and to the Divisional Commander of the Police Division at
(Divisional Headquarters) being the Division
in which the premises are [to be] situated [and (if different) to the Commander of the Police Division at
being the Division in which the applicant [7] resides].

NOTE:

- [1] These words are appropriate only where the application is for the transfer of a licence provisionally granted by the County Court and the grant has not yet been declared final on completion of the premises.
- [2] The *inapplicable* paragraphs must be deleted.
- [3] Delete except where application is made during the currency of a protection order or after it has ceased to have effect and the application is made not later than the end of the licensing year next following the expiration of the licence.
- [4] Delete except where licence is subject to a suspension order.
- [5] This includes any personal representative, trustee, assignee, committee, liquidator, receiver or guardian carrying on the business in exercise of a power conferred by or under any statutory provision, will or deed.
- [6] This means the person for the time being receiving the rack rent of the premises, whether on his own account or as personal representative, trustee, assignee, committee, liquidator, receiver or guardian or who would receive the same if the premises were let at a rack rent.
- [7] Where the applicant is a body corporate any reference to a police division in which a person resides becomes a reference to that in which the body has its principal or registered office.

STAMP REQUIRED. A *petty sessions stamp* to the value of £1.00 must be affixed to this notice under the Magistrates' Courts (Licensing) Rules (Northern Ireland) 1971. This stamp is obtainable from the clerk of petty sessions and a remittance for the amount must be enclosed with this notice.

Form 8

LICENSING ACT (NORTHERN IRELAND) 1971
(Schedule 5 paras. 3 and 4)

Notice of intention to object to transfer of Licence

(State full names of applicant)

applicant

who resides at

(State full postal address at which applicant resides)

Petty Sessions District of

County [Borough] of

TAKE NOTICE that I [1] (full names) of
(full address) intend on the hearing of the application of
(full names of applicant) of
(address of applicant) at the sitting of the court of summary jurisdiction for the above-named petty sessions district at _____ on the day of _____, 19____, for the transfer of the licence [granted provisionally by the country court for the _____ Division of _____ at _____] at present held by _____ (full names of present licensee) of
(full address of present licensee) for the premises at _____ (full address of licensed premises) to appear and object to the transfer on the following grounds—

(state briefly and precisely grounds of objection stating which of the [2] grounds specified in paragraph 3 of Schedule 5 to the Licensing Act (Northern Ireland) 1971 the objector relies on),

Dated this _____ day of _____ 19____

Objector
or Solicitor for Objector

To the Applicant and to the Clerk of Petty Sessions for the above-named petty sessions district [and (where the objector is not a member of the Royal Ulster Constabulary) to the Divisional Commander of the _____ Police Division at _____ (Divisional Headquarters)].

NOTE:

[1] The objector must be one of the following—

- (a) the Divisional Commander upon whom the notice is served (or any other member of the Royal Ulster Constabulary not below the rank of sergeant nominated by him); or
- (b) the local body for the area; or
- (c) any person owning or residing or carrying on business in premises in the vicinity of the premises for which the transfer of the licence is sought.

[2] The following may be grounds for objecting to renewal of the licence:—

- (a) that the applicant is not a fit person to hold a licence; or
- (b) that the business carried on in the premises under the licence has been discontinued; or
- (c) that in the case of an hotel, a restaurant, a place of public entertainment, a refreshment room in public transport premises or a seamen's canteen, the business to which the sale of intoxicating liquor is ancillary has been discontinued.

Form 9

LICENSING ACT (NORTHERN IRELAND) 1971
(Section 23 and Schedule 6 paragraphs 2 and 3)

Notice of application for a protection order

(State full names of applicant)

Applicant

who resides at

(State full postal address at which applicant resides)

Petty Sessions District of

County [Borough] of

TAKE NOTICE that I intend to apply to a court of summary jurisdiction sitting for the above-named petty sessions district sitting at _____ on the _____ day of _____, 19____, for [1] a protection order authorising me to carry on business under the licence held by _____ (full name of licensee) of _____ (full address of licensee) for the premises at _____ (full address of premises stating whether they are those on which principal business is sale for consumption in and off the premises, off the premises, an hotel, a restaurant, refreshment room, etc.).

[2] I am proposing to apply for the transfer of the licence [or I am a person entitled to a beneficial interest in consequence of the former licensee's death (there being no personal representative willing/able to act)]. [or I propose to carry on the business on behalf of the licensee because the licensee has become incapable through illness or other infirmity of carrying on the business authorised by the licence.]

Dated this _____ day of _____ 19____

Applicant
or Solicitor for Applicant

To the Clerk of Petty Sessions for the above-named petty sessions district and to the Divisional Commander of the _____ Police Division at _____ (Divisional Headquarters) being the Division in which the premises are situated.

NOTE:

[1] A protection order is authority to carry on business under a licence until an application for transfer or transfer and renewal can be brought before a court. A licence in connection with which a protection order is in force is deemed to continue in force for such period as the protection order remains in force. See section 23 of the Licensing Act (N.I.) 1971.

[2] The *inapplicable* words *must* be deleted.

STAMP REQUIRED. A *petty sessions stamp* to the value of 25p must be affixed to this notice under the Magistrates' Courts (Licensing) Rules (Northern Ireland) 1971. This stamp is obtainable from the clerk of petty sessions and a remittance for the amount must be enclosed with this notice.

Form 10

LICENSING ACT (NORTHERN IRELAND) 1971

(Section 25 (3))

Notice by person carrying on business under a licence by virtue of section 25(1) [or 25(2)]

TAKE NOTICE that, whereas *(full name(s) of licensee)*
licensee) *(full address)*
 being the holder of the licence for the premises at *(full address)*
 on which the principal business was that of *(state whether business was principally for consumption in and off or off the premises, an hotel, restaurant, etc.)*,
**died [or was adjudged bankrupt etc.] [or state other events] on the*
 day of 19 , and I am his personal representative [*or
 there being no personal representative willing [or able] to act] [or as his
 assignee or trustee in bankruptcy, etc.] [or as the Official Assignee, etc.]
(state fully and precisely the appropriate circumstances in terms of section 25(1) or 25(2) of the above Act of 1971).

I commenced to carry on the business under the said licence by virtue of
 section 25(1) [or (2)] of the Licensing Act (Northern Ireland) 1971 on the
 day of 19 .

Signature

To the Clerk of Petty Sessions at being
 that for the petty sessions district in which the premises are situated and to
 the Commander of the Police Division at
(Divisional Headquarters) being the Division in which they
 are situated.

Form 11

LICENSING ACT (NORTHERN IRELAND) 1971
(Section 26 and Schedule 6 paras. 2 and 3)

Notice of application for an order authorising the continuance of business under a licence in temporary or other premises

(State full names of applicant)

Applicant

who resides at

Petty Sessions District of

County [Borough] of

(State full postal address at which applicant resides)

TAKE NOTICE that I
(full names) of

(full address) intend to apply to a court of summary jurisdiction sitting for the above-named petty sessions district sitting at on the day of 19 , for an order authorising me as the holder of a licence for the premises at

(full address of original premises)

being a licence for the sale of intoxicating liquor for consumption [¹] [[in or [off the premises] [or in [an hotel] [a restaurant] [a place of public entertainment] [a refreshment room in public transport premises] [a seamen's canteen]] and because I am unable to carry on business on the premises by reason of the circumstances that they—

[²] [by reason of fire [tempest] [or state other unavoidable calamity] have become incapable of being used for the business carried on in them under the licence];

[or have been [or are likely to be] acquired or demolished, either wholly or to a substantial extent, under the statutory provision (namely)];

[or have been [or are to be] extended to include other premises which are, or are to be constructed so as to be, contiguous to them];

[or are [or are to be] used for the purpose of the same business in conjunction with other additional premises which are [or are to be] constructed adjacent to them];

[or have been [or are to be] wholly or substantially demolished and new premises have been or are to be constructed wholly or partly within their curtilage;] to carry on business for the period of [six] months at the following premises

(full address of premises for which authorisation sought).

The last-mentioned are [³] temporary premises erected [or to be erected] wholly [or partly] within the curtilage, or on the site of the original premises/ other premises in the vicinity of the original premises or their site.

[⁴] A plan of the premises for which the authorisation is sought is attached to this notice.

Dated this

day of

19

Applicant
or Solicitor for Applicant

To the Clerk of Petty Sessions for the above-named petty sessions district and to the Divisional Commander of the Police Division at (Divisional Headquarters) being the Division in which the premises to which the application relates are situated.

NOTE:

[1] [2] and [3] It is essential that the *inapplicable* words be *deleted*.

[4] The plan attached to the notice and copy must clearly delineate by appropriate colourings or markings and a legend or key thereto the part or parts of the premises, or, in the case of an hotel, any public or common part or parts of the premises in which intoxicating liquor is to be sold.

STAMP REQUIRED. A *petty sessions stamp* to the value of 25p must be affixed to this notice under the Magistrates' Courts (Licensing) Rules (Northern Ireland) 1971. This stamp is obtainable from the clerk of petty sessions and a remittance for the amount must be enclosed with this notice together with the existing licence.

Form 12

LICENSING ACT (NORTHERN IRELAND) 1971
(Schedule 6, para. 5)

Notice of intention to object to making of protection order [or authorisation of temporary continuance of business]

(State full names of applicant)

Applicant
who resides at

Petty Sessions District of
County [Borough] of

(State full postal address at which applicant resides)

TAKE NOTICE that I
of (rank)
(station and Police Division)
intend at the hearing of the application of the above-named applicant
at the sitting of the court of summary jurisdiction for the above-named petty
sessions district at on the day
of , 19 , for the making of a protection order [or
the authorisation of the temporary continuance of business formerly conducted
at (premises for which licence held)]
authorising the applicant to carry on business at
(full address of premises at which business to be
continued) to object to the making of the order on the following grounds—
(state grounds of objection briefly and precisely).

Signature of Objector

To the Applicant and to the Clerk of Petty Sessions for the above-named petty sessions district.

PART III—OCCASIONAL LICENCES

Form 13

LICENSING ACT (NORTHERN IRELAND) 1971
(Section 27 and Schedule 7)

Notice of application for an occasional licence

(State full names of applicant)

Applicant

who resides at

(State full postal address of applicant)

Petty Sessions District of

County [Borough] of

TAKE NOTICE that I
of
(full address) [on behalf of [1]

(full names)

(full title of body corporate,
partnership, etc., stating capacity in which application made)] as the licence
holder for the premises of the kind mentioned in section 3(1)(a) of the Licens-
ing Act (Northern Ireland) 1971 at

(full address
of premises) [2] in which the only or principal business is that of selling intoxi-
cating liquor by retail consumption either in or off the premises intend to
apply at the court of summary jurisdiction [3] sitting for the above-named
petty sessions district at on

for an occasional licence authorising the sale of
intoxicating liquor by retail [4] at the following place (being a place other than
the premises aforesaid)—

during the following [5] period and between the following hours—
(specify exact period, i.e., day or days and hours during
which it is proposed that sale should take place. The total period may not
exceed six days).

The function to which the occasional licence is ancillary is one of an
occasional nature to which section 27 of the said Act of 1971 applies being a
function of the following nature—

(specify nature of function).

The organising body is a body established for the following purposes
namely [6]

being
social, charitable or benevolent purposes or for furthering the common inter-
ests of persons associated with a trade, profession, educational or cultural
activity or a game or sport.

Dated this day of , 19

Applicant
or Solicitor of Applicant

To the Clerk of Petty Sessions for the above-named petty sessions district and to the Divisional Commander of the Police Division at
(Divisional Headquarters) being the Division in which the place or premises is or are situated.

NOTE:

- [1] Where licensee is a body corporate, *e.g.*, a limited company, its correct name and that under which it trades must be given. The application must be by a director or by the secretary or other employee of the company. Where the licence is held in partnership the partnership name must be stated and the fact that the applicant is a partner must also be stated.
- [2] An occasional licence can be granted only to the holder of a licence for premises of the kind mentioned in section 3(1)(a) of the Licensing Act (Northern Ireland) 1971 namely—those licensed for the sale of intoxicating liquor for consumption in and off the premises. It cannot be granted to the holder of a licence of a kind to which paragraph (b) to (g) of section 3 refers, namely those of an “off-licence”, an hotel, a restaurant, place of public entertainment, a refreshment room in public transport premises or a seamen’s canteen.
- [3] Under Rule 9(1) of the Magistrates’ Courts (Licensing) Rules (N.I.) 1971, the notice of application must be served not less than seven days before the Court sitting. See paragraph 6 of Schedule 7 as to cases where applicant can show reasonable cause for failure to serve. See also Rule 9(4) as to statement to be attached.
The application may be made to a Resident Magistrate sitting in Petty Sessions (a court of summary jurisdiction) *either*
(a) in the County or County Borough in which the place for which the occasional licence is sought; or
(b) in an adjoining County or County Borough where the sessions is for a petty sessions *district* which *includes* that place.
- [4] “Place” includes premises. The exact place at which the intoxicating liquor and the nature of the premises must be specified in detail.
- [5] The days must be in the same week or consecutive weeks and the total period must not exceed six days.
An occasional licence cannot be granted to authorise sale on Sunday, Christmas Day or Good Friday.
Sale cannot be authorised during any part of the period from 1.30 a.m. till 11.30 a.m.
- [6] The organising body must be established for one or more of the purposes set out in the Form. This exact purpose must be clearly stated after the full name of the body is entered on this Form.

STAMP REQUIRED. A *petty sessions stamp* to the value of £1.00 must be affixed to this notice under the Magistrates’ Courts (Licensing) Rules (Northern Ireland) 1971. This stamp is obtainable from the Clerk of Petty Sessions and a remittance for the amount must be enclosed with this notice.

This space is to be included in the Copy of the Notice served on the Commander of the Police Division in which the premises are situated for completion where he does not serve notice of intention to object to the grant of the licence.

I am satisfied that this is a bona fide application and that the function is one and that the premises are suitable for the grant of an occasional licence.

Signed

(R.U.C. Rank).

Form 14

LICENSING ACT (NORTHERN IRELAND) 1971
(Section 27 and Schedule 7)

OCCASIONAL LICENCE

Petty Sessions District of
County [Borough] of

Licence authorising holder of licence of kind specified in section 3(1)(a) to sell intoxicating liquor at place other than that for which that licence is held

The court of summary jurisdiction for the above-named petty sessions district grants to *(names of holder)* of

(address)
the holder of the licence for the premises at *(address)*

being premises of the kind mentioned in section 3(1)(a) of the Licensing Act (Northern Ireland) 1971 in which the only or principal business is that of selling intoxicating liquor by retail for consumption either in or off those premises, an occasional licence authorising the sale of intoxicating liquor by retail for consumption at or on the following place or premises—

(specify place or premises) during the following period, namely—

being the day(s) of

the hours of 19 . . . , during

The function to which the sale of such liquor is to be ancillary is of the following nature

(description) and is organised by the following body, namely *(name)*— which is a body established for the following purpose—

being a social, charitable or benevolent purpose or for furthering the common interests of persons associated with any trade, profession, educational or cultural activity or any game or sport.

Resident Magistrate

This day of

19 . . .

Warning to Licence-Holder

1. This licence does not authorise the sale of intoxicating liquor except during hours specified in the licence.
2. This licence does not authorise the sale of intoxicating liquor for consumption off the place specified in the licence.
3. Where an occasional licence has been granted in connection with a function at any place, a constable may at any time during the period of the function enter that place for the purpose of ascertaining whether there has been a contravention of the Licensing Act (Northern Ireland) 1971 (which makes it an offence, for example, to sell intoxicating liquor to a person under the age of eighteen, to permit such a person to consume such liquor on the premises for which the occasional licence is in force or to sell liquor to a drunken person or permit drunkenness on such premises).
4. Failure to observe the law renders the licensee liable to conviction and punishment under that Act.
5. Failure or delay in admitting a constable to the premises renders the licence-holder liable to a fine of £100 on summary conviction and failure to produce this licence forthwith to a constable for examination renders the holder of the licence and the person in charge of the sale of intoxicating liquor at the premises liable to a fine of £20 on such conviction.

Form 16

LICENSING ACT (NORTHERN IRELAND) 1971
(Section 27 and Schedule 7 para. 5 and Rule 9(7))

Notice of intention to object to grant of an occasional licence

(State full names of applicant)

Applicant

who resides at

(State full postal address at which applicant resides)

Petty Sessions District of

County [Borough] of

TAKE NOTICE that I (if member of R.U.C. state rank) of (address or, if member of R.U.C. state Police Station and Police Division) intend at the hearing of the application of the above-named applicant for an occasional licence for the following function at (premises) on the day(s) of

19 during the hours between a.m. and p.m. to appear and object to the grant of the licence.

The grounds of objection are as follows—

(state grounds briefly).

Dated this day of 19

Signature of Objector

To the Applicant and to the Clerk of Petty Sessions for the above-named petty sessions district.

PART IV—ALTERATION TO LICENSED PREMISES

Form 17

LICENSING ACT (NORTHERN IRELAND) 1971

(Section 31 and Schedule 8)

Notice of alteration to licensed premises required by lawful authority

TAKE NOTICE that I (full names) of (full

address) holding a licence for the premises at (full

address of premises) being premises of the kind specified in section 3(1) of the Licensing Act (Northern Ireland) 1971 [1] namely, in which the only or principal business carried on is that of selling intoxicating liquor by retail for consumption [either in or] off the premises [or an hotel] [or a restaurant] [or a place of public entertainment] [or a refreshment room in public transport premises] [or a seamen's canteen] have been required by the following lawful authority, that is to say—

(specify authority giving full title, e.g., the planning, housing or other authority making the requirement) by notice given on the day of 19 to make the following alteration in the said premises—

and the alteration is one to which paragraph [1] [(a)] [(b)] [(c)] [(d)] of section 31(1) of the said Act of 1971 applies.

A plan of the premises showing the proposed alterations is attached to this notice and is authenticated on behalf of the said authority by the signature of (full names) being an officer of that authority having power to do so.

Dated this day of 19

Signature of Licensee

To the clerk of petty sessions for the petty sessions district of in the County [Borough] of being the district in which the premises are situated.

[1] Delete whichever is inapplicable.

PART V—EXTENSION LICENCES

Form 18

LICENSING ACT (NORTHERN IRELAND) 1971
(Section 49 and Schedule 9)

Notice of application for an extension licence

(State full names of applicant)

Applicant
who resides at

Petty Sessions District of

County [Borough] of

(State full postal address at which applicant resides)

TAKE NOTICE that I
names) of

(full

address) [[¹] on behalf of

(full
(full

title of body corporate partnership, etc., stating capacity in which application is made)], as the holder of a licence for the premises at

(full address of premises) being an hotel [or restaurant] [or premises of a kind mentioned in section 3(1)(a) of the Licensing Act (Northern Ireland) 1971 (in which the only or principal business carried on is the sale by retail of intoxicating liquor for consumption either on or off the premises) [²] for which as respects a certain part [or parts] of the premises an order was made under section 29 of that Act specifying it [or them] suitable for functions such as are subject to this application], intend to apply [³] to the court of summary jurisdiction (or, where section 49(3) applies, the clerk of petty sessions) for the above-named district for an extension licence under section 49 of that Act authorising the sale by retail in the premises [⁴] [or in that part of the premises known as] on the day of 19 between [⁵] the hours of and

The function to which the extension licence is ancillary is of the following nature—

is organised by the following [⁶] body— (description) and

which is a body established for the following purposes—

being social, charitable or benevolent purposes or for furthering the common interests of persons associated with a trade, professional, educational or cultural activity or a game or sport [or [⁷] is one of six functions permitted annually to the licence-holder under section 49(6) of the Act of 1971].

This year I have been granted extension licences for functions organised by me as licence holder.

Dated this day of 19 .

Applicant or Solicitor
for Applicant

To the Clerk of Petty Sessions for the above-named petty sessions district and to the Divisional Commander of the Police Division at (*Divisional Headquarters*) being the Division in which the premises are situated.

NOTE:

- [1] Where licensee is a body corporate, e.g., a limited company, its correct name and that under which it trades must be given. The application must be by a director or by the secretary or other employee of the company. Where the licensee is held in partnership the partnership name must be stated and the fact that the applicant is a partner must also be stated.
- [2] Unless the premises are those of a hotel (i.e., except as provided by section 84(4) of the Licensing Act (Northern Ireland) 1971, premises registered in the register of hotels maintained by the Northern Ireland Tourist Board under section 10 of the Development of Tourist Traffic Act (Northern Ireland) 1948 and licensed as such) or of a restaurant (premises registered in the register of restaurants under section 10 of the 1948 Act and which, having complied with certain other requirements, are licensed as such), the premises must be the subject of an order under section 29 of the Licensing Act (Northern Ireland) 1971 specifying part of the premises as suitable for functions for which extension licences may be granted.
- [3] The notice should be served not less than four days before the time when the application is to be considered and see Rule 9(4) as to statement to be attached. The extension licence may be granted by the clerk of petty sessions unless—
- (a) notice of objection has been served upon the clerk and has not been withdrawn; or
- (b) the clerk is of the opinion, for any other reason, that the application should be made to the resident magistrate in court.
- [4] See Note [2] above.
- [5] An extension licence cannot be granted to authorise sale of intoxicating liquor on a Sunday, Christmas Day or Good Friday or during any part of the period from 1.30 a.m. till 11.30 a.m.
- [6] Except as mentioned in Note [7] the organising body must be established for one or more of the purposes set out in the Form. This exact purpose must be clearly stated.
- [7] The licence-holder is allowed six extension licences a year for functions organised by him (i.e., other than on behalf of such bodies as are referred to at Note 6).

STAMP REQUIRED. A *petty sessions stamp* to the value of £1.00 must be affixed to this notice under the Magistrates' Courts (Licensing) Rules (Northern Ireland) 1971. This stamp is obtainable from the Clerk of petty sessions and a remittance for the amount must be enclosed with this notice.

This space is to be included in the copy of the notice served on the Commander of the Police Division in which the premises are situated for completion where he does not serve notice of intention to object to the grant of the licence.

I am satisfied that this is a bona fide application and that the function is suitable and that the premises are eligible for the grant of an extension licence.

Signed
(R.U.C. Rank).

Form 19

LICENSING ACT (NORTHERN IRELAND) 1971
(Section 49 and Schedule 9 para. 5)

Notice of intention to object to the grant of an extension licence

(State full names of applicant)

Applicant

who resides at

(State full postal address at which applicant resides)

Petty Sessions District of

County [Borough] of

TAKE NOTICE that I (R.U.C. rank) of (Police Station and Police Division) intend at the hearing of the application of the above-named applicant for an extension licence for the following function—

at

day(s) of 19 during the hours between (premises) on the a.m. and p.m. to appear and object to the grant of the licence.

The grounds of objection are as follows—

briefly)

(state grounds

Dated this day of 19

Signature of Objector

To the Applicant and to the Clerk of Petty Sessions for the above-named petty sessions district.

Form 20

LICENSING ACT (NORTHERN IRELAND) 1971

(Section 49)

Extension Licence

Petty Sessions District of County [Borough] of

The holder, (name)
 of (address)
 of a licence for the premises at (address)

being [an hotel] [a restaurant] [premises of a kind mentioned in section 3(1)(a) of the above Act of 1971 for part of which an order made on the day of 19 is in force under section 29 of that Act] is hereby granted this extension licence authorising the sale of intoxicating liquor by retail for consumption in the following part of those premises [specified in such order]; that is to say

(specify part or parts of premises in which sale to be authorised) on the day of 19 during the hours of

The function to which the sale of such liquor will be ancillary is of the following nature—

(description)
 and is a function organised by the following body
 which is a body established for the following purposes—

being a social, charitable or benevolent purpose or for furthering the common interests of persons associated with a trade, profession, educational or cultural activity or a game or sport [or a function organised by the licence-holder].

Resident Magistrate
 [or Clerk of Petty Sessions]

This day of

19

Warning to Licence-Holder

1. This licence does not authorise the sale of liquor on any Sunday or on Christmas Day or Good Friday or during any part of the period from half past one in any morning to half past eleven in that morning.
2. This licence permits the purchase of intoxicating liquor in that part or parts of the premises specified in the licence by persons lawfully attending the function so specified *only during the hours specified in the licence and its consumption during those hours and the first 30 minutes after the conclusion of those hours.*
3. This licence must at any time during the period of the function when intoxicating liquor is sold, made available for purchase or being consumed in the premises, forthwith be produced by the person who is in charge of the sale of intoxicating liquor there for examination by a constable at his request.

If it is not so produced without reasonable excuse the holder of the licence and that person are each guilty of an offence and are liable on summary conviction to a fine not exceeding £20.

EXPLANATORY NOTE

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

These Rules prescribe the notices and other documents used in Courts of summary jurisdiction in connection with applications for the renewal, transfer, etc., of licences for the sale by retail of intoxicating liquor.

The licences (other than the forms of occasional or extension licence) are prescribed by regulation.