

**CAYMAN ISLANDS**



# **LIQUOR LICENSING LAW**

**(2019 Revision)**

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CAYMAN ISLANDS



LIQUOR LICENSING LAW  
(2019 Revision)

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## CAYMAN ISLANDS



# LIQUOR LICENSING LAW

(2019 Revision)

**Short title**

1. This Law may be cited as the *Liquor Licensing Law (2019 Revision)*.

**Definitions**

2. In this Law —

“**applicant**” means a person or a business that makes an application for a licence under this Law;

“**application**” means an application under section 12 to obtain a new licence, to vary an existing licence or to renew an existing licence;

“**bar**” means an area designated in a licence under section 7(4);

“**Board**” means a Liquor Licensing Board constituted under section 4 and references to the Board shall be interpreted as meaning the Board for the appropriate Licensing District;

“**Board member**” means a member of a Board nominated under section 4(3), (4) or (8);

“**Chairperson**” means the Chairperson of a Board appointed under section 4(3) or (4), and references to the Chairperson shall be interpreted as meaning the Chairperson of the Board for the appropriate Licensing District;

“**Commissioner**” means the Commissioner of Police and every person acting under his authority;

“**dispose**” includes sell, barter, exchange, give, supply, deliver or otherwise pass or allow to pass into the control of some other person for value; and any disposal of intoxicating liquor shall be presumed to be for value and in pursuance of a sale, unless the circumstances under which the disposal is made negative such presumption;

“**Form**” means a form in the Schedule;

“**hotel**” means any building or series of buildings within the same curtilage containing not less than ten bedrooms for the accommodation for reward of guests, together with the curtilage thereof and all other buildings and structures within such curtilage, not being a strata lot or an apartment house;

“**intoxicating liquor**” includes every description of potable spirits, wines, beer, ale, porter, stout, cider, perry and other malt liquor;

“**licence**” has the meaning ascribed to it in section 7(1) and the seven categories of licences in section 10(1) shall have the meaning ascribed to them by sections 10(2) to (7) and 19;

“**licensee**” has the meaning ascribed to it in section 7(2) and for the purpose of responsibility for compliance and liability for non-compliance with this Law includes every employee and person acting under the general control of such licensee on or about the relevant premises;

“**licensed premises**” means a vehicle, vessel, movable structure or part of any premises or any other designated outdoor space covered by a licence issued under this Law;

“**licensing session**” means a licensing session of the Board being either an annual session held under section 6(1) or a quarterly session held under section 14(1);

“**mobile bar**” means —

- (a) a movable structure used by a licensee for the disposal of intoxicating liquors to the public; or
- (b) a structure located in premises where —
  - (i) such structure or premises are not owned, operated or managed by a licensee; but
  - (ii) the structure is used by that licensee for the disposal of intoxicating liquors to the public;

“**occasional licence**” means an occasional licence under section 19(1) to sell intoxicating liquor on a special occasion;

“**permitted hours**” has the meaning ascribed to it in section 11(3) and includes the hours covered by an extension granted by the Chairperson under section 11(3) or permission granted by the Board under section 11(6);

“**prohibited hours**” means hours other than permitted hours;



“**proof**” means, in relation to distilled alcoholic liquor, a mixture of alcohol and water having a specific gravity of 0.91984 and containing 0.495 of its weight, or 0.5727 of its volume, of absolute alcohol;

“**Port Authority**” means the body corporate established by section 3 of the *Port Authority Law (1999 Revision)*;

“**revenue officer**” means any person employed in the enforcement of the law relating to customs;

“**sea-going vessel**” means a vessel approved by the Port Authority as being a suitable vessel for the purposes of section 7(7);

“**specified hours**” has the meaning ascribed to it in section 11(2);

“**spirits**” includes every description of brandy, vodka, gin, whisky, rum, liqueurs and cordials, whether or not mixed with other fluid, and includes bay rum, but does not include malt liquor, wine, methylated spirit, or any spirit which is perfumed or otherwise treated and is used and described for purposes of sale as a perfume, scent or flavouring essence; and

“**trade officer**” means a public officer in the Department of Commerce and Investment appointed as such.

### **No intoxicating liquor to be sold without a licence except in certain cases**

3. (1) The disposal, exposure for sale or offer for sale of any intoxicating liquor shall only be carried out —
- (a) by the holder of a licence under this Law;
  - (b) by virtue of legal process or any law authorising or requiring the sale including bankruptcy, winding-up (including winding up of a deceased estate) and any sale under the *Customs Law (2017 Revision)*;
  - (c) where the intoxicating liquor is supplied for medicinal purposes on the prescription of a duly qualified medical practitioner; or
  - (d) where the intoxicating liquor is sold or supplied to or in any lawfully constituted naval, military, air force, police force or volunteer force canteen or mess.
- (1A) Any person who disposes, exposes for sale or offers for sale any intoxicating liquor in contravention of subsection (1) commits an offence and is liable on summary conviction to a fine of ten thousand dollars.
- (1B) The premises from which the intoxicating liquor is sold shall be licensed in accordance with this Law.
- (2) A person who, being the owner, occupier or being concerned in the management of any premises not licensed under this Law, permits or suffers any intoxicating liquor to be sold or exposed for sale from those premises commits an offence.

**Licensing Boards and Districts**

4. (1) For the purposes of this Law the Islands are divided into two Licensing Districts —
- (a) Grand Cayman; and
  - (b) Cayman Brac and Little Cayman.
- (2) For each Licensing District there is constituted a Liquor Licensing Board.
- (3) The Board for Grand Cayman shall be comprised of —
- (a) the following persons appointed from the private sector by the Cabinet —
    - (i) a Chairperson;
    - (ii) a Deputy Chairperson and
    - (iii) five other members from the private sector; and
  - (b) the following public officers who shall hold office by virtue of their public service appointment —
    - (i) the Director of Commerce and Investment or designate;
    - (ii) the Director of Planning or designate; and
    - (iii) the Director of Environmental Health or designate.
- (4) The Board for Cayman Brac and Little Cayman shall be comprised of —
- (a) the following persons appointed from the private sector by the Cabinet —
    - (i) a Chairperson;
    - (ii) a Deputy Chairperson; and
    - (iii) three other members from the private sector; and
  - (b) the following public officers who shall hold office by virtue of their public service appointment —
    - (i) the Director of Commerce and Investment or designate;
    - (ii) the Director of Planning or designate; and
    - (iii) the Director of Environmental Health or designate.
- (4A) The Chairperson, Deputy Chairperson and other Board members referred to in subsections (3) and (4) shall hold office at the Cabinet's pleasure for such period not exceeding four years as the Cabinet may determine and shall be eligible for re-appointment.
- (5) The quorum of a Board is three members, including the Chairperson or Deputy Chairperson who has an original vote but not a casting vote.





- (6) In the event of a quorum not being present at any meeting of a Board, such meeting stands adjourned until a date to be notified to the members by the Chairperson.
- (7) Members hold office until re-appointed or replaced on the next occasion when Board members are appointed under subsection (3) or (4).
- (8) The Cabinet may, from time to time, appoint a member temporarily to fill a casual vacancy arising from any cause including non-attendance by any member.
- (9) The Department of Commerce and Investment is designated as the Secretariat to the Board.
- (9A) The Secretariat shall be responsible for the day to day administration of the Board and, to the extent of the authority delegated to it by the Board, shall be responsible for the carrying out of the administrative duties of the Board, and shall provide the secretary who shall record and keep the minutes of all meetings, proceedings and decisions of the Board.
- (9B) Members of the Board may participate in a meeting of the Board by means of a conference telephone, computer or similar equipment providing real time communication and allowing the participants in the meeting to communicate with each other at the same time, and participation by such means shall constitute presence in person at the meeting of the Board.
- (9C) The Board may, subject to this Law, make such rules as it thinks fit to regulate its procedures, its own internal management and the procedures and management of any subcommittee of the Board and at its first meeting shall approve and adopt standing orders that will govern procedure in connection with its meetings.
- (10) All appointments to the Board shall be published by Government Notice.

### **Policy directions**

- 4A.** The Cabinet may, after consultation with the Board, give such general directions as to the policy to be followed by the Board in the performance of its functions under this or any other Law as appear to Cabinet to be necessary in the public interest, and the Board shall give effect to any such directions.

### **Functions and conduct of the Boards**

- 5.** (1) A Board shall hear and deal with all applications and matters relevant thereto and may grant, renew, vary or revoke any licences.
- (2) In hearing an application a Board shall —
- (a) sit in a place open to the public;
  - (b) hear on oath every person who desires to be heard in any matter relevant to an application; and



- (c) record a summary of the evidence given before it.
- (3) A Board may, at its option, retire in order to discuss its decision in each case.
- (4) A Board may, at its discretion, adjourn any application for a licence or any matter relevant thereto to a later date, or, notwithstanding section 6 (4), to a later session.
- (5) A Board's decision is determined by vote.
- (6) A Board's decision shall be promulgated as soon as practicable after the conclusion of the relevant hearing.
- (7) A Board may grant licences to take effect at a future date subject to compliance by the applicant with conditions specified by the Board.
- (8) A Board shall cause its decisions to be published by Government Notice.
- (9) Where a Board grants a licence to an applicant such licence shall be issued by the Chairperson in Form 3 and subsequent variations and renewals may be endorsed thereon and the endorsement signed by the Chairperson.
- (10) Where a Board grants a provisional licence to an applicant such licence shall be issued by the Chairperson in Form 2.
- (11) Where an application is for the renewal of an existing licence only and is accompanied by the Treasury receipt required by section 10(9), the Board may, provided no objection to such renewal is received forty-eight hours or more prior to the time advertised for the relevant hearing, grant the application without hearing the applicant and, in such case, shall notify the applicant accordingly.
- (12) An application under subsection (11) need do no more than refer to the existing licence and any variation made thereto and request that it be renewed.
- (13) Where an application is made for the renewal of an hotel licence and such licence was held by the applicant on the 12th July, 1982, and has since been so held then, provided that the premises, the subject of the application, still contain not less than ten bedrooms, such premises shall be deemed to be an hotel for the purposes of such renewal.
- (14) For the purposes of this section, "**decision**" includes any electronic record or transcript of votes or decisions made during a meeting that takes place by means of conference telephone, computer or similar equipment.

### Sessions of Boards

6. (1) An annual session for the hearing of applications shall be held in each Licensing District in the month of September in each year on days which shall be fixed by the Chairperson and published by Government Notice at least fourteen days before the commencement of such session.



- (2) Every such Government Notice shall have appended thereto particulars of every application.
- (3) A licence granted at an annual session shall take effect on the 1st October following such session and remain in force, unless revoked or varied in the meantime, until the end of the following 30th September.
- (4) A Board in annual session shall continue in such session on every working day until all applications timously made have been determined.

### **Nature of a licence**

- 7.** (1) A licence is a permit to a business, an individual person or to two individual persons jointly, who may or may not be the servants or representatives of another named person, in compliance with this Law, to dispose of —
- (a) such intoxicating liquors;
  - (b) in such quantities;
  - (c) to such persons;
  - (d) at such times;
  - (e) at such premises; and
  - (f) subject to such general conditions,
- as may be specified therein, and shall be in Form 3.
- (2) Persons or businesses licensed under subsection (1) are licensees under this Law.
  - (3) *Repealed by section 6 of the Liquor Licensing (Amendment) Law, 2015 [Law 21 of 2015].*
  - (4) A Board may, in granting or renewing a licence in respect of any premises, designate the whole or any part or parts of the licensed premises as a bar, but no area shall be or remain designated as a bar, unless it is capable of being locked off from the rest of the premises in such a way as to deny access thereto to persons other than the holder of the licence or the licence holder's employees.
  - (5) A Board must be satisfied, before granting a new restaurant licence or retail licence, which relates to the same premises and in respect of which a licence has not previously been granted, that the bar and the restaurant on the premises are separated in such a manner that access to and egress from the restaurant and the toilets of the premises are not through the bar.
  - (5A) A Board must be satisfied, before granting a new package licence or retail licence which relates to the same premises, that —
    - (a) there is a clear demarcation between the areas used within the premises for the dispensing of intoxicating liquor under each licence; and

- (b) licensees are able to control each area.
- (6) A person who, not being a licensee or the employee of a licensee engaged in his duties as such, enters or remains in any bar during prohibited hours commits an offence and the licensee shall, unless he proves that the offence has been achieved by means of forcible entry by a person not being in his employment or control, be deemed to have aided and abetted such offence.
- (7) Sea-going vessels used for the entertainment of the public shall be deemed to be premises for the purposes of this section and the Board may grant a retail licence in respect thereof subject to such conditions as the Board may impose under paragraph (f) of subsection (1).
- (8) The bar of a sea-going vessel, in respect of which a licence has been issued under subsection (7), shall be locked off from the rest of the vessel and no intoxicating liquor may be disposed of, exposed for sale, offered for sale or consumed on such vessel while it is at or within half a mile of any land.

### Qualifications of a licensee

8. (1) A Board may not grant a licence to an applicant unless it is satisfied that the applicant has paid the fee prescribed for the grant of a licence under this Law and —
- (a) has a valid trade and business licence issued under the *Trade and Business Licensing Law (2019 Revision)*;
  - (b) subject to subsection (1A), is a company that is registered under section 80 of the *Companies Law (2018 Revision)* or is registered as a non-profit organisation under the *Non-Profit Organisations Law, 2017 [Law 37 of 2017]*; or
  - (c) subject to subsection (1B), is an applicant for an occasional licence except where the applicant is a company or a non-profit organisation described under subsection (b).
- (1A) An applicant, including an applicant for an occasional licence, that is a company or a non-profit organisation described under subsection (1)(b) shall provide the following when applying for a licence under this Law —
- (a) evidence of registration under section 80 of the *Companies Law (2018 Revision)* or under the *Non-Profit Organisations Law, 2017 [Law 37 of 2017]*;
  - (b) a bank reference for the applicant;
  - (c) where the licensed premises is located in a public place, evidence of the approval of the relevant authority to dispose of intoxicating liquor in that place; and



- (d) where relevant, evidence of compliance with the laws relating to pensions, health insurance, labour relations, environmental health or fire safety.
- (1B) An applicant for an occasional licence shall provide the following when applying for a licence under this Law —
- (a) evidence of the status as a Caymanian, if any, of —
    - (i) the applicant, where the applicant is an individual;
    - (ii) any individual who has a legal or beneficial interest in the company, where the applicant is a company; or
    - (iii) each partner who is a partner in the firm, where the applicant is a firm;
  - (b) a police clearance certificate for —
    - (i) the applicant, where the applicant is an individual;
    - (ii) any individual who has a legal or beneficial interest in the company, where the applicant is a company; or
    - (iii) each partner who is a partner in the firm, where the applicant is a firm;
  - (c) a bank reference for the applicant;
  - (d) where the licensed premises is located in a public place, evidence of the approval of the relevant authority to dispose of intoxicating liquor in that place;
  - (e) where relevant, evidence of compliance with the laws relating to pensions, health insurance, labour relations, environmental health or fire safety; and
  - (f) where the applicant is a company that is not Caymanian owned and controlled and not exempt from the *Local Companies (Control) Law (2019 Revision)*, a licence under that Law.
- (1C) The Board may take steps to carry out due diligence procedures with regards to any director or any person who has a beneficial interest in a trade or business for which an application for the grant or renewal of a licence is made under this Law.
- (1D) The Board on receipt of a police clearance or on the carrying out of due diligence procedures may make such determinations regarding the grant or refusal of an application for a licence as it sees fit and shall provide reasons for its determinations.
- (2) *Repealed by section 7 of Liquor Licensing (Amendment) Law, 2015 [Law 21 of 2015].*

- (3) A Board may not grant a licence under section 7(7) in respect of a vessel unless the Board is satisfied that the vessel is fit as to repairs, equipment (including fire-fighting, radio, life-saving and first-aid equipment) crew, fuel and in all other respects for all its voyages; and a Board may, at any time, suspend such a licence if it is satisfied that the relevant vessel no longer complies with this subsection.

### **Requirements for licensed premises**

- 9.** (1) A Board may not grant a licence unless satisfied that the premises in respect of which the application is made —
- (a) comply with the laws and regulations affecting building, town planning and public health;
  - (b) are situated at a location where they will be of service to the public; and
  - (c) will not cause inconvenience to the occupiers of neighbouring property.
- (2) A moratorium on the granting of any new licences in the Islands may be made by the Cabinet by Order published in the Gazette, such Order appointing the date of commencement and expiration of the moratorium and different dates may be appointed in relation to different categories of licences.
- (3) Subsection (2) does not apply to —
- (a) occasional licences;
  - (b) renewal of a licence; or
  - (c) hotel licences.
- (4) In considering the suitability of premises for service to the public, Boards shall have regard to any representations made by or on behalf of the Commissioner, the Chief Fire Officer and the Executive Secretary of the Central Planning Authority as well as members of the public who may be directly affected by the grant of a licence.
- (5) Subsections (1) and (2) do not apply to licences issued under section 7(7), but in granting licences under that subsection the Board shall consult and have regard to any advice tendered by the Commissioner, the Chief Medical Officer, the Chief Fire Officer and the Port Authority and no licence so granted shall, in any way, derogate from the control exercisable by the Port Authority over such vessel.

### **Categories of licenses**

- 10.** (1) There are seven categories of licences —
- (a) distributors;
  - (b) package;
  - (c) retail;



- (d) hotel;
  - (e) temporary;
  - (f) restaurant; and
  - (g) occasional.
- (2) A distributor's licence permits the disposal of intoxicating liquor to —
- (a) other licensees; and
  - (b) persons for export from the Islands,
- in sealed containers in quantities of not less than 27.3 litres in the case of beer or 9.1 litres in the case of other intoxicating liquor for consumption off the premises:
- Provided that in the case of disposal for export the distributor shall satisfy himself that the goods are exported by obtaining a copy of a certificate to this effect from the Collector of Customs issued in accordance with section 30(1) of the *Customs Law (2017 Revision)*.
- (3) A package licence permits the disposal of intoxicating liquor in sealed containers by retail for consumption off the licensed premises, but does not permit disposal to another licensee for the purpose of disposal by him under the terms of his licence.
- (4) A retail licence —
- (a) permits the disposal of intoxicating liquor for consumption on the premises of —
    - (i) a bar or mobile bar;
    - (ii) a night club;
    - (iii) a sea-going vessel; or
    - (iv) a retail establishment at which tasting events of samples of intoxicating spirits are held; but
  - (b) does not permit disposal to another licensee for the purpose of disposal by that licensee under the terms of his licence.
- (5) An hotel licence permits the disposal of intoxicating liquor in hotel premises for consumption on or, in sealed containers, containing beer, of not less than 6.82 litres or, containing any intoxicating liquor other than beer, of not less than .75 litres, off the premises but does not permit disposal to another licensee for the purpose of disposal by him under the terms of his licence.
- (6) A temporary licence permits the disposal of intoxicating liquor for a period not exceeding ninety days and in the manner therein mentioned.
- (7) A restaurant licence permits the disposal of intoxicating liquor to any person at a restaurant, or other premises affixed to the land, at which food is served for consumption on the premises.

- (8) The Cabinet may from time to time prescribe the fees for a licence, an extension granted by the Chairperson under section 11(3) or permission granted by the Board under section 11(6).
- (9) The prescribed licence fees shall, subject to subsection (9A), be paid into the Treasury and the receipt therefor produced to the Board at the time of application, and in the event of an application being rejected, the Treasury shall refund the fee to the applicant.
- (9A) A Board may waive, in whole or in part, the fee required to be paid for a temporary or occasional licence for the disposal of intoxicating liquor at an event that is part of a national festival of the Islands.
- (10) No person may import into the Islands intoxicating liquor in excess of one gallon unless he is the holder of a licence.

### **Hours for sale of alcoholic liquor**

- 11.** (1) Save as otherwise specifically provided, no licensee other than a hotel or restaurant licensee shall dispose of intoxicating liquor on Sundays, Christmas Day or Good Friday.

- (2) Every licence shall state the times during which the licensed premises shall be and remain open to the public for the sale of intoxicating liquor, and such time shall be known with relation to such licence as specified hours.
- (3) A Board may, from time to time, by Notice published in the Gazette, specify such hours, with reference to each class of licence, when intoxicating liquor may not be sold and, subject to subsection (1), all other hours shall be known as permitted hours:

Provided that, on the application of a licensee, the Chairperson of a Board may, subject to subsection (1), extend such hours in a particular case and the hours covered by any such extension shall, during the duration of such extension, be deemed to be permitted hours for the purposes of this Law.

- (4) Every licensee is permitted, save in exceptional and unforeseen circumstances, to open the licensed premises for the sale of intoxicating liquor to the public at any time during the specified hours and may, in addition, open the licensed premises at any time during the permitted hours.
- (5) A licensee who sells or disposes of intoxicating liquor other than during permitted hours commits an offence.
- (6) Notwithstanding subsection (1), where the Board is satisfied, having regard to the situation of and the construction and design of the premises that it is in the public interest so to do, the Board may permit licensed premises the subject of a retail licence or a package licence or any part thereof as they may specify to be opened for the disposal of intoxicating liquor on Sundays during such hours as the Board may, in each particular case, determine.





- (6A) Hours covered by permission granted by the Board under subsection (6) shall be endorsed upon the licence and are deemed to be permitted hours for the purposes of this Law.
- (7) A Board may exempt, in whole or in part, from subsection (1) —
- (a) any bar serving an airport; and
  - (b) any duty-free liquor shop located at an airport, in respect of sales to outgoing passengers only.
- (8) During the last ten minutes of each period of permitted hours no intoxicating liquor may be supplied to or received by any person in premises licensed under a retail licence, a hotel licence, a temporary licence, or a restaurant licence but persons already lawfully in possession of intoxicating liquor may consume it during that period; thereafter any intoxicating liquor in the actual or constructive possession of any person in such licensed premises other than the licensee shall be deemed to have been supplied and obtained there during prohibited hours and such person and the licensee shall have committed an offence, and such liquor lying in the licensed premises, other than in storage areas not accessible to the public in permitted hours, shall be disposed of as waste by the licensee who shall have committed an offence if he fails so to do:
- Provided that a *bona fide* guest, lawfully resident in the licensed premises, may, at any time, possess and consume intoxicating liquor in any part of the licensed premises reserved for the use of guests and not open to the general public.

### Applications for licences

- 12.** (1) Every person desiring to obtain a new licence, other than a temporary licence or to vary an existing licence, shall, at least twenty-one days before a licensing session is due to be held, make application in writing in Form 1 to the Chairperson of the appropriate Board specifying —
- (a) the category of licence desired;
  - (b) full details of the premises in respect of which the application is made indicating a plan;
  - (c) the name and age of the applicant;
  - (d) the proposed specified hours; and
  - (e) such other relevant information as the applicant desires to impart to the Board.
- (2) Applicants under subsection (1) shall attend before the Board at the time of the opening of the sessions and such other times as the Board may require and may, in addition, be represented by a person qualified to practise law in the Islands.

- (3) Every applicant shall, twenty-one days before making an application, affix a copy of the proposed application to some conspicuous place upon the premises named therein and send copies thereof to —
- (a) the Chief Medical Officer;
  - (b) the Commissioner;
  - (c) the Chief Fire Officer; and
  - (d) the Executive Secretary of the Central Planning Authority,
- each of whom shall, within fourteen days of the receipt thereof, forward to the applicant a certificate in duplicate under his hand stating —
- (i) whether the premises appear to be suitable and unobjectionable for the purposes proposed; or
  - (ii) what alterations, if any, to the premises would render such premises suitable, and what conditions, if any, attached to the licence, if granted, would render the grant of the proposed licence unobjectionable,
- and the applicant shall forward such certificates to the Chairperson together with the application.
- (4) An application for a licence may be made by way of such medium as may be provided by the Department of Commerce and Investment for the purpose of the electronic processing of applications under this Law.
- (5) The Cabinet may make regulations to provide for the electronic processing of applications by the Board.

### **Variation of licences**

- 13.** (1) Where, in any case, it is desired in respect of any licence to change —
- (a) the licensee;
  - (b) the location of the licensed premises;
  - (c) the licensed premises by making addition or alteration thereto;
  - (d) the specified hours;
  - (e) the category of licence; or
  - (f) any condition imposed under section 7(1)(f),

the licensee or prospective licensee may make application to the Chairperson of the relevant Board in that behalf and the Chairperson may grant such application subject to such conditions as he may decide to impose, and shall endorse the licence accordingly:

Provided that, at least seven days before the grant of any application to change the location of the licensed premises under paragraph (b), notice of the application shall be made by publication in at least one newspaper circulating



in the Islands, and the Commissioner, the Chief Fire Office, the Chief Medical Officer and any member of the public may object in writing to the application and the Chairperson shall, before granting such application, give due consideration to such objections.

- (2) Every grant of a variation made by a Chairperson under subsection (1) shall be reconsidered by the Board at its next meeting after the making of such grant and the decision of the Board and the date of such decision shall be endorsed on the relevant licence.

### **Quarterly sessions of the Boards**

14. (1) Where, twenty-one days prior to the first day of the months of March, June or December and subsequent to the last meeting of a Board —
  - (a) any variation of a licence has been granted by the Chairperson under section 13(1);
  - (b) any application for the grant of a licence has been made;
  - (c) any written notice of objection to the continuance of an existing licence has been received under section 17(2); or
  - (d) any recommendation with regard to an existing licence has been received from any court by virtue of section 16,a quarterly session of the Board shall be held in the month specified.
- (2) A quarterly session shall be held at a time and place to be appointed by the Chairperson, by Notice published in the Gazette or in at least one newspaper circulating in the Islands, at least twenty-one days before the first day of the quarterly session.
- (3) Any new licence granted at a quarterly session shall remain in force, unless revoked earlier by the Board, until the end of the thirtieth day of September next following.
- (4) A fee for a licence granted at a quarterly session shall be charged on a *pro rata* basis.

### **Temporary licences**

15. (1) In addition to the other licensing sessions, a Board shall also meet at any time and place to be appointed by the Chairperson by Notice published in the Gazette or in a newspaper printed in the Islands, at least fourteen days before the meeting to hear any application on grounds of hardship or inconvenience for the grant of a temporary licence to permit the sale of intoxicating liquor on or off licensed premises in the manner therein mentioned.
- (2) The applicant shall attend before the Board at the meeting and may, in addition, be represented by a person qualified to practise law in the Islands.

- (3) Before granting a temporary licence under subsection (1), a Board may require such notice to be given, cause such enquiries to be made and require to be produced by any person such information or certificate, as it shall consider desirable.
- (4) A temporary licence granted under subsection (1) shall take effect immediately and shall remain in force, unless revoked or varied in the meantime, only until the next following licensing session and shall be subject to such terms and conditions as the Board shall impose.
- (5) No application shall be made more than once in every two years by the same applicant in respect of the same premises.

### **Court may make recommendations regarding licences**

16. Where, in any matter coming before a court, the conduct of the licensee is such or the manner of user of licensed premises appears to a Judge or Magistrate to be unsatisfactory or prejudicial to the public interest, such Judge or Magistrate may make such recommendation to the Board as he considers proper and shall notify the licensee or his counsel accordingly and shall cause such recommendation to be communicated to the Chairperson of the relevant Board by the Clerk of the Court.

### **Objections by the public**

17. (1) At any application for the grant of a licence, the Commissioner, the Chief Fire Officer, the Chief Medical Officer or any member of the public who has given at least seven days' notice of objection in writing to the Chairperson may appear and be heard in objection to the grant of such licence.
- (2) At any meeting of a Board, the Commissioner, the Chief Fire Officer, the Chief Medical Officer or any member of the public who has given to the Chairperson seven days notice of objection may appear and ask for the revocation or discontinuance of any existing licence:

Provided that where, in the case of such objection by a member of the public, the Board is of the opinion that the objection is malicious, frivolous or vexatious, the Board may order the objector to pay the licensee any costs he has incurred thereby and to pay to the Board for the benefit of the revenue of the Islands a further sum at the rate of one hundred dollars for each hour or part of an hour of the Board's time taken up by hearing and investigating the objector's complaint.

### **Repealed**

18. *Repealed by section 11 of the Liquor Licensing (Amendment) Law, 2015 [Law 21 of 2015].*



**Occasional licences**

- 19.** (1) Where it is desired to sell intoxicating liquor at a casual entertainment or festival held for a recognised public purpose, a Chairperson may, if satisfied that no profit accrues to the sponsors or organisers of such festival or entertainment, grant to one individual person over the age of twenty-one years or two such individual persons jointly, an occasional licence to sell intoxicating liquor for a period and at a place specified in such occasional licence.
- (2) An occasional licence shall be in Form 4.
- (3) An occasional licence may be for disposal to the public generally or to a particular section of the public.

**Conditions of retail selling**

- 20.** (1) No licensee shall dispose of or have on the licensed premises any spirits (other than liqueurs) having a strength of less than seventy-five per cent of proof spirit, otherwise than in specifically marked containers showing the nature and specific gravity of the contents.
- (2) Spirits, unless sold in sealed containers, shall be sold by the English fluid ounce (being one twentieth of an imperial pint) and multiples thereof and no licensee shall have any spirit measure or measuring device of less than one fluid ounce in or about any licensed premises.
- (3) Beer, ale, porter, stout, cider, perry and other malt liquor, unless sold in sealed containers, shall be sold by the imperial half pints or multiples thereof and every drinking vessel for the supply of such liquor on draught shall have a capacity in excess of half an imperial pint or multiple thereof and shall be marked to show the half-pint or other capacity level.
- (4) Every sealed container for the supply of intoxicating liquor shall be marked to show the capacity of the contents either in imperial pints, litres or a unit of capacity lawfully in use in the country of origin or multiples or fractions thereof.

**Serving or delivering intoxicating liquor to or for consumption by persons under the age of eighteen**

- 21.** (1) A licensee shall not —
- (a) sell intoxicating liquor to a person under the age of eighteen;
- (b) knowingly allow a person under the age of eighteen to consume intoxicating liquor in licensed premises; or
- (c) knowingly allow any person in licensed premises to sell intoxicating liquor to a person under the age of eighteen.

- (2) A person under the age of eighteen shall not buy, attempt to buy or consume intoxicating liquor.
- (3) No person shall buy or attempt to buy intoxicating liquor for consumption by a person under the age of eighteen.
- (4) Where a person is charged with contravening subsection (1), and he is charged by reason of his own act, it shall be a defence to prove that he exercised all due diligence to avoid the commission of such an offence.
- (5) Where the person charged with contravening subsection (1) is a licensee and he is charged by reason of the act or default of some other person, it shall be a defence for him to prove that he exercised all due diligence to avoid the commission of an offence under that subsection.
- (6) A licensee shall not knowingly deliver or knowingly allow any person to deliver, to person under the age of eighteen, intoxicating liquor sold in licensed premises for consumption off the premises.
- (7) A person shall not knowingly send a person under the age of eighteen to obtain intoxicating liquor sold or to be sold in licensed premises for consumption off the premises, whether the liquor is to be obtained from the premises or other premises from which it is delivered in pursuance of the sale.
- (8) A person who contravenes this section commits an offence and is liable on summary conviction to a fine of five thousand dollars; and the court may, if the offence was committed by the licensee, order that the licensee shall forfeit his licence and that no licence may be issued to that person for a period not exceeding ten years from the date of his conviction.

### **Children prohibited from bars**

- 22.** (1) A licensee shall not allow a person under the age of eighteen to be in a bar of licensed premises.
- (2) No person shall knowingly cause, procure, or attempt to cause or procure any person under the age of eighteen to be in a bar of licensed premises.
  - (3) Where it is shown that a person under the age of eighteen was in a bar of licensed premises during permitted hours, the licensee commits an offence under this section unless he proves that he exercised all due diligence to prevent the person under the age of eighteen from being permitted to enter the bar of the licensed premises.
  - (4) No offence shall be committed under this section if the person under the age of eighteen is in a bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
  - (5) A person who contravenes this section commits an offence and is liable on summary conviction to a fine of five thousand dollars.



**Employment of minors in licensed premises**

- 23.** (1) A licensee who employs a person under the age of eighteen in licensed premises shall not allow that person to prepare, serve, sell or otherwise deal with intoxicating liquor unless —
- (a) such liquor is unopened or contained in a sealed container; or
  - (b) the person is employed in disposing of liquor which has been served on the premises and not consumed or only partially consumed.
- (2) A person who contravenes subsection (1) commits an offence and is liable on summary conviction to a fine of five thousand dollars.

**Identification**

- 24.** (1) A licensee shall be considered to exercise all due diligence to prevent a contravention of this Law relating to a person's age if he requests, and is shown, an official document containing evidence of the person's age together with a photograph of that person.
- (2) In subsection (1) —
- “official document”** means a passport or driving licence whether issued by the Government of the Islands or by or on behalf of the Government of any other country.

**Disposal of intoxicating liquor to drunken or disorderly persons is forbidden**

- 25.** No person shall dispose of any intoxicating liquor to, or procure any intoxicating liquor for, any person who —
- (a) appears to be drunk; or
  - (b) is violent, quarrelsome or disorderly.

**Control of drunken and disorderly persons**

- 26.** (1) If, in the opinion of a licensee, his servant or agent or any constable, any person being on licensed premises is drunk or disorderly or appears likely to create a breach of the peace, he shall notify the police and, without necessarily giving a reason, ask such person to leave the premises, and such person shall leave forthwith.
- (2) If any person, having been requested to leave licensed premises, in compliance with subsection (1), fails to do so, the licensee or any constable may, while avoiding the infliction of bodily harm, use such force as may be necessary to eject such person from the licensed premises.
- (3) No licensee shall permit drunkenness, gambling, disorderly or riotous behaviour or blasphemous or obscene language on the licensed premises.
- (4) A person who, when present on licensed premises —

- (a) is drunk;
  - (b) behaves in a riotous or disorderly manner;
  - (c) commits an offence against the *Gambling Law (2016 Revision)*;
  - (d) uses blasphemous, obscene or offensive language;
  - (e) uses any word, gesture or action calculated to offend, embarrass or provoke any person; or
  - (f) fails to leave the licensed premises when requested so to do by virtue of subsection (1),
- commits an offence.

### **Rights of licensee**

- 27.** (1) For the avoidance of doubt, it is declared that, in addition to such other powers as he may have under this or any other law, a licensee has the right, and is deemed always to have had the right, at his absolute discretion and without giving any reasons therefor —
- (a) to request any person to leave licensed premises;
  - (b) if it appears to the licensee that any person is drunk or disorderly or likely to cause a breach of the peace or to cause unjustified annoyance to patrons or other users of the premises, to forbid such person from entering such licensed premises.
- (2) The licensee, or any servant of his or a constable approved in writing by the Commissioner may use such force as may be necessary to eject from the licensed premises any persons who, under subsection (1) —
- (a) fails or refuses to leave the licensed premises after having been requested to do so; or
  - (b) enters the licensed premises after having been forbidden to do so.
- (3) A person who, under subsection (1), having been requested to leave licensed premises fails or refuses to do so, or having been forbidden from entering thereon does so or attempts to do so, commits an offence.

### **Vicarious responsibility of licensees**

- 28.** (1) It is the duty of every licensee to procure the compliance of his servants, agents and other persons under his control with this Law and where such person commits an offence against this Law the licensee shall be equally culpable with such person of such offence whether the licensee was or was not present at the time of the act or omission constituting such offence.
- (2) In subsection (1) —
- “**person in his control**”, in relation to a licensee, is deemed to include —





- (a) any person to whom he has leased the licensed premises or delegated control thereof; and
- (b) any servant, agent or person under the control of a person mentioned in paragraph (a).

### ***Repealed***

**29.** *Repealed by section 12 of the Liquor Licensing (Amendment) Law, 2015 [Law 21 of 2015].*

### **Signboard**

**30.** Every licensee shall affix a board, in some conspicuous place over the door or window of the licensed premises, whereon shall be printed, in legible characters, his name and underneath such name the words “Licensed to sell intoxicating liquor” with the number of the licence, the class of the licence and the specified hours during which he is required by his said licence to keep his premises open to the public.

### **Closure of licensed premises in times of riot or apprehended disturbance**

**31.** If, in the opinion of the Commissioner, a state of riot exists or there is reasonable apprehension of an outbreak of public disorder, he may order any licensed premises to be and remain closed until further order and every licensee shall comply with such order of the Commissioner whether it be made personally or in writing.

### **Alterations to licensed premises**

- 32.** (1) No alteration other than redecoration and maintenance may be carried out in or to licensed premises until a variation order under section 13 has been granted in that behalf.
- (2) Where the grant of a variation order with respect to licensed premises has been made by the Chairperson and such variation is not confirmed by the Board at its next meeting, the Board shall specify a reasonable time within which the licensed premises shall be restored to their former condition and, if at the end of such time the premises have not been so restored, the licence shall be and remain in abeyance until such restoration is completed to the satisfaction of the Board.

### **Power to search premises**

- 33.** (1) The Commissioner, any Justice, trade officer or revenue officer may —
- (a) enter any licensed premises or any place within the curtilage thereof for the purpose of detecting or preventing any breach of this or any other law which it is his duty to enforce or of any licence;
  - (b) having reasonable ground for suspecting that intoxicating liquor is being unlawfully disposed of stored, introduced or otherwise dealt with, enter

- and inspect any aircraft, hovercraft, ship, boat or conveyance, or any premises and examine any place therein and any receptacle, package or thing; and
- (c) seize and detain any intoxicating liquor which he has reason to believe has been distilled, manufactured, imported, introduced, disposed of or removed, or is possessed contrary to this or any other law, or is on unlicensed premises for disposal contrary to this Law, and any receptacle, package or thing containing the same and any aircraft, hovercraft, ship, boat, conveyance or animal used in transporting intoxicating liquor contrary to this or any other law.
- (1A) Notwithstanding the provisions in subsection (1), the Commissioner or a trade officer may, at the request of the Board, inspect any licensed premises and shall, upon carrying out that inspection, report in writing to the Board at the meeting following that inspection giving an opinion as to whether the licensed premises are being used or maintained in accordance with this Law.
- (1B) The Board shall be assisted by the Commissioner or the Commissioner's designate in the carrying out of duties under this section.
- (2) A person who by himself, or by any person in his employ or acting by his direction or with his consent, refuses or fails to admit any person specified under subsection (1) in the execution of his duty demanding to enter in pursuance of this section, or a person acting in the aid of any such specified person commits an offence.
  - (3) A person who molests, hinders, opposes or obstructs any person specified under subsection (1), or anyone acting in aid of any such person in the execution of his duty in pursuance of this Law commits an offence.
  - (4) The powers conferred by this section are in addition to and not in derogation of any other power conferred by any other law.

### **Powers of trade officer**

- 34.** (1) The Board shall be assisted by such trade officers as are necessary for the purposes of this Law.
- (2) Subject to subsection (3), trade officers shall have all the rights, powers, privileges and immunities of a constable when discharging their duties under this Law.
  - (3) A trade officer shall have the authority and power to carry out such instructions as may be given by the Board or the Department of Commerce and Investment in accordance with this Law and may exercise on behalf of the Board or the Department, any powers granted to the Board by this Law.



- (4) The Chief Officer of the ministry with the responsibility for commerce or the Chief Officer's designate shall assign such officers of the Department as is considered necessary, to perform the duties of trade officers under this Law.
- (5) Each officer assigned under this section shall be provided with an identification card prepared and signed by the Chief Officer or the Chief Officer's designate and the identification card shall contain the photograph of the respective officer.
- (6) The Director of the Department shall have the same rights, powers, privileges, and immunities conferred on a trade officer under subsection (2) when discharging duties under this Law.
- (7) The trade officer, on proof of identity, may enter on and inspect any licensed premises in the Islands or any place within the curtilage of such premises at any time when the business is open to the public for the sale of intoxicating liquor, for the purpose of detecting any breach of this Law or of any licence, and shall forthwith report any such breach to the Board.
- (8) A person who prevents the entry of, or obstructs a trade officer in the execution of any duty upon any licensed premises or any place within the curtilage thereof, commits an offence.

### **Disposal of intoxicating liquor to hamper search**

- 35.** A person who removes, throws away or destroys, or causes to be removed, thrown away or destroyed, any intoxicating liquor, in order to impede any search for or seizure of the same under this Law commits an offence.

### **Custody of things seized-sale of perishables, etc.**

- 36.** All ships, aircraft, hovercraft, goods and other things which may be seized under this Law shall be delivered into the custody of a revenue officer, or some other person specified by the Cabinet, who shall cause the same to be properly secured:

Provided that if it appears to the Cabinet that anything seized is of a perishable nature, or is likely to deteriorate by being kept, it may order the sale of such thing pending its condemnation and shall retain the proceeds of such sale to abide the issue.

**Release of seizure on giving of bond**

37. (1) The Cabinet may, on application made to it in writing, order the delivery of every ship, boat, aircraft, hovercraft, goods or other thing seized, to the owner or his agent, on security given by bond, to the satisfaction of the Cabinet, double the value of the same in case of condemnation, such value to be determined by the Cabinet, and such bond shall be taken to the use of Her Majesty in the name of the Cabinet and shall be delivered and kept in the custody of the Cabinet, and if the ship, boat, aircraft, hovercraft, goods or other thing is condemned, the value shall be paid to the Cabinet, who shall thereupon cancel such bond.
- (2) A deposit of money in such sum as the Cabinet may consent to, being not less than the value determined by it, may in any such case, be made with the Cabinet in lieu of a bond.

**Notice of claim to Cabinet - procedure**

38. (1) Any person claiming anything seized shall, by himself or his agent, give notice, in writing, to the Cabinet of such claim within ten days after the seizure, and such notice shall state that the person claiming is the owner or the agent of the owner, as the case may be, of the thing seized, and shall also state the residence and occupation of the claimant and the grounds for disputing the seizure.
- (2) All claims shall be based upon the notice to the Cabinet, and be filed by the claimant against the Cabinet before the Grand Court within fifteen days after the seizure.
- (3) Every such claim shall be supported by the oath of the claimant, or, if the claim is made through an agent, by that of his agent, swearing to the best of his knowledge and belief.
- (4) When any such claim is made through an agent, sufficient *prima facie* evidence of his authority to satisfy a Judge of the Grand Court shall be filed with the claim, but, if such authority is not admitted at the hearing, it must be proved.
- (5) No claim shall be received or heard by a Judge of the Grand Court unless, along with the same, the claimant deposits the sum of five hundred dollars by way of security for any costs which may be awarded against him.
- (6) At the hearing the Cabinet may appear by any person authorised by it in writing to that effect.
- (7) On the hearing, the claimant shall make proof of the ownership of the thing and its exemption from liability to seizure and, in default thereof the Judge of the Grand Court shall make an order confirming the seizure, with costs, whereupon the thing seized may be sold by the Cabinet.



- (8) If a Judge of the Grand Court is of the opinion that the claimant has established his case, he shall make an order annulling the seizure and if the thing seized is in the Cabinet's possession, a Judge of the Grand Court shall make an order for its restitution.

### **Condemnation and forfeiture**

- 39.** In default of notice, or the filing of any claims within the respective times aforesaid, or if any claim, after having been filed, is discontinued, or judgment is given against the claimant therein, then and in every such case the thing seized shall be taken to be condemned and forfeited and shall be sold.

### **Mode of sale, etc., and application of proceeds**

- 40.** (1) Any thing seized and condemned, or not claimed within the time fixed by this Law, may be sold by auction by any person whether an auctioneer or not, under direction of the Cabinet, which shall previously notify such sale by Notice published in the Gazette.
- (2) The money arising from such sale, shall be applied in payment of —
- (a) all charges incidental to such sale, and for custody and carriage;
  - (b) all charges incidental to the seizure if any, and the proceedings thereon, and the residue of such money, if any, shall be paid into the Treasury.

### **Prohibition of certain persons from consuming intoxicating liquor**

- 41.** (1) Where a person is convicted by any court of an offence involving drunkenness or to which, in the opinion of the court, the drunkenness of such person has been a contributory factor and such person has, within the previous three years been convicted of not less than two other such offences, the court may, in lieu of or in addition to any other punishment imposed, declare such person to be a prohibited person for the purpose of this Law and place such person under restriction for a period not exceeding one year.
- (2) A person who, while under restriction for the purpose of subsection (1) —
- (a) consumes;
  - (b) obtains;
  - (c) solicits any person to supply to him; or
  - (d) has in his possession otherwise than in the normal course of his employment,
- any intoxicating liquor commits an offence and is liable on summary conviction to a fine of five hundred dollars and to imprisonment for three months.

- (3) A person who knowingly supplies intoxicating liquor to a person under restriction under subsection (1), commits an offence and, on summary conviction, is punishable under subsection (2).
- (4) A person who knowingly —
  - (a) aids;
  - (b) abets; or
  - (c) procures,the commission of an offence under subsection (2) commits an offence and on summary conviction, is punishable under subsection (2).
- (5) Where a court declares any person to be a prohibited person by virtue of subsection (1), the Clerk of that Court shall report the fact to the Commissioner and the Commissioner may, by circular or other means, inform all licensees in the Islands of the name and other particulars of such person.
- (6) The court may, acting upon the written request of any person, declare such person to be a prohibited person, notwithstanding that such person has not committed any criminal offence, and the consequences of such a declaration shall be the same in all respects as if such person has been declared to be a prohibited person for the purposes of subsection (1).
- (7) Where a person is convicted by any court of any offence and within forty-eight hours of such conviction (excluding any non-working days) there is furnished to such court a written certificate of —
  - (a) a government medical officer; or
  - (b) a registered medical practitioner who has had under his care the convicted person or a member of such person's family with whom such person resides,that in the opinion of such practitioner it would be in the best interest of such person or such family member for the court so to do, such court may declare such person to be a prohibited person for the purposes of subsection (1).

### **Offences by licensees**

- 42.** A person who, being a licensee, disposes of any intoxicating liquor, otherwise than in accordance with his licence, commits an offence.

### **Offence by body corporate**

- 42A.** Where an offence under this Law is committed by a body corporate, any person who, at the time of the commission of the offence, was a director, manager, secretary or other similar officer of the body corporate, or was purporting to act in any such capacity, shall be deemed to have committed the offence unless the person proves —



- (a) that the offence was committed without the person's consent or connivance; and
- (b) that the person exercised all such reasonable diligence to prevent the commission of the offence as ought to have been exercised having regard to the nature of the person's function in that capacity and to all circumstances.

### **Liquor not to be consumed in vehicles in certain cases**

- 43.** A person who consumes any intoxicating liquor while in or on any kind of vehicular conveyance which is moving along or standing adjacent to any highway or its verges commits an offence.

### **General penalty**

- 44.** (1) A person who commits an offence under this Law is liable on summary conviction to a fine of one thousand dollars and to imprisonment for one year and, on a second or subsequent conviction, to a fine of two thousand dollars and imprisonment for two years.
- (2) Where a person convicted under subsection (1) is a licensee, the Clerk of the Court shall report such conviction to the Board and, if such licensee is convicted on more than one occasion, the Board may revoke or refuse to renew the licence of such licensee.
- (3) Where there has been more than one conviction under this Law in respect of offences having arisen or taken place in the same licensed premises, the Board may refuse to renew the licence in respect of such licensed premises, notwithstanding that the offences took place while the premises were in the hands of different licensees.
- (4) The Cabinet may, by regulations, provide for administrative fines in place of the penalties provided for offences under this Law.

### **Institution of proceedings**

- 45.** All proceedings against persons alleged to have offended against this Law shall be instituted under and in accordance with section 13 of the *Criminal Procedure Code (2019 Revision)*.

### **Appropriation of property forfeited**

- 46.** The proceeds of the sale of any property forfeited under this Law shall be paid into the Treasury.

**Precise description of intoxicating liquor not necessary in evidence**

47. In any prosecution for any offence under this Law, with respect to intoxicating liquor, it is not necessary for any witness to depose directly to the precise description of the intoxicating liquor, with respect to which the offence has been committed, to the precise consideration therefor or to the fact that the offence was committed, to his own personal or certain knowledge but, so soon as it appears to the court that the circumstances in evidence sufficiently establish the offence complained of, the court shall put the defendant on his defence, and, in default of such evidence being rebutted, shall convict the defendant accordingly.

**Proof of knowledge not necessary**

48. Subject to section 41, on the trial of any proceedings for an offence under this Law, it shall not be necessary for a conviction to prove guilty knowledge or that the act or omission charged was committed knowingly.

**Protection of officials**

49. No action, suit or prosecution whatsoever shall be brought against any person, in respect of any detention or seizure made under this Law, where such person was acting, or believed himself to be acting, in the discharge of his official duties.

**Power to make regulations**

50. (1) The Cabinet may make regulations for giving effect to the objects and purposes of this Law and providing for the responsible sale, distribution, service and consumption of liquor in the Islands.
- (2) Notwithstanding the generality of the provisions in subsection (1), the Cabinet may, by way of regulations provide for the training of licensees, servers and any person involved in the sale, distribution, service and consumption of liquor in the Islands.
- (3) The forms in the Schedule may be amended by way of regulations made pursuant to subsection (1).

**Spent**

51. The transitional provision in the *Liquor Licensing Law (2016 Revision)* expired on 30th September, 2018, and is now spent.

**Validation**

52. (1) All acts carried out in good faith by the Board or by any person authorized by the Board in purported exercise of powers conferred under the former Law to grant retail category liquor licences for which the relevant licensed premises were movable structures are validated and all such licences granted in good faith under the former Law are validated and taken to have been lawfully granted.





- (2) In this section, “**former law**” means the Law in force immediately before the coming into force of section 6 of the *Liquor Licensing (Amendment) Law, 2015* [*Law 21 of 2015*].



**SCHEDULE****Form 1****LIQUOR LICENSING LAW****(2019 Revision)**

(section 12(1))

**APPLICATION FOR A LIQUOR LICENCE**

I, \_\_\_\_\_  
 aged \_\_\_\_\_ of \_\_\_\_\_  
 \_\_\_\_\_ and being –

- (a) the holder of business licence No. \_\_\_\_\_ under the Trade and Business Licensing Law, 2014;
- (b) exempted from holding a business licence by virtue of section 3 of the Trade and Business Licensing Law, 2014;
- (c) the applicant for an occasional licence,

***(Tick the applicable option)***

am applying to the Liquor Licensing Board for a \_\_\_\_\_  
 licence for the period beginning on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and  
 ending on the thirtieth September following. I undertake to keep my premises open for  
 service to the public during the following hours –

Weekdays: \_\_\_\_\_

Sundays: \_\_\_\_\_

The address of the proposed licensed premises is \_\_\_\_\_

Where the licensed premises is a sea-going vessel, the name/registration of the sea-going  
 vessel is \_\_\_\_\_

The name and address of the captain is \_\_\_\_\_

Where different from the captain, the name and address of the owner is \_\_\_\_\_

***(Fill in the applicable options)***

I enclose certificates of the Commissioner of Police, the Chief Fire Officer, Chief Medical Officer and the Executive Secretary of the Central Planning Authority as to the suitability of the premises. A plan of the premises with bars, storage spaces, entrances and toilet facilities marked thereon is attached. A Treasury receipt for the prescribed fee is also enclosed.

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*(Applicant's signature)*



**Form 2****LIQUOR LICENSING LAW****(2019 Revision)**

(section 10 (6))

**PROVISIONAL GRANT OF LICENCE**

This is to certify that \_\_\_\_\_  
of \_\_\_\_\_ has been provisionally granted  
a \_\_\_\_\_ licence in respect of uncompleted premises at \_\_\_\_\_,  
\_\_\_\_\_.

the plans of which have been deposited with the Board, subject to the following conditions:

1. The licence may take effect on or after \_\_\_\_\_.
2. The premises have been completed in accordance with the plans deposited.
3. \_\_\_\_\_.
4. \_\_\_\_\_.
5. \_\_\_\_\_.
6. \_\_\_\_\_.

\_\_\_\_\_  
*Name of Chairperson of the Board*

\_\_\_\_\_  
*Signature of Chairperson of the Board*



**Form 3****LIQUOR LICENSING LAW****(2019 Revision)**

(section 7(1))

**LIQUOR LICENCE**

This is to certify that \_\_\_\_\_  
is the holder of \_\_\_\_\_ licence under the *Liquor Licensing Law (2019 Revision)* which licence expires on the 30th September, 20\_\_\_. The licence applies to the licensed premises at \_\_\_\_\_ the sea-going vessel named/registered \_\_\_\_\_. The said licensed premises may open to the public for the sale of \_\_\_\_\_ during the following hours: \_\_\_\_\_ and may open during other permitted hours under this Law.  
The following special conditions apply to this licence \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

\_\_\_\_\_  
*Name of Chairperson of the Board*\_\_\_\_\_  
*Signature of Chairperson of the Board*

**Form 4****LIQUOR LICENSING LAW****(2019 Revision)**

(section 19 (2))

**OCCASIONAL LICENCE**

This is to certify that \_\_\_\_\_  
of \_\_\_\_\_ is licensed to sell intoxicating liquor  
to \_\_\_\_\_ at \_\_\_\_\_,  
on the occasion of \_\_\_\_\_  
at the following times \_\_\_\_\_ on the  
(date) \_\_\_\_\_.

\_\_\_\_\_  
*Name of Chairperson of the Board*\_\_\_\_\_  
*Signature of Chairperson of the Board*

**Publication in consolidated and revised form authorised by the Cabinet this 12th  
day of February, 2019.**

**Kim Bullings**  
*Clerk of Cabinet*







## ENDNOTES

### Table of Legislation History:

SL #	Law #	Legislation	Commencement	Gazette
	8/2018	Liquor Licensing (Amendment) Law, 2018	10-Sep-18	G17/2018/s7
35/2018		Liquor Licensing (Amendment) Law, 2018 (Commencement) Order, 2018	7-Sep-18	GE-68/2018/s1
		<b>Liquor Licensing Law (2016 Revision)</b>	2-Sep-16	GE69/2016/s14
55/2015		Liquor Licensing (Amendment) Law, 2015 (Commencement) Order, 2015	18-Dec-15	GE99/2015/s7
	21/2015	Liquor Licensing (Amendment) Law, 2015	1-Jan-16	GE92/2015/s4
		<b>Liquor Licensing Law (2000 Revision)</b>	27-Mar-00	G7/2000/ s7
	16/1999	Liquor Licensing (Amendment) (New Licences) Law, 1999	25-Oct-99	G22/1999/s2
	7/1999	Liquor Licensing (Amendment) (Protection of Minors) Law, 1999	6-Jul-99	G14/1999/s5
	14/1998	Liquor Licensing (Amendment) (Protection of Minors) Law, 1998	6-Jul-99	G14/1999/s4
		<b>Liquor Licensing Law (1996 Revision)</b>	12-Nov-96	G23/1996/s1
	12/1989	Liquor Licensing (Amendment) Law, 1989	20-Nov-89	G24/1989/s6
	8/1985	Liquor Licensing Law, 1985	15-Apr-85	G8/1985/s8





(Price \$8.80)

