

LICENSING (JERSEY) LAW 1974

Official Consolidated Version

This is an official version of consolidated legislation compiled and issued under the authority of the Legislation (Jersey) Law 2021.

Showing the law from 1 January 2019 to 27 September 2021

Jersey

LICENSING (JERSEY) LAW 1974

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Jersey

LICENSING (JERSEY) LAW 1974[1]

A LAW to make provision for the control of the sale and consumption of intoxicating liquor and related matters

Commencement [see endnotes]

PART 1

GENERAL

1 Interpretation

(1) In this Law unless the context otherwise requires –

"architect" means an architect registered under the Architects (Registration) (Jersey) Law 1954;

"bar" means any open drinking bar;

"chose publique permit" means a permit granted under the Customary Law (Choses Publiques) (Jersey) Law 1993[2];

"cider" includes perry;

"Court" means the Inferior Number of the Royal Court;

"intoxicating liquor" means wine, beer, cider and any other liquor with an alcoholic content, intended for human consumption, but excludes any liquor where the alcoholic content is less than 1.2 % volume of ethyl alcohol as determined in accordance with Article 2 of the Customs and Excise (Jersey) Law 1999, and liqueur confectionery;[3]

"licence" means a licence granted under this Law;

"licensed premises" means, subject to paragraph (3), premises in respect of which a licence issued under any of the provisions of this Law is in force;[4]

"Licensing Assembly" means the Assembly of the Governor, Bailiff and Jurats;

"manager" means a manager appointed in pursuance of Article 18;

"meal" means breakfast, luncheon, tea, dinner, supper or any similar meal consumed by a person seated at a table that does not constitute a service counter or bar;

"member of the public" means, as regards any licensed premises, any person other than the holder of the licence, persons employed in the conduct of the business on the premises and persons residing on the premises or on any annexe of the premises;

"Minister" means the Minister for Economic Development, Tourism, Sport and Culture;

"on-licence" means a licence of the first, second, third, fourth, fifth or seventh category;

"Parish Assembly" means the Assembly of Principals and Officers of the parish;

"parish concerned" means, as regards any licence or application for a licence, the parish in which are situate the premises to which the licence or application relates;

"permitted hours" means, as regards any licence, the hours specified in relation to the category of that licence;

"premises" includes any place;[5]

"prescribed" means prescribed by Order made by the Minister;

"public bar" means any bar in premises, other than registered premises, in respect of which a first category licence alone is held and any bar designated as a public bar by the Licensing Assembly;[6]

"registered premises" means premises registered in pursuance of the Tourism (Jersey) Law 1948;

"sell" includes offer or agree to sell or expose for sale;

"spirits" means intoxicating liquor other than wines, liqueurs, cordials, cider and beer;

"Summer Season" means the period from 1st April or the Saturday preceding Easter Day, whichever is the earlier, to 31st October;

"unlawful gambling" means any type of gambling the conduct of which constitutes an offence under the Gambling (Jersey) Law 2012 or a breach of a condition imposed on a licence under that Law;

"Winter Season" means the period from 1st November to 31st March or Good Friday, whichever is the earlier.[7]

(2) For the purposes of this Law the expression "accommodated for reward on the licensed premises" shall be deemed not to include the holder of the licence nor any person employed in the conduct of the business on the premises.

(3) An area of land in respect of which a chose publique permit has been granted and a licence is in force shall be taken as licensed premises when, and only when, the permit holder –

(a) exercises an exclusive right under the permit to occupy that area; and

(b) uses that area as licensed premises.[8]

2 Categories of licence

For the purposes of this Law there shall be 7 categories of licence, namely –

(a) first category, to be called "the Taverner's Licence";

(b) second category, to be called "the Residential Licence";

(c) third category, to be called "the Restaurant Licence";

(d) fourth category, to be called "the Comprehensive Licence";

(e) fifth category, to be called "the Club Licence";

(f) sixth category, to be called "the Off-Licence"; and

(g) seventh category, to be called "the Entertainment Licence".

PART 2

GENERAL PROVISIONS RELATING TO GRANT OF LICENCES

3 Application for licences

(1) An application for the grant of a licence shall be made in such form as the Licensing Assembly may from time to time require and shall be delivered to the Treasurer of the States not later than the 5th day of the month preceding that in which the application will be considered by the Licensing Assembly and shall be accompanied by a remittance for the appropriate licence fee or fees.[9]

(2) The Treasurer of the States shall –

(a) prepare a list, arranged by parishes in alphabetical order, setting out the name, address and nationality of each applicant, or, in the case of an application made by a limited liability company, the name of the company, the address of its registered office and the name of its secretary, or, in the case of an application for a licence of the fifth category, the name of the club in respect of which the application is made and the name of its secretary, and indicating the category or categories of licence for which application is made and the address of the premises to which the application relates and, in the case of an application made by an individual, the place or places at which the individual has resided during the 3 years immediately preceding the date of the application;

(b) not later than the 15th day of the month preceding that in which applications will be considered by the Licensing Assembly, transmit a copy of the list to each of the following, namely, the Bailiff, the Judicial Greffier, the Minister, the Chief Architect of the States, the Chief Fire Officer and the Chief Public Health Inspector, and shall also transmit to each Connétable a copy of that part of the list which relates to the Connétable's parish;

(c) as soon as possible transmit to the Judicial Greffier a copy of any documents accompanying the application for a licence of the fifth category.[10]

4 Requirements as to residence

(1) No licence shall be granted to any individual who has not resided in Jersey throughout the 3 years immediately preceding the date of the application for the licence, unless the Licensing Assembly is satisfied, by a written report obtained from a responsible official of the place or places at which the individual has resided during that period, that the individual is a fit and proper person to have charge of licensed premises and, for this purpose, he or she shall furnish the Connétable of the parish concerned with such information as the Connétable may require in order to enable the Connétable to obtain the necessary report or reports in sufficient time for the same to be submitted to the Parish Assembly at which the application will be considered.

(2) No licence shall be granted to an individual, being an alien, unless the individual has resided in the British Commonwealth during the 3 years immediately preceding the date of the application for the licence.

(3) In this Article, "alien" does not include a national of a Member State of the European Union.[11]

5 Consideration of applications by Parish Assembly

(1) Every application for the grant of a licence shall, before being submitted to the Licensing Assembly, be considered by the Parish Assembly of the parish concerned, and the Parish Assembly shall recommend to the Licensing Assembly whether or not the application should be granted.

(2) The meeting of the Parish Assembly shall be held not later than the first day of the month in which the applications will be heard by the Licensing Assembly and the convening notice shall contain particulars of the name of the applicant (which, in the case of an application made by a limited liability company or for a licence of the fifth category, shall mean the name of the company or the name of the club respectively), the address of the premises to which the application relates and the category or categories of licence for which application is made.

(3) At the meeting of the Parish Assembly –

(a) an applicant for a licence shall be present or be represented by an advocate or solicitor and if neither the applicant nor the applicant's advocate or solicitor appear, consideration of the application shall, notwithstanding any other provision of this Article, be deferred;

(b) any member of the Assembly may, without prejudice to the member's rights as a member, object by an advocate or a solicitor to the grant of a licence;

(c) any person registered for the parish as an elector in public elections, who is not a member of the Assembly, may object personally or by an advocate or a solicitor to the grant of a licence.[12]

(4) The Connétable shall submit to the Assembly any reports obtained by or furnished to the Connétable in pursuance of Article 4, 23, 39, 47, 55 or 69.

(5) The Connétable shall, not later than the 5th day of the month in which the applications will be heard by the Licensing Assembly –

(a) transmit to the Bailiff, the Judicial Greffier, the Minister, the Chief Architect of the States, the Chief Fire Officer and the Chief Public Health Inspector,

copies of the decisions of the Parish Assembly on the consideration of the applications; and

(b) transmit to the Judicial Greffier the reports referred to in paragraph (4).[13]

6 Grant of licences by Licensing Assembly

(1) Licences for the purposes of this Law shall be granted by the Licensing Assembly sitting in public.

(2) For the purpose of the grant of licences, the Licensing Assembly shall hold ordinary sessions within the 10 days preceding 25th March, 24th June, 29th September and 25th December in each year.

(3) The Licensing Assembly may hold extraordinary sessions whenever it thinks fit to do so, and, in relation to applications for licences to be considered at such extraordinary sessions, the foregoing provisions of this Part shall have effect subject to such modifications as may be necessary to ensure that anything required to be done prior to the consideration of the applications is done in due order, including in particular at least 15 days prior notice of any application to all the relevant competent authorities.

(4) When applications for licences are considered by the Licensing Assembly –

(a) any applicant may appear in person or be represented by an advocate or a solicitor;

(b) any person entitled to appear before the Parish Assembly who has addressed the Parish Assembly, either personally or by an advocate or a solicitor in relation to an application, may address the Licensing Assembly, either personally or by an advocate or a solicitor in relation to that application;

(c) any person who has given at least 7 days written notification to the Judicial Greffier of the fact may apply to be heard either in person or by an advocate or a solicitor and the Licensing Assembly may at its absolute discretion, hear the person or the person's representative.

(5) The Judicial Greffier shall place before the Licensing Assembly the decisions of the Parish Assembly and the reports transmitted to the Attorney General in pursuance of Article 5(5).[14]

(6) The Attorney General may attend before the Licensing Assembly and, if requested to do so by the Assembly, shall attend before it on the consideration of any application, and shall be entitled to be heard.[15]

(7) The Connétable of the parish concerned shall attend before the Licensing Assembly on the consideration of the application and shall be entitled to be heard.

(8) The chief executive officer of the administration of the States responsible for tourism or the chief executive officer's deputy, shall attend before the Licensing Assembly whenever applications for the grant of licences are being taken into consideration and shall furnish the Assembly with all such information as may be required in relation thereto and shall, in addition, be entitled to be heard in respect of any application which relates to premises registered or to be registered by the Minister under any enactment.[16]

(9) The Licensing Assembly, in deciding whether or not any application should be granted, shall have regard –

(a) to the interests of the public in general;

(b) to the nature of the business conducted or to be conducted on the premises sought to be licensed and the suitability of those premises for the conduct of that business,

and may grant a licence of a category different from that for which application is made.

(10) Notwithstanding any other provision of this Law the Licensing Assembly shall not grant a licence of the second, fifth, sixth or seventh category in respect of an area of land to which a chose publique permit relates.[17]

(11) The Licensing Assembly, in deciding whether or not an application should be granted or whether a licence of a category different from that for which application is made should be granted, shall have regard to but shall not be bound by, the recommendation of the Parish Assembly.

(12) The Licensing Assembly may attach to any licence such conditions as, having regard to all the circumstances of the case may seem desirable, including, in particular, the designation of any bar as a public bar.

(13) Notwithstanding any other provision of this Law on the grant of a licence in respect of premises which comprise, or include, an area of land to which a chose publique permit relates, the Licensing Assembly may, in relation to that area of land –

(a) restrict the permitted hours specified in this Law in relation to the category of licence;

(b) vary any of the general conditions relating to on-licences specified in Article 12; or

(c) attach such further conditions as, having regard to all the circumstances of the case, seem desirable.[18]

(14) Where a holder of a licence wishes to raise any matter concerning a licence held by the holder at any session of the Licensing Assembly, the holder of the licence shall, at least 15 days before that session, inform the Bailiff, the Connétable of the parish concerned, the Minister and the Judicial Greffier of that fact and of the matter which the holder of the licence wishes to raise.[19]

(15) Unless the Licensing Assembly otherwise specifies, a licence shall take effect on the date on which it is granted and, subject to the provisions of this Law shall remain in force until 24th December next following that date:

Provided that where a licence takes effect on a date between 10th November and 24th December, both dates inclusive, the licence shall remain in force until 24th December in the year next following that in which that date falls.

(16) Without prejudice to paragraph (15) or Article 9 where a licence is in force in respect of premises which comprise or include an area of land to which a chose publique permit relates and that permit is surrendered or withdrawn, the licence shall be deemed to be varied so that it shall cease to apply in relation to that area of land with effect from the date of the surrender or withdrawal of the permit.[20]

(17) The Licensing Assembly may in relation to any matter concerning any application to the Assembly regulate its own procedure.

7 Miscellaneous provisions relating to the grant of licences

(1) A licence shall not be granted to more than one person.

(2) Subject to the provisions of this Law a person may be granted, in respect of the same premises, licences of such categories as the Licensing Assembly shall consider appropriate.

(3) Save in the case of a licence of the sixth category, a person may not be granted a licence or licences in respect of more than one set of premises.

8 Provisional grant of licences

(1) Any person intending to apply for the grant of a licence in respect of any premises about to be constructed or adapted or in the course of construction or adaptation, may apply for the provisional grant of a licence of any category (other than the second category) in respect of those premises.

(2) Any such application shall be accompanied by plans of the premises and evidence that such consents for the construction or adaptation of the premises as may be required under any enactment have been obtained, and copies of such plans and such evidence shall be sent to the Chief Architect of the States, the Chief Fire Officer and the Chief Public Health Inspector, who shall cause reports thereon to be prepared and sent to the Judicial Greffier.[21]

(3) Where an application relates to premises registered or proposed to be registered with the Minister, copies of the relevant plans shall also be sent to the Minister.

(4) An application for the grant of a provisional licence shall be subject to the same procedure as that to which an application for the grant of a licence is subject under this Law save that no fee shall be payable on the making of the application.

(5) When the work of construction or adaptation has been completed, the holder of the provisional licence shall transmit to the Judicial Greffier –

(a) the certificate of an architect stating that the work has been completed in accordance with such plans as aforesaid (or, if the plans have been modified, indicating the nature of the modifications and stating that the work has been completed in accordance with the plans as modified); and

(b) the receipt of the Treasurer of the States for the appropriate licence fee or fees,

and the Judicial Greffier shall forward the same to the Attorney General who shall present the said certificate and receipt to the Court.[22]

(6) On presentation of the said certificate and receipt to the Court, the Court shall confirm the licence:

Provided that where the plans have been modified, the Court may refer the matter to the Licensing Assembly and the Assembly may confirm or refuse to confirm the licence as it sees fit.

(7) A licence confirmed under this Article shall take effect on the date on which it is confirmed and, subject to the provisions of this Law shall remain in force until 24th December next following that date:

Provided that where a licence is confirmed on a date between 10th November and 24th December, both dates inclusive, the licence shall remain in force until 24th December in the year next following that in which that date falls.

8A Transmission of copies to Attorney General[23]

(1) The Treasurer of the States shall, at the request of the Attorney General, transmit to the Attorney General a copy of any copy of a list or document required to be transmitted under Article 3(2)(b) or (c).

(2) A Connétable shall, at the request of the Attorney General, transmit to the Attorney General a copy of any report or copy of a decision required to be transmitted by the Connétable under Article 5(4) or (5).

(3) The Judicial Greffier shall, at the request of the Attorney General, transmit to the Attorney General a copy of –

(a) any copy of a decision or any report transmitted to the Judicial Greffier under Article 5(5);

(b) any licence granted pursuant to Article 6(9);

(c) any written information given by a holder of a licence under Article 6(14);

(d) any report sent to the Judicial Greffier under Article 8(2);

(e) any copy of a list transmitted to the Judicial Greffier under Article 10(3).

9 Submission of matters by Attorney General to Assembly

(1) Whenever the Attorney General is of the opinion that any matter relating to a licence should be referred to the Licensing Assembly, the Attorney General may submit such matter to the Assembly and in any such case the Assembly shall consider the matter and, having regard to all the circumstances of the case, may suspend or revoke the licence in relation to which the submission is made or may attach thereto such conditions as may seem desirable.

(2) When considering any matter submitted to it under paragraph (1), the Licensing Assembly shall be entitled, at its absolute discretion, to hear any person, either personally or by an advocate or a solicitor, in connection with the matter under consideration.

(3) Where under paragraph (1) the Licensing Assembly revokes any licence after the licence has been renewed for the following year in accordance with Article 10 and before the date on which the renewal would, but for the revocation, have taken effect, any licence fee or fees and dues paid by the holder of the licence in connection with such renewal shall be refunded to the licence holder.

10 Renewal of licences

(1) Subject to the provisions of this Article and of Article 18(5) any licence which expires on 24th December in any year may be renewed for a further period of one year, on application made to the Treasurer of the States, in the prescribed form –

(a) between 5th October and 5th November, both dates inclusive, in that year, on payment of the appropriate licence fee or fees;

(b) between 6th November and 14th December, both dates inclusive in that year, on payment of the said fee or fees, together with an additional fee of £200,

and on production to the Treasurer of the States of a copy of the Act of the Licensing Assembly whereby the licence was granted, the Treasurer of the States shall, in such a case, endorse the renewal of the licence on the Act of the Assembly.[24]

(2) On at least 4 occasions between the first day of October and the 1st day of November in every year, the Treasurer of the States shall publish in the Jersey Gazette a notice reminding holders of licences of the action required to be taken by them under the foregoing provisions of this Article in order to obtain the renewal of their licences.

(3) As soon as may be after 5th November and 14th December in each year, the Treasurer of the States –

(a) shall prepare a list, arranged by parishes in alphabetical order, setting out the name, address and nationality of each person whose licence has been renewed under the foregoing provisions of this Article, or, in the case of a licence held by a limited liability company, the name of the company, the address of its registered office and the name of its secretary, or in the case of a licence of the fifth category, the name of the club to which the licence relates and the name of its secretary, and indicating the category or categories of licence renewed and the address of the premises to which the licence relates; and

(b) shall transmit a copy thereof to each of the following, namely, the Bailiff, the Judicial Greffier and the Minister, and shall also transmit to each Connétable a copy of that part of the list which relates to the Connétable's parish.[25]

11 Fees

The States shall by Regulations fix the fees payable on the grant or renewal of a licence and different fees may be fixed for different categories of licence and for different periods of duration of licence.

PART 3

GENERAL PROVISIONS AS TO SALE AND CONSUMPTION OF INTOXICATING LIQUOR AND CONDUCT OF LICENSED PREMISES

12 General conditions of on-licences

(1) For the purposes of this Law an on-licence shall be deemed to be granted subject to the following conditions, namely that –

(a) every public bar on the licensed premises shall be closed at all times outside the permitted hours;

(b) no person under the age of 18 years shall be allowed to enter or remain, during permitted hours, in a room in which there is a public bar:

Provided that a person under that age who is accompanied by and in the charge of an adult may be allowed to enter and remain in such a room until 9 pm if the room provides a suitable environment for persons under the age of 18 years;

(c) no person under the age of 18 years shall be employed in work in connection with any bar on the licensed premises;

(d) save by permission of the Bailiff, no dancing or cabaret shall be permitted or provided on the licensed premises except by or for persons residing therein and their bona fide guests or members of a club in respect of which a licence of the fifth category is held or guests of such members:

Provided that no such permission shall be necessary where the Bailiff has stated in writing that, in the Bailiff's opinion, permission is not required for the purposes for which it is intended that the premises should be used;

(e) no unlawful gambling shall be permitted on the licensed premises;

(f) no debauchery or drunkenness shall be permitted on the licensed premises;

(g) intoxicating liquor shall not be supplied to any of the following persons, namely –

(i) persons under the influence of alcohol,

(ii) police officers in uniform;

(h) no excessive noise shall emanate from the licensed premises;

(i) no structural alterations or alterations to the layout of the licensed premises which affect any room in which intoxicating liquor is sold or any public area in those premises shall be made without the prior approval of the Licensing Assembly;

(j) in the case of licensed premises which are also registered premises, no alteration having the effect of increasing the capacity of the premises so that the number of guests that may be accommodated thereon is 5% or more above the maximum number specified in the conditions attached to the registration of the premises, shall be made without the prior approval of the Licensing Assembly; and

(k) adequate arrangements shall be maintained at all times by way of precautions against fire and the safety of persons in the case of fire.[26]

(2) For the purposes of the proviso to paragraph (1)(b), a room in which there is a public bar shall be deemed to provide a suitable environment for persons under the age of 18 years unless the Licensing Assembly, having considered representations to that effect, has decided otherwise.[27]

13 Serving or delivering intoxicating liquor to or for consumption by persons under 18

(1) Subject to paragraph (4), the holder of the licence shall not in licensed premises sell intoxicating liquor to a person under the age of 18 years or allow a person under that age to consume intoxicating liquor on the licensed premises.

(2) Subject to paragraph (4), a person under the age of 18 years shall not on licensed premises buy or attempt to buy intoxicating liquor nor consume intoxicating liquor therein.

(2A) Subject to paragraph (4), a person shall not in licensed premises buy or attempt to buy intoxicating liquor on behalf of a person under the age of 18 years unless the person who buys or attempts to buy the intoxicating liquor –

(a) is a parent or guardian of the person under the age of 18 years; or

(b) has attained the age of 18 years and has the consent of the parent or guardian of the person under the age of 18 years to purchase the liquor on behalf of the person under the age of 18 years.[28]

(3) Subject to paragraph (4), no person shall buy or attempt to buy intoxicating liquor for consumption on licensed premises by a person under the age of 18 years.

(4) The foregoing provisions of this Article shall not prohibit the serving to a person under the age of 18 years accompanied by a person over that age of wine, cider or beer for consumption at a meal in a part of the licensed premises usually set apart for the service of meals.

(5) Subject to paragraph (7), the holder of the licence shall not deliver, nor shall the holder of the licence allow any person to deliver, to a person under the age of 18 years intoxicating liquor sold on licensed premises for consumption off the premises except where the delivery is made at the residence or working place of the purchaser.

(6) Subject to paragraph (7), a person shall not send a person under the age of 18 years for the purpose of obtaining intoxicating liquor sold or to be sold in licensed premises for consumption off the premises, whether the liquor is to be obtained from the licensed premises or other premises from which it is delivered in pursuance of the sale.

(7) Paragraphs (5) and (6) shall not apply where the person under the age of 18 years is a member of the family, or is a servant, of the holder of the licence and is employed as a messenger to deliver intoxicating liquor.

(8) A person who acts in contravention of any of the foregoing provisions of this Article shall be guilty of an offence.[29]

(9) In any proceedings for an offence under this Article, it shall be a good defence for the defendant to prove that the defendant did not know, and could not with reasonable enquiry have ascertained, that the person was under the age of 18 years.

14 Copy of law to be kept on licensed premises

(1) The holder of a licence shall keep a copy of this Law and of all amendments thereto, on the licensed premises and shall produce the same to any person requiring the holder of a licence to do so.

(2) If the holder of a licence fails to comply with the provisions of this Article, the holder of a licence shall be liable to a fine of level 1 on the standard scale.[30]

15 Closing of licensed premises

(1) For the avoidance of doubt, it is hereby declared that the holder of a licence may close the licensed premises at any time and for any period.

(2) Notwithstanding the provisions of paragraph (1), where the holder of a licence closes the licensed premises for a period of more than one day, the licence holder shall give prior notice of the closure to the Connétable of the parish concerned, and, if the licence holder fails to do so, he or she shall be liable to a fine of level 2 on the standard scale.[31]

16 Right to exclude persons from licensed premises

(1) The holder of a licence, or the holder's servant or agent, may, without giving any reason therefor, refuse to admit to, and may expel from, the licensed premises any person who is drunken, violent, quarrelsome or disorderly, or any person whose presence on the premises would subject the holder of the licence to a penalty under this Law.

(2) Any police officer shall, at the request of the holder of a licence, or the holder's servant or agent, help to expel from the licensed premises any person liable to be expelled from them under this Article, and may use such force as may be required for the purpose.

(3) If any person, on being requested in pursuance of this Article by the holder of a licence or the holder's servant or agent or any police officer, to quit the licensed premises, refuses or fails to do so, he or she shall be liable to a fine of level 2 on the standard scale.[32]

17 Procuring drink for drunken person

If any person on licensed premises procures or attempts to procure any intoxicating liquor for consumption by a drunken person, or aids a drunken person in obtaining or consuming intoxicating liquor on such premises, the person shall be guilty of an offence.[33]

18 Companies; death or incapacity etc. of licence holder[34]

(1) Where the holder of a licence –

(a) is a limited liability company;

(b) dies or appoints an attorney without whom the licence holder may not transact in matters real or personal;

(c) has a delegate appointed under Part 4 of the Capacity and Self-Determination (Jersey) Law 2016; or

(d) becomes incapable, by reason of physical or mental illness or disability or from any other cause, of having in charge the licensed premises,

or where, pursuant to paragraph (2), the Viscount is deemed to be the holder of a licence, the licence shall be of no effect unless –

(i) the business in respect of which the licence is held is under the charge of a manager;

(ii) notice of the appointment of the manager has been given to the Connétable of the parish concerned; and

(iii) the manager has, within 28 days of the appointment, or such longer period as the Court may allow, been registered as such by the Court.[35]

(2) Where an Act of the Royal Court declares the property of a licence holder to be *en désastre* the Viscount shall be deemed to be the holder of the licence.

(3) The Court shall not register a person as a manager in pursuance of paragraph (1) unless it is satisfied that the person is a fit and proper person to have charge of the licensed premises and, in the case of registered premises, the person appointed as manager has been approved by the Minister.

(4) The provisions of Article 4 shall apply to applications for the registration of managers in pursuance of this Article, but as if references therein to the Licensing Assembly were references to the Court.

(5) Where any of the events mentioned in sub-paragraphs (b) to (d), inclusive, of paragraph (1) occurs the licence shall not be renewable in accordance with Article 10.

19 Absence from Jersey of on-licence holder or manager

(1) Where the holder of an on-licence or the manager of a business in respect of which an on-licence is held will be absent from Jersey, he or she shall –

(a) where the period of absence does not exceed 30 days during a consecutive period of 6 months, obtain the approval of the Connétable of the parish concerned to the person who will deputise for him or her during the absence; and

(b) in any other case, obtain the approval of the Court to the person who will deputise for him or her during the absence,

and, in either event, where the business is conducted on registered premises he or she shall obtain the approval of the Minister to the person who will deputise for him or her.

(2) The provisions of Article 4 shall apply to applications for the approval of the Court under paragraph (1)(b), but as if references therein to the Licensing Assembly and the Parish Assembly were references to the Court.

(3) If any person fails to comply with the provisions of this Article the person shall be guilty of an offence.

20 Powers and duties of managers, club secretaries etc.

The provisions of this Law relating to the holder of a licence shall apply *mutatis mutandis* to a manager, a person deputising for the holder of an on-licence or a manager in pursuance of Article 19 and the secretary of a club in respect of which a licence of the fifth category is held.

PART 4

THE TAVERNER'S LICENCE

21 Application of this Part of this Law

This Part of this Law applies only to licences of the first category and to premises in respect of which a licence of the first category is held.

22 Scope of licence

Subject to the provisions of this Law a licence shall authorize the sale by retail of intoxicating liquor –

(a) for consumption on the licensed premises, to –

(i) persons residing on the premises, at any time,

(ii) any other persons, during the permitted hours; and

(b) in closed vessels for consumption off the licensed premises, to any persons –

(i) on weekdays between 9 am and 9 pm, and

(ii) on Sundays between 11 am and 9 pm.[36]

23 Inspection of premises

(1) Where application is made for the grant of a licence, the Connétable of the parish concerned shall request the Chief Fire Officer, the Chief Public Health Inspector and any other competent person of the Connétable's choice to inspect the premises to which the application relates and to furnish the Connétable with a report in writing on the state and condition of the premises, particular mention being made of sanitary conveniences and precautions against fire and for the safety of persons in the case of fire, in sufficient time for the report to be submitted to the Parish Assembly at which the application will be considered.

(2) The report on the inspection shall also state whether, in the view of the competent person making the report, any rooms or area on the premises which are used or to be used for the purposes of entertainment are sufficiently insulated to ensure that the level of noise arising from the entertainment is not or will not be detrimental to the comfort of persons residing on the premises or in the vicinity thereof.

(3) The expenses reasonably incurred by the Connétable under this Article shall be reimbursed to the Connétable by the applicant.

24 Restriction on grant of licence

A licence shall not be granted in respect of any registered premises which do not provide a sitting-room of adequate size, other than a bar-lounge, for the exclusive use of persons accommodated for reward on the premises.

25 Restriction on consumption of intoxicating liquor on licensed premises

(1) No person shall consume any intoxicating liquor on any licensed premises outside the hours during which such liquor may under the provisions of this Law be sold to the person on those premises:

Provided that nothing in this paragraph shall prohibit the consumption of intoxicating liquor –

(a) during the first 20 minutes after –

(i) 11 pm on weekdays, Sunday, Good Friday and Christmas Day, or

(ii) 1 am on New Year's Day;

(b) between 6 am and 1 am the following day, by bona fide guests of persons accommodated for reward on the premises nor the consumption at any time by bona fide guests of the holder of the licence in that part of the licensed premises set aside exclusively for the ordinary residential use of the holder of the licence and the licence holder's family.[37]

(2) If any person acts in contravention of the provisions of this Article, the person and the holder of the licence shall each be guilty of an offence:

Provided that it shall be a good defence to any proceedings against the holder of a licence in respect of an offence against this Article to prove that the holder of the licence took all reasonable precautions to prevent the commission of the offence.

26 Closure of licensed premises[38]

Licensed premises may remain open for a further period of 10 minutes after the period of 20 minutes referred to in sub-paragraph (a) of the proviso to Article 25(1) for the purpose of allowing members of the public to leave the premises.

27 Posting of licences and other particulars

The holder of a licence shall –

(a) cause to be painted or fixed, and keep painted or fixed, in some conspicuous place and so as to be easily legible, on or immediately over and on the outer side of the main entrance of the licensed premises, the licence holder's name in full and the category and description of the licence;

(b) keep displayed, in some conspicuous place in the interior of the licensed premises near to the main entrance thereof, a copy of the Act of the Licensing Assembly whereby the licence was granted;

(c) keep displayed, at the exterior and close to each entrance of the licensed premises normally used by the public, and in each room or other place in the premises in which intoxicating liquor is ordinarily served, in a conspicuous position where it may be seen and easily read by customers, a notice specifying the charges made for the various descriptions of liquor sold according to the measures by which they are sold and keep every such list displayed at the exterior of the premises illuminated where necessary for it to be easily readable by customers;

(d) keep displayed at the exterior and in close proximity to each entrance to the licensed premises normally used by the public, and in each room or other place in which meals or refreshments are normally served, in a conspicuous position where

it may be seen and easily read by customers, a notice specifying the charges made for meals and refreshments, other than intoxicating liquor, served on the premises and keep every such notice displayed at the exterior of the premises illuminated where necessary for it to be easily readable by customers;

(e) ensure that a charge in excess of the appropriate charge specified in any such notice or list as is required by sub-paragraph (c) or (d) is neither demanded nor received,

and, if the licence holder fails to do so, the licence holder shall, in respect of each offence, be liable to a fine of level 2 on the standard scale and to a further fine of level 1 on the standard scale for each day during which the offence continues.[39]

28 Permitted hours

The permitted hours are –

Weekdays	Sunday, Good Friday and Christmas Day
9 am to 11 pm	11 am to 11 pm

extended on New Year's Eve to 1 am on New Year's Day.[40]

29 Entry of persons on premises

(1) No member of the public shall be permitted to –

(a) enter the licensed premises before 6 am or after 11 pm on any day;

(b) be on the licensed premises after 11.30 pm on any day:

Provided that –

(i) any member of the public may enter the licensed premises between 11 pm on New Year's Eve and 1 am on New Year's Day, and may remain there until 1.30 am on New Year's Day,

(ii) a bona fide guest of a person accommodated for reward on the licensed premises, who enters after 6 am on any day, may remain there until 1 am on the following day.[41]

(2) Notwithstanding the provisions of paragraph (1), bona fide guests of the holder of a licence may at any time enter and remain on that part of the licensed premises set aside exclusively for the ordinary residential use of the holder of the licence and the licence holder's family.

PART 5

THE RESIDENTIAL LICENCE

30 Application of this Part of this Law

This Part of this Law applies only to licences of the second category and to premises in respect of which a licence of the second category is held.

31 Scope of licence

Subject to the provisions of this Law a licence shall authorize the sale by retail of intoxicating liquor, for consumption on the licensed premises, to persons residing on the premises, at any time.

32 Restriction on grant of licence

(1) A licence shall not be granted either in respect of any premises which are not registered premises, or premises in respect of which a licence of the first category is held.

(2) A licence shall not be granted in respect of any premises which do not provide a sitting-room of adequate size, other than a bar-lounge, for the exclusive use of persons accommodated for reward on the premises.

33 Seasonal licences

(1) Where a licence of the second category (and no licence of any other category) is granted in respect of any premises, the licence may, either at the request of the applicant or otherwise, be granted subject to the condition that the business carried on on the premises shall be suspended during the Winter Season, and in such case –

(a) the provisions of Articles 15 and 19 shall not apply in relation to the premises or the holder of the licence during the Winter Season; and

(b) nothing in Article 36 shall prohibit any guest of the holder of the licence from entering or remaining on the premises at any time during the Winter Season.

(2) Where a licence is granted subject to the condition referred to in paragraph (1), the licence fee shall be reduced by one-third, and, where a licence fee of the full amount has been paid, the excess shall be refunded to the applicant.

34 Restriction on consumption of intoxicating liquor on licensed premises

(1) No person shall consume any intoxicating liquor on licensed premises other than bona fide guests of a person accommodated for reward on the premises and then only between the hours of 6 am and 1 am the following day, or bona fide guests of the holder of the licence in that part of the licensed premises set aside exclusively for the ordinary residential use of the holder of the licence and the licence holder's family.

(2) If any person acts in contravention of the provisions of this Article, the person and the holder of the licence shall each be guilty of an offence:

Provided that it shall be a good defence to any proceedings against the holder of a licence in respect of an offence against this Article to prove that he or she took all reasonable precautions to prevent the commission of the offence.[42]

35 Posting of licences and other particulars

The holder of a licence shall –

(a) cause to be painted or fixed, and keep painted or fixed, in some conspicuous place and so as to be easily legible, on or immediately over and on the outer side of the main entrance of the licensed premises, the licence holder's name in full and the category and description of the licence;

(b) keep displayed, in some conspicuous place in the interior of the licensed premises near to the main entrance thereof, a copy of the Act of the Licensing Assembly whereby the licence was granted;

(c) keep displayed in each room or other place in the licensed premises in which intoxicating liquor is ordinarily served, in a conspicuous position where it may be seen and easily read by customers, a notice specifying the charges made for the various descriptions of liquor sold according to the measures by which they are sold;

(d) keep displayed in each room or other place in the licensed premises in which meals or refreshments are normally served, in a conspicuous position where it may be seen and easily read by customers, a notice specifying the charges made for meals and refreshments, other than intoxicating liquor, served on the premises;

(e) ensure that a charge in excess of the appropriate charge specified in any such notice as is required by sub-paragraph (c) or (d) is neither demanded nor received,

and, if the licence holder fails to do so, he or she shall, in respect of each offence, be liable to a fine of level 2 on the standard scale and to a further fine of level 1 on the standard scale for each day during which the offence continues.[43]

36 Entry of persons on premises

(1) No member of the public shall be permitted to enter or be on the licensed premises before 6 am or after 11 pm:

Provided that a bona fide guest of a person accommodated for reward on the licensed premises may enter at any time after 6 am and remain there until 1 am the following day.

(2) Notwithstanding the provisions of paragraph (1), bona fide guests of the holder of a licence may at any time enter and remain on that part of the licensed premises set aside exclusively for the ordinary residential use of the holder of the licence and the licence holder's family.

PART 6

THE RESTAURANT LICENCE

37 Application of this Part of this Law

This Part of this Law applies only to licences of the third category and to premises in respect of which a licence of the third category is held.

38 Scope of licence[44]

(1) Subject to the provisions of this Law a licence –

(a) shall authorize the sale by retail, during the permitted hours, of intoxicating liquor for consumption on the licensed premises, to persons taking a meal on the premises; and

(b) where the conditions specified in paragraph (2) are complied with, shall also authorize the sale by retail of intoxicating liquor, for consumption on those premises, to other persons during the permitted hours for a licence of the first category.

(2) The conditions referred to in paragraph (1), on which intoxicating liquor may be sold to persons who are not taking a meal on the licensed premises, are as follows –

(a) the principal purpose of the premises must be the business of a restaurant;

(b) no liquor may be opened or served to any such person on the premises, except by a waiter or waitress and while the person is seated at a table; and

(c) no liquor may be consumed by any such person on the premises except while seated at a table.

(3) In this Article –

(a) without limiting the meaning of the expression "principal purpose" in paragraph (2)(a), the business of a restaurant is not the principal purpose of licensed premises unless, between 9 am and 11 pm when those premises are open for business –

(i) meals are available to any customers who request them, and

(ii) tables are available for any customers who wish to take a meal on the premises;

(b) "table" means a table that does not constitute a service counter or bar.

39 Inspection of premises

(1) Where application is made for the grant of a licence, the Connétable of the parish concerned shall request the Chief Fire Officer, the Chief Public Health Inspector and any other competent person of the Connétable's choice to inspect the premises to which the application relates and to furnish the Connétable with a report in writing on the state and condition of the premises, particular mention being made of sanitary conveniences and precautions against fire and for the safety of persons in the case of fire, in sufficient time for the report to be submitted to the Parish Assembly at which the application will be considered.

(2) The report on the inspection shall also state whether, in the view of the competent person making the report, any rooms or area on the premises which are used or to be used for the purposes of entertainment are sufficiently insulated to ensure that the level of noise arising from the entertainment is not or will not be detrimental to the comfort of persons residing on the premises or in the vicinity thereof.

(3) The expenses reasonably incurred by the Connétable under this Article shall be reimbursed to the Connétable by the applicant.

40 Restriction on grant of licence

(1) A licence shall not be granted in respect of any registered premises unless a licence of the first or the second category is granted or held in respect of those premises.[45]

(2) A licence shall not be granted in respect of any registered premises which in the opinion of the Minister are not suitably designed to meet the needs of both residents and non-residents, and which cannot conduct the business of a restaurant without prejudicing the comfort of persons accommodated for reward on the premises.

(3) A licence shall not be granted in respect of any registered premises which do not provide a sitting room of adequate size, other than a bar-lounge, for the exclusive use of persons accommodated for reward on the premises.

41 Restriction on consumption of intoxicating liquor on licensed premises[46]

(1) No person who is not taking a meal on licensed premises shall consume any intoxicating liquor on the premises outside the hours during which such liquor may under the provisions of this Law be sold to him or her on those premises.

(2) If any person acts in contravention of the provisions of this Article, he or she and the holder of the licence shall each be guilty of an offence:

Provided that it shall be a good defence to any proceedings against the holder of a licence in respect of an offence against this Article to prove that he or she took all reasonable precautions to prevent the commission of the offence.

42 Posting of licence and other particulars

The holder of a licence shall –

(a) cause to be painted or fixed, and keep painted or fixed, in some conspicuous place and so as to be easily legible, on or immediately over and on the outer side of the main entrance of the licensed premises, the licence holder's name in full and the category and description of the licence;

(b) keep displayed, in some conspicuous place in the interior of the licensed premises near to the main entrance thereof, a copy of the Act of the Licensing Assembly whereby the licence was granted;

(c) keep displayed, at the exterior and close to each entrance of the licensed premises normally used by the public, and in each room or other place in the premises in which intoxicating liquor is ordinarily served, in a conspicuous position where it may be seen and easily read by customers, a notice specifying the charges made for the various descriptions of liquor sold according to the measures by which they are sold, and keep every such list displayed at the exterior of the premises illuminated where necessary for it to be easily readable by customers;

(d) keep displayed at the exterior and in close proximity to each entrance to the licensed premises normally used by the public, and in each room or other place in which meals or refreshments are normally served, in a conspicuous position where it may be seen and easily read by customers, a notice specifying the charges made for meals and refreshments, other than intoxicating liquor, served on the premises, and keep every such notice displayed at the exterior of the premises illuminated where necessary for it to be easily readable by customers;

(e) ensure that a charge in excess of the appropriate charge specified in any such notice or list as is required by sub-paragraph (c) or (d) is neither demanded nor received,

and, if the licence holder fails to do so, the licence holder shall, in respect of each offence be liable to a fine of level 2 on the standard scale and to a further fine of level 1 on the standard scale for each day during which the offence continues.[47]

43 Permitted hours

The permitted hours are –

Weekdays	Sunday, Good Friday and Christmas Day
9 am – 1 am	11 am – 1 am.

44 Entry of persons on premises

No member of the public shall be permitted to enter or be on the licensed premises before 6 am or after 1.30 am the following day.

PART 7

THE COMPREHENSIVE LICENCE

45 Application of this Part of this Law

This Part of this Law applies only to licences of the fourth category and to premises in respect of which a licence of the fourth category is held.

46 Scope of licence

Subject to the provisions of this Law a licence shall authorize the sale by retail of intoxicating liquor –

(a) for consumption on the licensed premises to –

(i) persons residing on the premises at any time,

(ii) any other person, during the permitted hours;

(b) in closed vessels for consumption off the licensed premises, to any persons –

(i) on weekdays between 9 am and 9 pm, and

(ii) on Sundays between 11 am and 9 pm.[48]

47 Inspection of premises

(1) Where application is made for the grant of a licence, the Connétable of the parish concerned shall request the Chief Fire Officer, the Chief Public Health Inspector and any other competent person of the Connétable's choice to inspect the premises to which the application relates and to furnish the Connétable with a report in writing on the state and condition of the premises, particular mention being made of sanitary conveniences and precautions against fire and for the safety of persons

in the case of fire, in sufficient time for the report to be submitted to the Parish Assembly at which the application will be considered.

(2) The report on the inspection shall also state whether, in the view of the competent person making the report, any rooms or area on the premises which are used or to be used for the purposes of entertainment are sufficiently insulated to ensure that the level of noise arising from the entertainment is not or will not be detrimental to the comfort of persons residing on the premises or in the vicinity thereof.

(3) The expenses reasonably incurred by the Connétable under this Article shall be reimbursed to the Connétable by the applicant.

48 Restriction on grant of licence

(1) A licence shall not be granted in respect of any premises which are not registered premises and which in the opinion of the Licensing Assembly are not suitably designed to meet the needs of both residents and non-residents and on which the business cannot be conducted without prejudicing the comfort of the residents.

(2) A licence shall not be granted in respect of any registered premises which do not provide a sitting-room of adequate size, other than a bar-lounge, for the exclusive use of residents.

49 Restriction on consumption of intoxicating liquor on licensed premises

(1) No person shall consume any intoxicating liquor on any licensed premises outside the hours during which such liquor may under the provisions of this Law be sold to him or her on those premises:

Provided that nothing in this paragraph shall prohibit the consumption of intoxicating liquor –

(a) in a room in which there is a public bar during the times mentioned in sub-paragraph (a) of the proviso to Article 25(1);

(b) except in a room in the licensed premises in which there is a public bar, by a member of the public who is taking or has taken a meal on the premises, up to 1.30 am on any day; or

(c) at any time by a bona fide guest of a person accommodated for reward on the licensed premises, nor the consumption at any time by a bona fide guest of the holder of the licence in that part of the licensed premises set aside exclusively for the ordinary residential use of the holder of the licence and his or her family.[49]

(2) If any person acts in contravention of the provisions of this Article, he or she and the holder of the licence shall each be guilty of an offence:

Provided that it shall be a good defence to any proceedings against the holder of a licence in respect of an offence against this Article to prove that he or she took all reasonable precautions to prevent the commission of the offence.[50]

50 Posting of licence and other particulars

The holder of a licence shall –

(a) cause to be painted or fixed, and keep painted or fixed, in some conspicuous place and so as to be easily legible, on or immediately over and on the outer side of the main entrance of the licensed premises, the licence holder's name in full and the category and description of the licence;

(b) keep displayed, in some conspicuous place in the interior of the licensed premises near to the main entrance thereof, a copy of the Act of the Licensing Assembly whereby the licence was granted;

(c) keep displayed, at the exterior and close to each entrance of the licensed premises normally used by the public, and in each room or other place in the premises in which intoxicating liquor is ordinarily served, in a conspicuous position where it may be seen and easily read by customers, a notice specifying the charges made for the various descriptions of liquor sold according to the measures by which they are sold, and keep every such list displayed at the exterior of the premises illuminated where necessary for it to be easily readable by customers;

(d) keep displayed at the exterior and in close proximity to each entrance to the licensed premises normally used by the public, and in each room or other place in which meals or refreshments are normally served, in a conspicuous position where it may be seen and easily read by customers, a notice specifying the charges made for meals and refreshments, other than intoxicating liquor, served on the premises and keep every such notice displayed at the exterior of the premises illuminated where necessary for it to be easily readable by customers;

(e) ensure that a charge in excess of the appropriate charge specified in any such notice or list as is required by sub-paragraph (c) or (d) is neither demanded nor received,

and, if the licence holder fails to do so, the licence holder shall, in respect of each offence, be liable to a fine of level 2 on the standard scale and to a further fine of level 1 on the standard scale for each day during which the offence continues.[51]

51 Permitted hours

(1) The permitted hours are –

Weekdays	Sunday, Good Friday and Christmas Day
9.00 am to 1.00 am	11 am to 1 am.

(2) Any public bar shall be closed from –

(a) 11 pm to 9 am on weekdays;

(b) 11 pm to 11 am on Saturday night/Sunday Morning, Maundy Thursday/Good Friday, Christmas Eve/Christmas Day;

(c) 11 pm to midnight on Sundays, Good Friday and Christmas Day;

(d) 1 am to 9 am on New Year's Day.[52]

52 Entry of persons on premises

No member of the public shall be permitted to enter or be on the licensed premises after 1 am or before 6 am on any day:

Provided that –

(a) a bona fide guest of a person accommodated for reward on the licensed premises may enter and remain there at any time;

(b) a bona fide guest of the holder of a licence may at any time enter and remain on that part of the licensed premises set aside exclusively for the ordinary residential use of the holder of the licence and the licence holder's family;

(c) a member of the public who is taking or has taken a meal there may be on any part of the licensed premises, other than a room in which there is a public bar, until 1.30 am on any day.[53]

PART 8

THE CLUB LICENCE

53 Application of this Part of this Law

This Part of this Law applies only to licences of the fifth category and to premises in respect of which a licence of the fifth category is held.

54 Scope of licence

Subject to the provisions of this Law a licence shall authorize the sale by retail of intoxicating liquor, for consumption on the licensed premises, to members of the club and their bona fide guests –

(a) if resident on the premises, at any time; and

(b) if not resident on the premises, during the permitted hours.[54]

55 Inspection of premises

(1) Where application is made for the grant of a licence the Connétable of the parish concerned shall request the Chief Fire Officer, the Chief Public Health Inspector and any other competent person of the Connétable's choice to inspect the premises to which the application relates and to furnish the Connétable with a report in writing on the state and condition of the premises, particular mention being made of sanitary conveniences and precautions against fire and for the safety of persons in the case of fire, in sufficient time for the report to be submitted to the Parish Assembly at which the application will be considered.

(2) The report on the inspection shall also state whether, in the view of the competent person making the report, any rooms or area on the premises which are used or to be used for the purposes of entertainment are sufficiently insulated to ensure that the level of noise arising from the entertainment is not or will not be detrimental to the comfort of persons residing on the premises or in the vicinity thereof.

(3) The expenses reasonably incurred by the Connétable under this Article shall be reimbursed to the Connétable by the applicant.

56 Further details to accompany application for licence

(1) An application for a licence shall be accompanied by a list of the members, a copy of the rules and the name and address of the Secretary for the time being of the Club in respect of which the application is made.

(2) The rules shall be subject to the approval of the Attorney General and, once approved, shall not be amended without the Attorney General's consent, which consent shall not be unreasonably withheld.

(3) The name and address of the Secretary for the time being of the Club shall be notified as soon as may be to the Judicial Greffier.

57 Duty of Licensing Assembly

Before granting a licence, the Licensing Assembly shall examine the rules of the club in respect of which the application is made and shall satisfy itself –

(a) that the club is a bona fide club;

(b) that the supply of intoxicating liquor is ancillary to the main purpose of the club; and

(c) that the rules governing the election of members and honorary members of the club, and the rules governing the admission to the club of non-members, are adequate.

58 Restriction on consumption of intoxicating liquor on licensed premises

(1) No person shall consume any intoxicating liquor on any licensed premises outside the hours during which such liquor may under the provisions of this Law be sold to him or her on those premises:

Provided that nothing in this paragraph shall prohibit the consumption of intoxicating liquor during the first 20 minutes after 1 am on any day.[55]

(2) If any person acts in contravention of the provision of this Article, he or she and the holder of the licence shall each be guilty of an offence:

Provided that it shall be a good defence to any proceedings against the holder of a licence in respect of an offence against this Article to prove that he or she took all reasonable precautions to prevent the commission of the offence.[56]

59 Closure of licensed premises[57]

Licensed premises may remain open for a further period of 10 minutes after the period of 20 minutes referred to in the proviso to Article 58(1) for the purpose of allowing members and their bona fide guests to leave the premises.

60 Permitted hours

The permitted hours are –

Weekdays	Sunday, Good Friday and Christmas Day

9 am – 1 am 11 am – 1 am.

61 Entry of persons on premises[58]

No member of the public shall be permitted to –

(a) enter the licensed premises after 1 am or before 6 am on any day; or

(b) be on the premises after 1.30 am or before 6 am on any day.

PART 9

THE OFF LICENCE

62 Application of this Part of this Law

This Part of this Law applies only to licences of the sixth category and to premises in respect of which a licence of the sixth category is held.

63 Scope of licence

Subject to the provisions of this Law a licence shall authorize the sale to any person, during the permitted hours, of intoxicating liquor in closed vessels, for consumption off the licensed premises.

64 Posting of licence and other particulars

The holder of a licence shall –

(a) cause to be painted or fixed, and keep painted or fixed, in some conspicuous place and so as to be easily legible, on or immediately over and on the outer side of the main entrance of the licensed premises, the licence holder's name in full and the category and description of the licence;

(b) keep displayed, in some conspicuous place in the interior of the licensed premises near to the main entrance thereof, a copy of the Act of the Licensing Assembly whereby the licence was granted,

and, if the licence holder fails to do so, the licence holder shall, in respect of each offence, be liable to a fine of level 2 on the standard scale and to a further fine of level 1 on the standard scale for each day during which the offence continues. [59]

65 Permitted hours[60]

The permitted hours are 6 am – 10 pm on any day.

66 General conditions of off licences

For the purposes of this Law an off licence shall be deemed to be granted subject to the following conditions, namely –

(a) that intoxicating liquor shall not be supplied to any of the following persons, namely –

(i) persons under the influence of alcohol,

(ii) police officers in uniform;

(b) that no member of the public, other than a bona fide guest of the holder of the licence shall be permitted to enter or be on the licensed premises –

(i) on any day, before 6 am or after 10 pm, or

(ii) without prejudice to the requirements of sub-paragraph (i) of this paragraph on a Sunday, Good Friday, Christmas Day or Liberation Day, at any time, unless a permit under the Shops (Regulation of Opening and Deliveries) (Jersey) Law 2010 is in force in relation to the premises.[61]

PART 10

THE ENTERTAINMENT LICENCE

67 Application of this Part of this Law

This Part of this Law applies only to licences of the seventh category and to premises in respect of which a licence of the seventh category is held.

68 Scope of licence

Subject to the provisions of this Law a licence shall authorize the sale by retail of intoxicating liquor for consumption on licensed premises in respect of –

(a) a cinema, from the earliest hour of the permitted hours until the end of the final performance or the latest hour of the permitted hours, whichever is the earlier;

(b) a theatre, from the earliest hour of the permitted hours to one hour after the end of the final performance or the latest hour of the permitted hours, whichever is the earlier; or

(c) a place of entertainment other than a cinema or a theatre, during the permitted hours.[62]

69 Inspection of premises

(1) Where application is made for the grant of a licence the Connétable of the parish concerned shall request the Chief Fire Officer, the Chief Public Health Inspector and any other competent person of the Connétable's choice to inspect the premises to which the application relates and to furnish the Connétable with a report in writing on the state and condition of the premises, particular mention being made of sanitary conveniences and precautions against fire and for the safety of persons in the case of fire, in sufficient time for the report to be submitted to the Parish Assembly at which the application will be considered.

(2) The report on the inspection shall also state whether, in the view of the competent person making the report, any rooms or area on the premises which are used or to be used for the purposes of entertainment are sufficiently insulated to ensure that

the level of noise arising from the entertainment is not or will not be detrimental to the comfort of persons residing on the premises or in the vicinity of the premises.

(3) The expenses reasonably incurred by the Connétable under this Article shall be reimbursed to the Connétable by the applicant.

70 Restriction on grant of licence

A licence shall not be granted in respect of any premises unless –

(a) the Bailiff is prepared to grant a permit for entertainment on the premises, or has certified in writing that no such permit is required for the purposes for which it is intended that the premises should be used; and

(b) the Licensing Assembly is satisfied that the premises are structurally adapted and used, or intended to be used, for the purpose of providing entertainment to persons resorting there, whether on payment or otherwise, and where the sale of intoxicating liquor is ancillary to that purpose.

71 Posting of licence and other particulars

The holder of a licence shall –

(a) cause to be painted or fixed, and keep painted or fixed, in some conspicuous place and so as to be easily legible, on or immediately over and on the outer side of the main entrance of the licensed premises, the licence holder's name in full and the category and description of the licence;

(b) keep displayed, in some conspicuous place in the interior of the licensed premises near to the main entrance thereof, a copy of the Act of the Licensing Assembly whereby the licence was granted;

(c) keep displayed, at the exterior and close to each entrance of the licensed premises normally used by the public, and in each room or other place in the premises in which intoxicating liquor is ordinarily served, in a conspicuous position where it may be seen and easily read by customers, a notice specifying the charges made for the various descriptions of liquor sold according to the measures by which they are sold, and keep every such list displayed at the exterior of the premises illuminated where necessary for it to be easily readable by customers;

(d) keep displayed at the exterior and in close proximity to each entrance to the licensed premises normally used by the public, and in each room or other place in which meals or refreshments are normally served, in a conspicuous position where it may be seen and easily read by customers, a notice specifying the charges made for meals and refreshments, other than intoxicating liquor, served on the premises and keep every such notice displayed at the exterior of the premises illuminated where necessary for it to be easily readable by customers;

(e) ensure that a charge in excess of the appropriate charge specified in any such notice or list as is required by sub-paragraph (c) or (d) is neither demanded nor received,

and, if the licence holder fails to do so, the licence holder shall, in respect of each offence, be liable to a fine of level 2 on the standard scale and to a further fine of level 1 on the standard scale for each day during which the offence continues. [63]

72 Permitted hours

(1) The permitted hours are[64] –

(a) in relation to a cinema or theatre –			
Weekdays	Eve of Good Friday and Christmas Eve	Sunday	Good Friday and Christmas Day
9 am – 1 am	9 am –midnight	11 am – 1 pm 4.30 pm – 11 pm	–
(b) in relation to a designated nightclub –			
Weekdays	Eve of Good Friday and Christmas Eve	Sunday	Good Friday and Christmas Day
9 am – 2 am	9 am – midnight	11 am – 1 pm 4.30 pm – 2 am	–
(c) in relation to any other place of entertainment –			
Weekdays	Eve of Good Friday and Christmas Eve	Sunday	Good Friday and Christmas Day
9 am – 1 am	9 am –Midnight	11 am – 1 pm 4.30 pm – 1 am	–

(2) Without prejudice to the requirements of Article 68 and of paragraph (1), any public bar shall be closed during the hours that a public bar on premises in respect of which a licence of the fourth category is held is required to be closed by Article 51(2):

Provided that where access to a public bar can be gained only from inside the premises, the bar may remain open for the exclusive use of patrons of –

(a) a cinema during the hours specified in Article 68(a);

(b) a theatre during the hours specified in Article 68(b);

(c) any other place of entertainment during the permitted hours,

and, in the case of a theatre or other place of entertainment, the premises may remain open during the period of 20 minutes after the hours referred to in sub-paragraphs (b) and (c) respectively of this proviso for the purpose of the consumption of intoxicating liquor and for a further period of 10 minutes after that 20 minutes for the purpose of allowing patrons to leave the premises.[65]

(3) Subject to paragraph (2), a place of entertainment other than a cinema or a theatre may remain open during the period of 20 minutes after the permitted hours for the purpose of the consumption of intoxicating liquor and for a further period of 10 minutes after that 20 minutes for the purpose of allowing patrons to leave the premises.[66]

(4) In this Article "designated nightclub" means a place of entertainment principally used for the purpose of providing music and dancing for members of the public

which, subject to paragraph (5), the Licensing Assembly has determined may open during the permitted hours mentioned in paragraph (1)(b).[67]

(5) The Licensing Assembly, if satisfied that it is in the interests of persons residing in the vicinity of a designated nightclub, may, in respect of that designated nightclub, restrict the permitted hours mentioned in paragraph (1)(b) so that they end at a time earlier than 2 am, but not earlier than 1 am; and different restrictions may be imposed under this paragraph for different days.[68]

73 Entry of persons on premises

No member of the public shall be permitted to –

(a) enter the licensed premises on any day before 6 am or after the latest hour of the permitted hours; or

(b) be on the licensed premises after the latest hour during which the licensed premises may, under Article 72 remain open.[69]

PART 11

ENFORCEMENT

74 Duty of Connétables to keep register

It shall be the duty of the Connétable of every parish to keep a register in which shall be entered particulars of every conviction relating to licensed premises situate within the parish (including any offence against the provisions of any law for the time being in force relating to the adulteration of food or drink) and to produce such register to the Licensing Assembly at its ordinary session in the month of December in each year and at such other times as the Assembly may require.

75 Power to enter premises for purpose of enforcing law

(1) It shall be lawful for any police officer at any time to enter any licensed premises within the territorial limits of the police officer's jurisdiction and make such enquiries and take such steps as the police officer thinks necessary in order to ensure that the provisions of this Law are being complied with.

(2) It shall be lawful for any police officer to enter any house, building or other place within the territorial limits of the police officer's jurisdiction, not being licensed premises, in which the police officer has reason to believe that an offence against this Law is being or has been committed.

(3) It shall be lawful for any member of the States of Jersey Fire and Rescue Service at any reasonable time to enter and inspect any licensed premises, and make such enquiries as the member thinks necessary, in order to ensure that the provisions of this Law relating to precautions against fire and the safety of persons in the case of fire are being complied with.[70]

76 Proof of sale or consumption of intoxicating liquor

(1) Evidence that a transaction in the nature of a sale of intoxicating liquor took place shall, in any proceedings relating to an offence under this Law be evidence of the sale of the liquor without proof that money passed.

(2) Evidence that consumption of intoxicating liquor was about to take place shall in any such proceedings be evidence of the consumption of intoxicating liquor without proof of actual consumption.

(3) Evidence that any person, other than the occupier of licensed premises, or a servant employed in licensed premises, consumed or intended to consume intoxicating liquor in the premises shall be evidence that the liquor was sold by or on behalf of the holder of the licence to that person.

77 Proof of residence

In any proceedings under this Law the proof that a person is resident on any licensed premises shall be on that person.

PART 12

OFFENCES

78 Penalty for selling intoxicating liquor without licence

(1) Subject to the provisions of this Law any person who, not being the holder of a licence, sells any intoxicating liquor shall be liable to a fine or to imprisonment for a term not exceeding 12 months or to both such fine and such imprisonment.[71]

(2) Where intoxicating liquor is sold in contravention of this Article on any premises, every occupier of the premises who is proved to have been privy or to have consented to the sale shall be liable to the penalties provided by paragraph (1).

(3) On the conviction of any person for an offence under this Article, the Court may declare all intoxicating liquor found in the possession of the person convicted, and the vessels containing the liquor, to be forfeited.

(4) For the purposes of this Article, a person who by way of business stores intoxicating liquor for subsequent delivery within Jersey following the placing of an order with that person or with the consignor of the intoxicating liquor or the person's agent, shall be deemed to sell intoxicating liquor.

79 Penalty for non-compliance with terms of licence

If any holder of a licence, either by himself, herself or by any servant or agent, acts in contravention of or fails to comply with any condition or restriction on or subject to which the licence was granted, or sells intoxicating liquor otherwise than as he or she is authorized by the licence, he or she shall be guilty of an offence.

80 Penalty for purchase of intoxicating liquor outside hours

If any person purchases, on any licensed premises, any intoxicating liquor outside the hours during which such liquor may under the provisions of this Law be sold to the person on those premises, the person shall be guilty of an offence.[72]

81 Penalty for removal of intoxicating liquor sold for consumption on licensed premises

If any person takes from any licensed premises intoxicating liquor sold for consumption on the premises, the person shall be liable to a fine of level 1 on the standard scale.[73]

82 Penalty for drunkenness on licensed premises

If any person is found drunk or disorderly on any licensed premises, the person shall be liable to imprisonment for a term of 3 months and to a fine of level 3 on the standard scale.[74]

83 Obstruction of Fire Officer

If any person wilfully obstructs or interferes with a member of the States of Jersey Fire and Rescue Service in the exercise of any of his or her powers under Article 75(3) the person shall be guilty of an offence.[75]

84 Penalty for false representation or statement

If any person, for any of the purposes of this Law knowingly makes any statement or gives any information which is false in a material particular, or produces any declaration or certificate knowing the same to be false in a material particular, the person shall be guilty of an offence.[76]

85 General penalty

Any person guilty of an offence against this Law for which no special penalty is provided shall be liable to a fine and to imprisonment for a term of 6 months.[77]

86 Offences by servants and agents

Where an offence for which the holder of a licence is liable under this Law has, in fact, been committed by the licence holder's servant or agent, the servant or agent, as well as the holder of the licence, shall be deemed to be guilty of that offence and shall be liable to be prosecuted and punished accordingly.

87 False statements made to licence holders

(1) Where proceedings for an offence against this Law are taken against the holder of a licence, he or she shall not be liable to conviction if he or she proves that the offence was committed as a result of a false statement having been made to him or

her, or his or her servant or agent, by some other person, and that there was no good reason to suspect that the statement was false.

(2) If any person, by making a false statement, renders the holder of a licence liable to proceedings for an offence against this Law, he or she shall, whether or not the holder of the licence is convicted of the offence, be liable to a fine of level 2 on the standard scale.[78]

88 Accessories and abettors

Any person who knowingly and wilfully aids, abets, counsels, causes, procures or commands the commission of an offence punishable under this Law shall be liable to be dealt with, tried and punished as a principal offender.

PART 13

MISCELLANEOUS

89 Special permits

(1) The Bailiff may, if in his or her discretion the Bailiff thinks fit –

(a) grant to the holder of an on-licence a special permit authorizing the holder of the on-licence, on any special occasion, to sell intoxicating liquor by retail for consumption on the licensed premises and to keep the premises open to the public during the hours (being hours outside the hours authorized by the licence) specified in the permit;

(b) grant to the holder of an on-licence a special permit authorizing the holder of the on-licence, on the occasion of any race meeting, public fête, sporting event, agricultural, horticultural or commercial exhibition or social meeting, to sell intoxicating liquor by retail during the hours and at the place specified in the permit for consumption during those hours and at that place.

(2) Any special permit granted under this Article may be granted subject to such conditions and restrictions as the Bailiff may think fit to impose.

(3) The person to whom a special permit has been granted under this Article shall, before using such permit, produce the same to the Connétable of the parish in which the permit is to be used and, if the person fails to do so, the person shall be guilty of an offence.

(4) If the person to whom a special permit has been granted under this Article acts in contravention of or fails to comply with any condition or restriction subject to which the permit was granted, the person shall be guilty of an offence.

90 Sales of intoxicating liquor on board ships while in port[79]

(1) The owner of a vessel employed in the carriage of passengers between Jersey and a place outside Jersey, may apply to the Bailiff under this Article for a permit authorizing the sale of intoxicating liquor on board that vessel while it is in harbour and delayed beyond its normal sailing time by press of weather or mechanical breakdown.

(2) A permit under this Article shall authorize the sale by retail of intoxicating liquor on board the vessel without a licence –

(a) to bona fide passengers for consumption on board the vessel;

(b) in a bar or in a place in which meals are normally served; and

(c) after the time at which the vessel was due to sail.

(3) The Bailiff may grant a permit under this Article for such period and subject to such conditions or restrictions as the Bailiff may in his or her discretion think fit to impose.

(4) A person to whom a permit has been granted under this Article, who acts in contravention of or fails to comply with –

(a) paragraph (2); or

(b) any condition or restriction subject to which the permit was granted,

shall be guilty of an offence.

(5) In this Article the expression "owner" in relation to a vessel includes a charterer.

91 Exemptions

Nothing in this Law shall make unlawful –

(a) the sale by a person, for consumption off the person's premises and in quantities of not less than 2 litres, of cider manufactured from apples grown or manufactured by the person from apples grown in Jersey;

(b) the sale of medicines containing alcohol, by medical practitioners, or persons lawfully carrying on retail pharmacy businesses within the meaning of Article 68(3) of the Medicines (Jersey) Law 1995;

(c) the sale by auction of intoxicating liquor, by an auctioneer established in Jersey, so long as the liquor is not the property of the auctioneer and has not been imported into Jersey for the purpose of being sold by auction;

(d) the sale of intoxicating liquor to the holder of a licence of the sixth category by the agent of a person who has no place of business within Jersey;

(e) the sale of intoxicating liquor without a licence in an aircraft or vessel for consumption on board the aircraft or vessel if the aircraft or vessel is employed for the carriage of passengers and is being flown or navigated from a place in Jersey to another such place or from and to the same place in Jersey on the same day.[80]

92 The Airport, Fort Regent, Highlands College and the Port of St. Helier[81]

(1) Notwithstanding any other provision of this Law on the grant of a licence at the Airport, Fort Regent, Highlands College or the Port of St. Helier, the Licensing Assembly may, in respect of that licence –

(a) vary the permitted hours specified in this Law in relation to the category of licence;

(b) limit the area in respect of which the licence applies;

(c) vary any of the general conditions relating to on-licences specified in Article 12; and

(d) attach such conditions as, having regard to all the circumstances of the case, seem desirable.

(2) Before granting a licence to which this Article relates the Licensing Assembly shall have regard to any recommendations made by the Minister (if any) assigned responsibility for the administration of the place, or institution, referred to in paragraph (1).

92A Wedding of Prince Henry of Wales: licensing extension[82]

(1) Notwithstanding any restriction imposed by or under any provision of this Law –

(a) the permitted hours for a licence of the first category –

(i) on Friday 18th May 2018 shall be extended to 1.00 a.m. on Saturday 19th May 2018,

(ii) on Saturday 19th May 2018 shall be extended to 1.00 a.m. on Sunday 20th May 2018;

(b) any member of the public may enter premises to which a licence of the first category relates –

(i) between 11.00 p.m. on Friday 18th May 2018 and 1.00 a.m. on the following day and may remain there until 1.30 a.m. on Saturday 19th May 2018,

(ii) between 11.00 p.m. on Saturday 19th May 2018 and 1.00 a.m. on the following day and may remain there until 1.30 a.m. on Sunday 20th May 2018;

(2) Nothing in Article 25(1) shall prohibit the consumption of intoxicating liquor during the first 20 minutes after –

(a) 1.00 a.m. on Saturday 19th May 2018; and

(b) 1.00 a.m. on Sunday 20th May 2018,

in premises to which a licence of the first category relates.

(3) The Judicial Greffier shall give notice in the Jersey Gazette of the extension of the permitted hours for a licence of the first category under this Article, such notice being published no later than 10th May 2017.

93 Power of States to amend Law

The powers conferred upon the States by the Order in Council of the 6th day of March 1833, to amend legislation relating to the conduct of taverners, the sale of wines and liquors and the grant of licences are hereby confirmed and, accordingly, the States may make such amendments to this Law as may from time to time be deemed expedient.

94 Orders

(1) The Minister may make Orders prescribing anything which by this Law is to be prescribed.

(2) The Subordinate Legislation (Jersey) Law 1960 shall apply to Orders made under this Law.

95 Citation

This Law may be cited as the Licensing (Jersey) Law 1974.

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement	◦Projet No (where applicable)
Licensing (Jersey) Law 1974	L.21/1974	25 December 1974 (R&O.6060)	
Licensing (Jersey) Regulations 1974	R&O.6072	25 December 1974	
Finance (Jersey) Law 1981	L.9/1981	2 December 1980	
Licensing (No. 2) (Jersey) Regulations 1982	R&O.7097	28 September 1982	
Licensing (No. 3) (Jersey) Regulations 1985	R&O.7373	12 March 1985	
Licensing (No. 4) (Jersey) Regulations 1985	R&O.7442	1 January 1986	
Licensing (No. 5) (Jersey) Regulations 1992	R&O.8358	6 April 1992	
Licensing (No. 6) (Jersey) Regulations 1992	R&O.8501	16 December 1992	
Licensing (No. 7) (Jersey) Regulations 1993	R&O.8560	28 July 1993	
Licensing (No. 8) (Jersey) Regulations 1994	R&O.8699	27 July 1994	
Licensing (No. 9) (Jersey) Regulations 1994	R&O.8770	14 December 1994	
Licensing (No. 10) (Jersey) Regulations 1996	R&O.8945	19 June 1996	
Licensing (No. 11) (Jersey) Regulations 1996	R&O.8984	10 October 1996	
Licensing (No. 12) (Jersey) Regulations 1997	R&O.9051	1 April 1997	
Licensing (No. 13) (Jersey) Regulations 1999	R&O.9418	11 July 1999	P.82/1999
Licensing (No. 14) (Jersey) Regulations 1999	R&O.9440	30 September 1999	P.119/1999
Customs and Excise (Jersey) Law 1999	L.33/1999	1 November 2000	P.21/1999
Licensing (No. 15) (Jersey) Regulations 2003	R&O.105/2003	5 November 2003	P.130/2003
Licensing (No. 16) (Jersey) Regulations 2005	R&O.52/2005	31 May 2005	P.92/2005
States of Jersey (Amendments and Construction Provisions No. 4) (Jersey) Regulations 2005	R&O.44/2005	9 December 2005	P.58/2005

Legislation	Year and No	Commencement	◦Projet No (where applicable)
Pharmacists and Pharmacy Technicians (Registration) (Jersey) Law 2010	L.6/2010	16 May 2010	P.209/2009
Licensing (No. 17) (Jersey) Regulations 2011	R&O.40/2011	7 April 2011	P.28/2011
Shops (Regulation of Opening and Deliveries) (Jersey) Law 2010	L.21/2010	4 August 2011 (R&O.96/2011)	P.111/2009 (re-issue)
Fire and Rescue Service (Jersey) Law 2011	L.26/2011	1 March 2012 (R&O.27/2012)	P.98/2011
Gambling (Jersey) Law 2012	L.14/2012	1 January 2013 (R&O.133/2012)	P.100/2011
European Union Legislation (Implementation) (Jersey) Law 2014	L.28/2014	31 October 2014	P.164/2013
States of Jersey (Transfer of Functions No. 8) (Miscellaneous Transfers) (Jersey) Regulations 2015	R&O.158/2015	1 January 2016	P.46/2015 (re-issue)
Licensing (No. 18) (Jersey) Regulations 2016	R&O.57/2016	25 May 2016	P.34/2016
Criminal Justice (Miscellaneous Provisions) (Jersey) Law 2016	L.1/2016	20 September 2016 (R&O.98/2016)	P.87/2015
Licensing (No.19) (Jersey) Regulations 2018	R&O.33/2018	23 March 2018	P.49/2018
Mental Health and Capacity (Consequential Amendment and Transitional Provision) (Jersey) Regulations 2018	R&O.49/2018	1 October 2018 (R&O.51/2018)	P.48/2018

◦Projets available at www.statesassembly.gov.je

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88A	spent, omitted from this revised edition; inserted by R&O.9418; amended by R&O.9440
89A	90
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94	spent, omitted from this revised edition

Table of Endnote References

[1] *This Law has been amended by the States of Jersey (Amendments and Construction Provisions No. 4) (Jersey) Regulations 2005. The amendments replace all references to a Committee of the States of Jersey with a reference to a Minister of the States of Jersey, and remove and add defined terms appropriately, consequentially upon the move from a committee system of government to a ministerial system of government*

[2] *Article 1(1)* *definition "chose publique permit" inserted by R&O.8560;*

[3] *Article1(1)* *definition "intoxicating liquor" amended by L.9/1981, L.33/1999*

[4] *Article 1(1)* *definition "licensed premises" substituted by R&O.8358; amended by R&O.8560*

[5] *Article 1(1)* *definition "premises" inserted by R&O.8560*

[6] *Article 1(1)* *definition "public bar" amended by R&O.6072*

[7] *Article 1(1)* *amended by L.14/2012, R&O.158/2015*

[8] *Article 1(3)* *amended by R&O.8560*

[9] *Article 3(1)* *amended by R&O.8501*

[10] *Article 3(2)* *amended by R&O.105/2003*

[11] *Article 4(3)* *amended by L.28/2014*

[12] *Article 5(3)* *amended by R&O.8358*

[13] *Article 5(5)* *amended by R&O.105/2003*

[14] *Article 6(5)* *amended by R&O.105/2003*

[15] *Article 6(6)* *inserted by R&O.105/2003*

[16] *Article 6(8)* *amended by R&O.158/2015*

[17] *Article 6(10)* *inserted by R&O.8560*

[18] *Article 6(13)* *inserted by R&O.8560*

[19] *Article 6(14)* *amended by R&O.105/2003*

[20] *Article 6(16)* *inserted by R&O.8560*

[21] *Article 8(2)* *amended by R&O.105/2003*

[22] *Article 8(5)* *amended by R&O.105/2003*

[23] *Article 8A* *inserted by R&O.105/2003*

[24] *Article 10(1)* *amended by R&O.8358, R&O.8699*

[25] *Article 10(3)* *amended by R&O.105/2003*

[26] *Article 12(1)* *amended by R&O.8358, R&O.8501, R&O.9051*

[27] *Article 12(2)* *inserted by R&O.8501*

[28] *Article 13(2A)* *inserted by R&O.52/2005*

[29] *Article 13(8)* *substituted by R&O.8358*
[30] *Article 14(2)* *amended by R&O.8358, L.1/2016*
[31] *Article 15(2)* *amended by R&O.8358, L.1/2016*
[32] *Article 16(3)* *amended by R&O.8358, L.1/2016*
[33] *Article 17* *amended by R&O.8358*
[34] *Article 18* *substituted by R&O.8501*
[35] *Article 18(1)* *amended by R&O.49/2018*
[36] *Article 22* *amended by R&O.8984*
[37] *Article 25(1)* *amended by R&O.8358*
[38] *Article 26* *inserted by R&O.8358*
[39] *Article 27* *amended by R&O.8358, R&O.8501, L.1/2016*
[40] *Article 28* *substituted by R&O.8945*
[41] *Article 29(1)* *amended by R&O.8358, R&O.8945*
[42] *Article 34(2)* *amended by R&O.8358*
[43] *Article 35* *amended by R&O.8358, R&O.8501, L.1/2016*
[44] *Article 38* *substituted by R&O.8984*
[45] *Article 40(1)* *amended by R&O.6072*
[46] *Article 41* *inserted by R&O.8984*
[47] *Article 42* *amended by R&O.8358, R&O.8501, L.1/2016*
[48] *Article 46* *amended by R&O.8984*
[49] *Article 49(1)* *amended by R&O.8358*
[50] *Article 49(2)* *amended by R&O.8358*
[51] *Article 50* *amended by R&O.8358, R&O 8501, L.1/2016*
[52] *Article 51(2)* *amended by R&O.8945*
[53] *Article 52* *amended by R&O.8358*
[54] *Article 54* *amended by R&O.6072*
[55] *Article 58(1)* *amended by R&O.8945*
[56] *Article 58(2)* *amended by R&O.8358*
[57] *Article 59* *inserted by R&O.8945*
[58] *Article 61* *substituted by R&O.8945*
[59] *Article 64* *amended by R&O.8358, L.1/2016*
[60] *Article 65* *substituted by R&O.8984*
[61] *Article 66* *amended by R&O.8358, R&O.8984, L.21/2010*
[62] *Article 68* *amended by R&O.8358, R&O.8770*
[63] *Article 71* *amended by R&O.8358, R&O.8501, L.1/2016*
[64] *Article 72(1)* *amended by R&O.8358, R&O.8699*
[65] *Article 72(2)* *substituted by R&O.8770, amended by R&O.8945*
[66] *Article 72(3)* *inserted by R&O.8770*
[67] *Article 72(4)* *inserted by R&O.8699*
[68] *Article 72(5)* *inserted by R&O.8699*
[69] *Article 73* *amended by R&O.8358*
[70] *Article 75(3)* *inserted by R&O.9051, amended by L.26/2011*
[71] *Article 78(1)* *amended by R&O.8358*
[72] *Article 80* *amended by R&O.8358*
[73] *Article 81* *amended by R&O.8358, L.1/2016*
[74] *Article 82* *amended by R&O.8358, L.1/2016*
[75] *Article 83* *inserted by R&O.9051, amended by L.26/2011*
[76] *Article 84* *amended by R&O.8358*
[77] *Article 85* *amended by R&O.8358, L.1/2016*
[78] *Article 87(2)* *amended by R&O.8358, L.1/2016*
[79] *Article 90* *inserted by R&O.8501*

[80] *Article 91* *amended by R&O.8501, L.6/2010*
[81] *Article 92* *substituted by R&O.8501*
[82] *Article 92A* *substituted by R&O.33/2018*