CHAPTER 372

LIQUOR LICENCES

LIQUOR LICENCES RULES

G.N. 150/1939 G.N. 209/1959 Act 25 of 1991

(SECTION 36)

[Commencement 1st July, 1939]

- 1. These Rules may be cited as the Liquor Licences Title. Rules.
- 2. In these Rules, unless the context otherwise Interpretation. requires —

"Act" means the Liquor Licences Act;

"beneficial shareholders", in relation to a company, means the individuals —

Act 25 of 1991, s. 8(1).

- (a) upon whose directions the shares in the company may be sold;
- (b) (other than creditors) who would participate in the proceeds derived from the sale of the shares; or
- (c) who in the event of the dissolution of the company would be entitled after payment of any creditors, should the company be solvent, to participate in the movies realised from the dissolution
- 3. Sessions of the licensing authority in New Providence shall be held on the second Wednesday in March, June, September and December in every year; and also on the second Wednesday in every other month of the year if any applications are pending:

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Provided that when any of the days mentioned falls on a public holiday the session shall be held an the following day or on any other day which the licensing authority shall determine:

Provided further that in the month of December such additional sessions may be held as the licensing authority may deem necessary.

Sessions held in magistrate's court room.

4. Every session of the licensing authority shall be held at the magistrate's court room at noon unless the licensing authority shall specify some other hour in the notice given in the *Gazette* or in the notice posted at an Out Island:

Provided that the licensing authority may adjourn the hearing of any application from time to time and to such day and hour as they may deem necessary and convenient.

Applications for licences.

5. Every person who intends to apply at any of the aforesaid sessions for the grant of a licence or the transfer of a licence in the Island of New Providence shall lodge with the clerk of the licensing authority in New Providence twelve days at least before the date of such sessions an application in one of the Forms A, B, C or D prescribed in the Schedule to these Rules.

Schedule.

Out Islands applications.

Schedule.

Applicants to attend sessions.

Form of order.

Schedule.

Form of licence. Schedule.

Notice of opposition.

Schedule.

Procedure where notice of opposition has been given.

- **6.** Every person who intends to apply to the licensing authority in any Out Island district for a licence or transfer of a licence in such district shall lodge an application in one of the Forms A, B, C or D prescribed in the Schedule to these Rules with the commissioner for such district.
- 7. Every applicant for a licence or the transfer of a licence shall attend either personally or by attorney at law at the sessions of the licensing authority on the date fixed for the hearing of the application.
- **8.** The order for the issue of a licence or transfer of a licence shall be in one of the Forms E, F or G prescribed in the Schedule to these Rules.
- **9.** A licence or transfer of licence shall be in one of the Forms H, I, J, K, L or M prescribed in the Schedule to these Rules.
- 10. Any person opposing the grant or transfer of a licence shall comply with section 9 of the Act. The notice of opposition to the grant of a licence or transfer of a licence shall be in the Form N prescribed in the Schedule to these Rules. In New Providence the notice to the licensing authority shall be served on the clerk.
- 11. At the hearing by the licensing authority of any application where notice of intention to oppose has been duly given the procedure shall be as follows—

- (a) the applicant shall be heard either in person or by his attorney at law in support of the application and may give evidence and produce witnesses in his behalf;
- (b) at the close of the applicant's case every person who has served notice of intention to oppose shall be heard either in person or by his attorney at law and may give evidence and produce witnesses in respect of any matter specified in his notice of opposition;
- (c) the applicant or his attorney at law shall have a right of reply on the whole case;
- (d) the applicant and any person opposing shall have the right to cross-examine each other and each other's witnesses.
- **12.** A person applying for an occasional licence shall make application therefor in the Form O prescribed in the Schedule to these Rules at least three days before the day for which such licence is required.

Occasional licence Schedule.

13. In New Providence the chairman of the licensing authority may refer any application for an occasional licence to the Commissioner of Police and he or an officer of police above the rank of sergeant shall endorse on such application any objection which may exist to the granting of such licence or that no such objection exists.

Police endorsement.

14. If the chairman of the licensing authority decides not to issue an occasional licence he shall refer the application to the other members of the licensing authority and give his reasons for such refusal, and if a majority of the members are in favour of the issue of such licence the chairman shall issue it

Reference to licensing authority.

15. The order for the grant of an occasional licence and the licence therefor shall be in the Forms P and Q respectively prescribed in the Schedule to these Rules.

Form of order for occasional licence. Schedule.

16. No occasional licence shall be granted to any person applying for the same for picnics or in respect of public recreation grounds unless the occasion is one in which the general public or a large section of the general public is interested.

Occasional licence for picnics.

17. No occasional licence shall be granted for any premises registered as a club under the Act.

Occasional licence for clubs.

Members' club.

18. No registration of a members' club shall be granted in respect of premises partly occupied by a person holding a general or wholesale licence.

Registration of clubs.

Schedule.

Schedule.

- **19.** (1) The secretary of every members' or proprietary club required to be registered or licensed or applying for a renewal of such registration or licence shall comply with section 22 of the Act.
- (2) An application for registration or for a licence or renewal of a licence shall be in the Form R prescribed in the Schedule to these Rules.
- (3) An order for the transfer of a licence to new premises and the transfer of a licence shall be in one of the Forms F or M prescribed in the Schedule to these Rules.
- (4) In New Providence every such application shall be delivered to the clerk of the licensing authority not less than twelve days before the date of any session of the licensing authority.

Secretary to attend hearing.

- **20.** The secretary of every members' or proprietary club applying for registration or for a licence or renewal of registration or of a licence shall attend the sitting of the licensing authority at which the application is to be heard.
- **21.** The authority to the Treasurer to register a members' club or to license a proprietary club shall be in the Forms S and T respectively prescribed in the Schedule to these Rules.
- **22.** A proprietary club licence shall be in the Form U prescribed in the Schedule to these Rules.
- 23. No licence or transfer of licence shall be granted under the Act in New Providence until the premises in respect of which the application is made have been inspected by an officer of the police force above the rank of sergeant and by a representative of the Health Department and a report has been made to the licensing authority that such premises are suitable for the particular licence or registration for which application is made and that such premises comply with the Act. The clerk of the licensing authority shall forward a list of all applications to the Commissioner of Police for the purposes of this Rule.

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Form of authority to Treasurer. Schedule.

Form of club licence. Schedule.

Premises to be inspected

24. (1) The confirmation or refusal of confirmation of a licence or transfer of licence granted in an Out Island district shall be endorsed on the application by the clerk of the licensing authority in New Providence.

Endorsement.

(2) The notice of such confirmation shall be in one of the Forms V, W or X prescribed in the Schedule to these Rules.

Schedule.

25. The forms prescribed in the Schedule hereto may be so varied as to make them applicable to any place within The Bahamas.

Forms may be varied. G.N. 209/1959.

SCHEDULE

FORM A (Rules 5 and 6)

Act 25 of 1991, s. 8(2).

APPLICATION FOR THE GRANT OF A LICENCE

| To the licensing authority in ¹ |
|--|
| I,do |
| hereby apply for the grant of a ³ licence under the Liquor Licences Act. |
| ⁴ The names of all beneficial shareholders of the applicant and the amount of shares held by each shareholder are |
| The premises in respect of which this licence is applied for comprise 5 situate 6 |
| I am above the age of twenty-one years and I am aware of the provisions of the Liquor Licences Act. |
| Dated theday of20 |
| 7 |

N.B When forwarding an application to New Providence the commissioner must endorse hereon that the provisions of the Act have been complied with, and must comply with section 11 of the Act.

¹ Name of Island or district

² If Company, state address of registered and/or principal office.

³ Description of licence applied for.

⁴ Applicable only if the applicant is a Company.

⁵ Describe fully the premises.

⁶ Describe the locality.

⁷ Signature of the applicant.

FORM B (Rules 5 and 6; Section 13)

APPLICATION FOR THE TRANSFER OF A LICENCE TO NEW PREMISES

| NEW PROVIDENCE. | |
|--|--|
| (Or other Island.) | ıt ⁸ I |
| To the licensing authority at the holicence in 10 | older of ⁹ apply for the transfer of my said |
| from the prei which the licence was granted, | mises in respect offor the following reasons: 12 |
| Dated at the | day of 20 |
| | pplication to New Providence the eon that the provisions of the Ac ust comply with section 11 of the |
| FORM C (Rules 5 | and 6; Section 13) |
| APPLICATION FOR THE TRA | |
| NEW PROVIDENCE. (Or other Island.) | |
| To the licensing authority at do here licence grant on the licence grant respect of the following premi | eby apply for the transfer of the |
| in respect of the following premi | ises: 16 20 |
| | day of 20 |
| ⁸ Island or district. ⁹ Description of licence. ¹⁰ Situation of licensed premises. | _ |
| 11 Describe the new premises fully. 12 State the ground of application. 13 Signature of the applicant. 14 Island or district. 15 Description of licence. 16 Situation of licensed premises. 17 Describe the new premises fully. 18 State the ground of application | |

N.B. When forwarding an application to New Providence the commissioner must endorse hereon that the provisions of the Act have been complied with, and must comply with section 11 of the Act.

FORM D (Rules 5 and 6; Section 13)

Act 25 of 1991, s. 8(2).

APPLICATION FOR THE TRANSFER OF A LICENCE IN CASE OF DEATH, INSANITY, BANKRUPTCY OR INSOLVENCY, ETC.

| NEW PROVIDENCE. |
|---|
| (Or Other Island) |
| To the licensing authority at ¹⁹ |
| |
| residing at ²¹ |
| on theday of |
| ²⁵ The names of all beneficial shareholders of the applicant and the amount of shares held by each shareholder are |
| |
| I am above the age of twenty-one years and am aware of the provisions of the Liquor Licences Act. |
| Dated theday of |
| |
| FORM E (Rule 8; Section 11) |
| ORDER FOR THE ISSUE OF A LICENCE GRANTED BY THE LICENSING AUTHORITY IN NEW PROVIDENCE |
| NEW PROVIDENCE |
| The licensing authority in New Providence at a session held at the magistrate's court room on the |
| |

¹⁹ Name of Island or district.
20 Name of applicant and the capacity in which the application is made.
21 If Company, state address of registered and/or principal office.
22 Description of licence.
23 Name of the licensee.

²⁴ Ground on which the application is made. ²⁵ Application only if the applicant is a Company.

²⁶ Signature of the applicant.

| licence under the Liquor Licences Act the Treasurer is hereby authorised to issue such licence to the said |
|---|
| The premises in respect of which the licence is granted comprise |
| situate ²⁹ |
| Dated the day of |
| Chairman licensing authority |
| N.B. For provisional authority to carry on business see endorsement on back hereof. |
| (Endorsement) |
| Provisional authority is hereby given to under section 13(6) to carry on the business of the licensee on the licensed premises until the next sitting of the licensing authority. |
| Chairman licensing authority, New Providence |
| |
| FORM F (Rules 8 and 19; Section 13) |
| FORM F (Rules 8 and 19; Section 13) ORDER FOR THE TRANSFER OF A LICENCE GRANTED BY THE LICENSING AUTHORITY IN NEW PROVIDENCE IN RESPECT OF NEW PREMISES |
| ORDER FOR THE TRANSFER OF A LICENCE GRANTED BY THE LICENSING AUTHORITY IN NEW PROVIDENCE |
| ORDER FOR THE TRANSFER OF A LICENCE GRANTED BY THE LICENSING AUTHORITY IN NEW PROVIDENCE IN RESPECT OF NEW PREMISES |

Description of licence.
 Description of premises.
 Situation of premises.
 Description of licence.
 Description of licence.
 Describe the new premises and their situation.

FORM G (Rule 8; Section 13)

ORDER FOR THE TRANSFER OF A LICENCE TO A NEW LICENSEE GRANTED BY THE LICENSING AUTHORITY IN NEW PROVIDENCE

NEW PROVIDENCE

| The licensing authority in New Providence the magistrate's court room on the | • |
|--|--|
| day of | ving granted unto ³² licence granted day of 20 the ransfer thereof to the |
| Dated theday of | 20 |
| | licensing authority |
| FORM H (Rule 9) | |
| GENERAL LICENCE | |
| FOR THE SALE BY WHOLESALE AND INTOXICATING LIQUORS IN NEW | |
| N | o |
| THIS LICENCE issued pursuant to the licensing authority for the Island of New Prov | No situated |
| The special conditions and restrictions upon is granted are endorsed on the back hereof. | on which this licence |
| THIS LICENCE is in force from the of | day |
| | Treasurer |
| Dated the day of | |

Name of transferee.
 Description of licence.
 Name of licensee.
 Name of transferee.

FORM I (Rule 9)

WHOLESALE LICENCE

NEW PROVIDENCE

FOR THE SALE BY WHOLESALE ONLY OF ALL INTOX-ICATING LIOUOR IN SEALED CONTAINERS AND NOT FOR CONSUMPTION UPON THE LICENSED PREMISES THIS LICENCE is to authorise of in the Island of to self by wholesale only all intoxicating liquor in sealed containers, not to be consumed on the premises, subject to the provisions of the Liquor Licences Act. The premises in respect of which the licence is granted comprise 36 The special conditions and restrictions upon which this licence is granted are endorsed on the back hereof. THIS LICENCE is in force from the day of 20 Treasurer FORM J (Rule 9) HOTEL LICENCE **NEW PROVIDENCE** No. THIS LICENCE is to authorise of in the Island of New Providence to sell by retail all intoxicating liquors to residents and to guests of the management or of residents for consumption on the premises occupied or used by him in hotel and known by the name of subject to the provisions of the Liquor Licences Act. The special conditions and restrictions upon which this licence

is issued are endorsed on the back hereof.

³⁶ Description and situation of the premises.

| THIS LICENCE is in forced ay of 20 to the | e from the day of | 20 |
|--|------------------------------|---|
| | | Treasurer |
| Dated the | day of | 20 |
| FORM | K (Rule 9) | |
| RESTAURA | ANT LICEN | NCE |
| NEW PR | OVIDENC | E |
| FOR THE SALE BY RETA LIQUORS FOR CONSUMPT MISES IF SER | TION ON T | HE LICENSED PRE- |
| THIS LICENCE issued p licensing authority of New Property authorises authorises of | ovidence or at Licenced | the day of d Premises situated in |
| sell by retail all intoxicating premises and only if served wit the Liquor Licences Act. | liquors for | consumption on the |
| The special conditions and is issued are endorsed on the back | restrictions t ck hereof. | upon which this licence |
| THIS LICENCE is in forced ay of | 20 to th | e day of |
| | | Treasurer. |
| Dated the | day of | 20 |
| FORM | L (Rule 9) | |
| TRANSFER OF LICE | ENCE (NEV | V LICENSEE) |
| The ³⁷ | s ³⁹ ences Act | in respect of the subject to the subject to the and to the conditions |

 ³⁷ Kind of licence.
 38 Name of original licensee.
 39 Insert appropriate words of original licence.
 40 Description and situation of premises.
 41 Name of new licensee.

| This transfer of l | icence is in force from the 20 to the | day of |
|------------------------|--|------------------------|
| day of | 20 | day 01 |
| Dated the | day of | 20 |
| | | Treasurer |
| FOI | RM M (Rules 9 and 19) | |
| TRANSFER (| OF LICENCE (NEW PRE | MISES) |
| The ⁴² | on the | licence granted day of |
| subject to the provisi | ating liquors ⁴⁴ the following premises ⁴⁵ ons of the Liquor Licence ctions endorsed on the back | s Act and to the |
| This transfer of li | icence is in force from the | |
| day of 20 to the | day of | 20 |
| Dated the | day of | 20 |
| | | Treasurer |
| FOR | M N (Rule 10; Section 9) | |
| | NTION TO OPPOSE THE OR TRANSFER OF A LIC | |
| NEW PROVIDENCE | Е | |
| (Or other Island) | | |
| To the licensing a | authority in 46 | |
| | t is my intention at the sitti | |
| day of | 20 to opp | ose the grant of |
| | | |

 ⁴² Kind of licence.
 43 Name of licensee.
 44 Insert appropriate words of original licence.
 45 Description and situation of new premises.
 46 Island or district.
 47 Licence (or transfer of the licence — as the case may be).

Act 25 of 1991, s.

8(2).

| applied for by ⁴⁸ on the following grounds ⁴⁹ |
|--|
| I have served a similar notice on the applicant. |
| Dated the day of 20 |
| 50 |
| |
| FORM O (Rule 12; Section 4(f)) |
| APPLICATION FOR AN OCCASIONAL LICENCE |
| NEW PROVIDENCE. |
| (Or other Island) |
| To the licensing authority in. ⁵¹ |
| I,ofdo hereby apply for the grant of an occasional licence under section |
| 4(f) of the Liquor Licences Act to sell by retail intoxicating liquor at on solution on so |
| |
| The purpose for which this licence is required is |
| ⁵⁴ The names of all beneficial shareholders of the applicant and the amount of shares held by each shareholder are |
| I am above the age of twenty-one years and I am aware of the provisions of the Liquor Licences Act. |
| provisions of the Elquor Elections from |
| Dated the |
| |
| Dated the day of |
| Dated the |
| FORM P (Rule 15) ORDER FOR THE ISSUE OF AN OCCASIONAL LICENCE NEW PROVIDENCE 56 |
| FORM P (Rule 15) ORDER FOR THE ISSUE OF AN OCCASIONAL LICENCE NEW PROVIDENCE 56 |

| on the ⁵⁹ |
|--|
| on the ⁵⁹ |
| Dated the day of 20 |
| Chairman licensing authority |
| FORM Q (Rule 15) |
| OCCASIONAL LICENCE TO SELL INTOXICATING LI- QUOR AT ANY SPECIFIED PLACE |
| No |
| THIS LICENCE, issued pursuant to the grant made by the licensing authority for the Island of New Providence, on the day of 20 authorises 62 to sell by retail intoxicating liquors at 61 on the 64 on the day of 20 between the hours of 65 and upon the following conditions and restrictions: |
| Dated the day of |
| · |
| Treasurer |
| FORM R (Rule 19; Section 21(1)) |
| APPLICATION FOR THE REGISTRATION OF OR FOR LICENSING OF A CLUB |
| NEW PROVIDENCE |
| (Or other Island) |
| To the licensing authority at Nassau. |
| I, |
| of ⁶⁷ |
| |
| 59 Date for which authority is granted to sell. 60 Hours specified by the licensing authority. 61 Name of licensee. 62 Name of licensee. 63 Describe the premises and situation. 64 Date for which authority is granted to sell. 65 Date for which authority is granted to sell. 66 Chairman or secretary — as the case may be. 67 Name of club. |

| do hereby apply for registration or licensing of the said club under the provisions of section 21 of the Liquor Licences Act as a ⁶⁸ The object(s) of the club is/are ⁶⁹ The address of the premises occupied by the club is ⁷⁰ Two copies of the printed rules of the club and a list containing the names and addresses of the officials and committee of management or governing body and the names of the members are appended to this application. |
|--|
| Dated the day of |
| 71 |
| FORM S (Rule 21; Section 21) |
| AUTHORITY TO THE TREASURER TO REGISTER A MEMBERS' CLUB |
| NEW PROVIDENCE |
| (Or other Island) |
| To the Treasurer at Nassau. |
| You are hereby authorised by the licensing authority at to register the ⁷² |
| Within the following conditions and restrictions: |
| Dated the day of 20 |
| Chairman licensing authority (or commissioner) |

 ⁶⁸ State whether members' club or proprietary club.
 ⁶⁹ State the object or objects of the club.
 ⁷⁰ Address of premises.
 ⁷¹ Signature of chairman or secretary.
 ⁷² Name of club.
 ⁷³ Description and address of premises.

FORM T (Rule 22; Section 21)

AUTHORITY TO THE TREASURER TO LICENCE PROPRIETARY CLUB

| NEW PROVIDENCE |
|--|
| (Or other Island) |
| To the Treasurer at Nassau. |
| You are hereby authorised by the licensing authority at to licence the ⁷⁴ |
| as a proprietary club in respect of the following premises ⁷⁶ for the sale of intoxicating liquor therein for the period of from the date hereof, with the following conditions and restrictions: |
| Dated the day of 20 |
| Chairman licensing authority (or commissioner) |
| FORM U (Rule 22) |
| PROPRIETARY CLUB LICENCE |
| NEW PROVIDENCE |
| FOR THE SALE BY RETAIL OF ALL INTOXICATING LIQUORS TO CLUB MEMBERS AND THEIR GUESTS |
| No |
| THIS LICENCE, issued pursuant to the grant made by the licensing authority of New Providence on the |
| to sell by retail all intoxicating liquors to club members and their guests for consumption upon the licensed premises, subject to the provisions of the Liquor Licences Act. |
| The special conditions and restrictions upon which this licence is granted are endorsed on the back hereof. |
| THIS LICENCE is in force from the |
| Treasurer |
| Dated the day of |

Name of club.
 Name of club.
 Description and address of premises.

FORM V (Rule 24; Section 11(2))

NOTICE OF CONFIRMATION BY THE LICENSING AUTHORITY IN NEW PROVIDENCE OF THE GRANT OF A LICENCE ON AN OUT ISLAND

| (Insert the name of the Island or district) |
|---|
| To ⁷⁷ |
| Dated the day of |
| |
| FORM W (Rule 24; Section 13) |
| NOTICE OF CONFIRMATION BY THE LICENSING AUTHORITY IN NEW PROVIDENCE OF THE GRANT OF THE TRANSFER OF A LICENCE ON AN OUT ISLAND TO NEW PREMISES |
| (Insert the name of Island or district.) |
| You are hereby notified that the transfer of the ⁸¹ |
| Dated the day of |
| |

Name of applicant and place of residence.
 Description of licence — whether "general", "wholesale", etc.
 Date of the local grant before being confirmed.
 Name and address of licensee.
 Description of licence — whether "general" or "wholesale", etc.
 Describe the new premises and their situation.

⁸³ State the proportionate sum payable in respect of the transfer under section 12(h).

FORM X (Rule 24; Section 13)

NOTICE OF CONFIRMATION BY THE LICENSING AUTHORITY IN NEW PROVIDENCE OF THE GRANT OF A TRANSFER OF LICENCE ON AN OUT ISLAND TO A **NEW LICENSEE**

| (Insert the name of Island or district) | | |
|--|--|--|
| To ⁸⁴ | | |
| You are hereby notified that the transfer to you of the 85 licence granted to you by the local | | |
| licence granted to you by the local licensing authority on the seem confirmed by the licensing authority in New Providence and that you are required within three months to attend at the office of the commissioner and pay the sum of \$ | | |
| Dated the day of 20 | | |
| | | |
| FORM Y (Section 21) | | |
| REGISTRATION OF MEMBERS' CLUB | | |
| NEW PROVIDENCE | | |
| This is to certify that an application for registration of section of Club situate at section was granted by the licensing authority on the day of 20 for the period ending Chairman licensing authority. | | |
| Registered at the Treasury on the day of | | |
| Treasurer | | |
| | | |

Name and address of licensee.
 Description of licence — whether "general" or "wholesale", etc.
 Describe the new premises and their situation.
 State the proportionate sum payable in respect of the transfer under section 12(h).
 Name of club.

⁸⁹ Description and situation of premises.

NOTICE OF SITTING OF THE LICENSING AUTHORITY (Section 6)

THE LIQUOR LICENCES ACT (CH. 372)

| NOTICE is hereby given that a sitting of the licensing authority for the 90 | | | |
|--|-------------------------|--------------------------|--|
| The undermentioned persons have applied for a grant of the licences specified below. | | | |
| LICENCES | | | |
| Name and Address of the Applicant. | Description of Licence. | Description of Premises. | |
| | | | |
| | | | |
| TRANSFERS (if any) | | | |
| Name and Address of the Applicant. | Description of Licence. | Description of Premises. | |
| | | | |
| | | | |
| Dated at the day of 20 | | | |
| | | | |
| | | | |
| | | | |

Name of Island or district.Place of sitting.