

LAWS OF THE GILBERT ISLANDS  
REVISED EDITION 1977

CHAPTER 50

LIQUOR

ARRANGEMENT OF SECTIONS

Section

PART I

PRELIMINARY

1. Short title
2. Interpretation

PART II

LICENCES

3. Categories of licence
4. Disqualification from holding a licence

*A—Off-Licences*

5. Off-licences either wholesale or retail
6. Liquor to be sold in unopened containers
7. Consumption off premises
8. Hours of business

*B—Publican's Licence*

9. Authorised sales
10. Hours of sale
11. Young persons prohibited from certain licensed premises
12. Hawkers to be prohibited from certain licensed premises
13. Permitted hours
14. Interpretation of "liquor"
15. Licensee's name to be affixed on premises

*C—Ship's Licence*

16. Ship's licence when required

*D—Club Licence*

17. To what clubs licence may be granted
18. Effect of club licence
19. Illegal sales by club



## Section

20. Cancellation of club licence
21. Liquor in unlicensed clubs

*E—Occasional Licence*

22. Sales under occasional licence
23. Grant of occasional licence

*F—Table Licence*

24. Premises in respect of which table licence may be granted
25. Hours of sale and other terms of table licence

*G—Special Hours Licence*

26. Special hours licence

*H—Sour Toddy Producer's Licence*

27. Sour toddy producer's licence

## PART III

## LIQUOR LICENSING COMMITTEE

28. Appointment of committee and quorum
29. Meetings of committee
30. Functions of committee
31. Jurisdiction of committee

## PART IV

## PROCEDURE RELATING TO LICENCES

32. Notice of applications
33. Applications for off-licences, publican's and table licences
34. Application in respect of separate parts of the same premises
35. Applications for a ship's licence
36. Application for a club licence
37. Application for special hours licence
38. Consideration of application
39. Certificate to issue licence
40. Conditional certificate for premises to be erected or altered
41. Transfer of licence
42. Removal of licence
43. Destruction of premises
44. Cancellation or variation of terms of licence
45. Objectors and objections
46. Case stated
47. Application

## Section

## PART V

## PROHIBITION ORDERS

48. Prohibition order
49. Notice of prohibition order to be given
50. Prohibited person not to drink or have liquor in his possession
51. Unlawfully supplying liquor to prohibited person
52. Prohibited person not to remain on certain licensed premises
53. Definition of "liquor" under Part V

## PART VI

## PROHIBITION OF DISTILLATION

54. Restriction on making spirits
55. Seizure and forfeiture of forbidden articles
56. Penalty for making liquor

## PART VII

## OFFENCES

57. Selling liquor without licence
58. Liquor of kind not authorised to be kept on licensed premises
59. Sale by other person than licensee
60. Sale of liquor at place other than licensed
61. Refusal to produce licence
62. Preserving order in licensed premises
63. Procuring drink for drunken person
64. Signs relating to unlicensed premises
65. Prostitutes, etc., on licensed premises
66. Power to exclude certain persons from licensed premises
67. Search warrant
68. Persons under age
69. Harboursing police officers
70. Gaming on licensed premises
71. Liquor not to be consumed within curtilage of licensed premises
72. Liquor not to be consumed in prohibited areas
73. Non-compliance with conditions of licence
74. Possession of weapons
75. Interpretation of "liquor" in Part VII
76. Consumption of admixtures of sour toddy

Section

**PART VIII**

**MISCELLANEOUS**

- 77. Presumptions and liability of servant
- 78. Action for price of liquor sold
- 79. Powers of entry of police officers
- 80. Liquor in shops
- 81. Seizure of liquor and forfeiture
- 82. Cancellation of licence
- 83. Limitation
- 84. Exemption of auctioneer
- 85. Interpretation of "liquor"
- 86. Minister may order closure of licensed premises
- 87. Power to close licensed premises during riot or tumult
- 88. Fees
- 89. Forms
- 90. Power to make regulations

**SCHEDULES**

1 of 1969  
9 of 1969  
1 of 1971  
16 of 1972  
3 of 1973  
(Cap. 69 of  
73)  
L.N. 14 of  
1974  
L.N. 33/74  
9 of 1975  
26 of 1977

**An Ordinance relating to liquor**

*Commencement: 16th June 1973*

**PART I**

**PRELIMINARY**

Short title

**1.** This Ordinance may be cited as the Liquor Ordinance.

Interpretation

**2.** In this Ordinance, unless the context otherwise requires—  
"area" in relation to a committee, or "licensing area" means the defined area in respect of which that committee has been appointed;  
"beer" includes ale, porter, stout, cider, perry, spruce beer, black beer or any other kind of beer and extends to any liquor made or sold as beer or as a substitute for beer as herein defined;  
"committee" or "licensing committee" means the liquor licensing committee appointed by notice under section 28 (1) in respect of the area of its jurisdiction as defined in the notice;

- “licence” means a licence granted under this Ordinance;
- “licensed premises” means any premises or place in respect of which a licence, other than a club licence, has been granted;
- “licensee” means a person to whom a licence, other than a club licence, has been granted;
- “liquor” means any spirits, wine, beer or any liquid containing alcohol used, intended or fit for use as a beverage, but does not mean sour toddy except where so expressly provided;
- “prohibition order” means an order made under section 48 and “prohibited person” means a person in relation to whom such an order has been made;
- “the Secretary” includes any person authorised by the Secretary to exercise his powers and duties under this Ordinance;
- “sour toddy” means any intoxicating beverage produced by the fermentation of the sap from the incised spathe of any coconut palm.

## PART II

### LICENCES

3. (1) No person shall sell liquor unless he is the holder of one of the following licences— Categories of licence

- (a) an off-licence,
- (b) a publican’s licence,
- (c) a ship’s licence,
- (d) a club licence,
- (e) an occasional licence,
- (f) a table licence,
- (g) a special hours licence.

(2) A licence such as is specified in subsection (1) may authorise the sale of liquor or the sale of beer alone:

Provided that a publican’s licence shall in every case be deemed to authorise the sale of sour toddy in addition to the sale of liquor or beer as the case may be.

(3) No person shall sell sour toddy unless he is the holder of one of the following licences—

- (a) a publican’s licence,
- (b) a sour toddy producer’s licence.

(4) Every licence, except an occasional licence, shall be for a

period not exceeding 1 year and shall unless earlier terminated or cancelled expire on the 31st day of December of the year in which it is granted.

Disqualifica-  
tion from  
holding  
a licence

4. The following persons shall be disqualified from holding a licence—

- (a) a person who is under the age of 21 years;
- (b) a corporate body or an unincorporate body other than an unincorporated members' club;
- (c) a person who is in prison or insane or an undischarged bankrupt or is unable for any reason to properly supervise the licensed premises.

#### *A—Off-Licences*

Off-licences  
either  
wholesale or  
retail

5. (1) Off-licences may authorise the sale of liquor wholesale or by retail.

(2) The holder of an off-licence that authorises the sale of liquor wholesale, who sells any liquor in quantities less than 2 gallons of such liquor at one time shall be liable to a fine of \$100.

(3) The holder of an off-licence that authorises the sale of liquor by retail may sell liquor in any quantity.

Liquor to be  
sold in  
unopened  
containers

6. The holder of an off-licence who stores, sells, exposes for sale or delivers liquor otherwise than in unopened containers, shall be liable to a fine of \$50.

Consumption  
off premises

7. (1) Any person who consumes liquor on or in the vicinity of premises in respect of which an off-licence is in force shall be liable to a fine of \$50.

(2) The holder of an off-licence who permits liquor to be consumed on the licensed premises shall be liable to a fine of \$50.

Hours of bus-  
iness

8. (1) The holder of an off-licence shall not sell, supply, deliver at or deliver from his licensed premises any liquor—

- (a) on Sundays and public holidays,
- (b) on any other day except between the hours of 8 a.m. to 6 p.m.

(2) The holder of an off-licence who sells or supplies liquor at or from, and any person who buys liquor at or takes liquor from, the licensed premises in contravention of this section shall be liable to a fine of \$50.

*B—Publican's Licence*

9. The holder of a publican's licence may also sell, in addition to liquor or beer whichever is authorised by his licence and sour toddy, cigars, cigarettes, tobacco, matches and non-alcoholic beverages. <sup>Authorised sales</sup>

10. (1) Subject to subsection (3), no person shall except during the permitted hours— <sup>Hours of sale</sup>

(a) himself or by his servant or agent—

(i) sell or supply in or from licensed premises any liquor, whether to be consumed on or off the premises, or

(ii) keep open licensed premises used exclusively or mainly for the sale of liquor; or

(b) consume in or take from licensed premises any liquor.

(2) In addition to the restrictions imposed by subsection (1) no person shall after 9 p.m. himself or by his servant or agent sell or supply in or from licensed premises any liquor in unopened containers or any liquor not intended for consumption on those premises.

(3) Nothing in this section shall prohibit the sale or supply of liquor to a *bona fide* lodger or the consumption of liquor by a *bona fide* lodger or by any guest of his at any time in licensed premises:

Provided that a lodger or his guest shall not, except during the permitted hours, consume liquor at a bar in the premises or in a room in which a bar is situated.

(4) In this section "licensed premises" means any premises or place in respect of which a publican's licence has been granted.

(5) Any person who contravenes this section shall be liable to a fine of \$50 and to imprisonment for 3 months.

11. (1) Subject to this section, the holder of a publican's licence shall not allow any person under the age of 21 years to be in or within the curtilage of his licensed premises during the permitted hours. <sup>Young persons prohibited from certain licensed premises</sup>

(2) Subject to this section, no person shall cause or procure, or attempt to cause or procure, any person under the age of 21 years to be in or within the curtilage of licensed premises during the permitted hours.

(3) Where it is shown that a person under the age of 21 years



was in or within the curtilage of licensed premises during the permitted hours the holder of the publican's licence granted in respect of those premises shall be guilty of an offence under this section unless he proves either—

- (a) that he used due diligence to prevent the person under the age of 21 years from being admitted to or coming within the curtilage of the licensed premises, or
- (b) that the person under the age of 21 years had apparently attained that age.

(4) No offence shall be committed under this section if the person under the age of 21 years—

- (a) is the licence holder's child, or
- (b) resides in the premises:

Provided that this subsection shall not apply where the person under the age of 21 years is in a room in which a bar is situated unless he is there solely for the purpose of passing to or from some part of the premises in which there is no bar and to and from which there is no other convenient means of access or egress.

(5) Where in any proceedings under this section it is alleged that a person was at any time under the age of 21 years and he appears to the court then to have been under that age he shall be deemed for the purposes of the proceedings to have then been under that age unless the contrary is proved.

(6) In this section "licensed premises" means any premises or place in respect of which a publican's licence has been granted and which are used exclusively or mainly for the sale of liquor.

(7) Any person who contravenes this section shall be liable to a fine of \$50 and to imprisonment for 3 months.

Hawkers to  
be prohibited  
from certain  
licensed pre-  
mises

12. (1) The holder of a publican's licence shall not allow any person to hawk any goods or articles in or within the curtilage of his licensed premises during the permitted hours.

(2) Where it is shown that a person was hawking any goods or articles in or within the curtilage of licensed premises during the permitted hours the holder of the publican's licence granted in respect of those premises shall be guilty of an offence under this section unless he proves—

- (a) that he used due diligence to prevent such hawking, and
- (b) that on becoming aware that such hawking was taking or had recently taken place he immediately took all reason-

able steps to expel the hawker from the premises and from the curtilage thereof.

(3) In this section "licensed premises" means any premises or place in respect of which a publican's licence has been granted and which are used exclusively or mainly for the sale of liquor.

(4) Any person who contravenes this section shall be liable to a fine of \$50.

13. (1) For the purposes of sections 10, 11 and 12 the permitted hours in any premises or place in respect of which a publican's licence has been granted shall be—

Permitted  
hours

- (a) the hours from 11 a.m. to 3 p.m. and from 6.30 p.m. to 10 p.m.;
- (b) such further hours as may be specified in a permit issued under subsection (2); and
- (c) the hours from 10 p.m. to 2 a.m. on the following morning where a special hours licence is in force under section 26 in respect of those premises or that place and during those hours meals are served or music, dancing or other reputable entertainment together with refreshments are provided.

(2) The holder of a publican's licence in respect of premises not exclusively or mainly used for the sale of liquor may, having obtained a permit from the licensing committee and on payment of the prescribed fee, sell or supply liquor during such hours in addition to those specified in subsection (1) (a) and on such days as may be specified in the permit.

14. For the purposes of sections 10, 11, 12 and 13 "liquor" includes sour toddy.

Interpretation  
of "liquor"

15. (1) The holder of a publican's licence shall keep painted on the front of his licensed premises, in letters at least 2 inches high, his name in full followed—

Licensee's  
name to be  
affixed on  
premises

- (a) in the case of a liquor licence, by the words—"licensed to retail fermented and spirituous liquor";
- (b) in the case of a beer licence, by the words—"licensed to retail beer only".

(2) The holder of a publican's licence who has obtained a permit under section 13 (2) shall affix such permit in a conspicuous place on his licensed premises.

(3) The licensee who fails to comply with the requirements of this section shall be liable to a fine of \$20.

---

*C—Ship's Licence*

Ship's licence  
when  
required

16. (1) A ship's licence shall authorise the master of any local ship therein mentioned, being a ship by which passengers are regularly conveyed from any place in the Gilbert Islands to any other place in or out thereof, to sell or dispose of liquor or beer, as may be authorised by the licence, to any passenger on board such ship for consumption during the passage and to a passenger's guest visiting the ship at an intermediate port of call.

(2) No licence shall be necessary to authorise the granting of allowances of liquor to the crew of any ship, or to authorise the sale of liquor to passengers on board ocean-going ships passing through the Islands.

(3) The master of a ship to whom a ship's licence has been granted who sells or disposes of liquor otherwise than in accordance with this section shall be liable to a fine of \$50.

---

*D—Club Licence*

To what clubs  
licence may  
be granted

17. A club licence may only be granted in respect of a club established for recreational and social purposes only, which occupies premises habitually used for the purposes of such club and in which it is desired to supply liquor for consumption by members and guests.

Effect of club  
licence

18. The granting of a licence to a club shall not constitute the club premises licensed premises or authorise any sale of liquor therein which would otherwise be illegal.

Illegal sales  
by club

19. (1) If any liquor is sold or supplied in a licensed club—  
(a) for consumption on the premises to any person other than a member or *bona fide* guest of a member;  
(b) for consumption off the premises to any person other than a member,

the secretary of the club, the person selling or supplying the liquor, and the person obtaining the liquor shall be liable to a fine of \$50.

(2) If a person to whom liquor has been lawfully sold or supplied under subsection (1) takes such liquor out of the club premises and delivers it into the hands of any other person, the person delivering the liquor and the person receiving it shall each be liable to a fine of \$50.

20. (1) A magistrates' court may, on a complaint in writing by any person, order that the licence of a club be cancelled and may further order that no licence be granted to that club for any period up to 5 years on any of the following grounds—

Cancellation  
of club  
licence

- (a) that the club has ceased to exist;
- (b) that it is not conducted in good faith as a club, or that it is kept or habitually used for any unlawful purpose;
- (c) that there is frequent drunkenness on the premises;
- (d) that illegal sales of liquor have taken place on the club premises; or
- (e) that non-members are habitually admitted to the club merely for the purpose of obtaining liquor.

(2) If the court grants a summons on complaint, the summons shall be served on the secretary and on such other person (if any) as the court may direct.

21. If any liquor is stored, sold or supplied in the premises of an unlicensed club, every officer and member of that club shall be liable to a fine of \$50 unless he proves to the satisfaction of the court that he did not know that liquor was so stored, sold or supplied, as the case may be.

Liquor in  
unlicensed  
clubs

#### *E—Occasional Licence*

22. The holder of an occasional licence may also sell, in addition to liquor or beer whichever is authorised by the licence, cigars, cigarettes, tobacco, matches and non-alcoholic beverages.

Sales under  
occasional  
licence

23. (1) An occasional licence may be granted to the organiser of any form of public entertainment and shall be valid during such time (not exceeding 24 hours) and in respect only of the premises specified therein at which the entertainment is to be held.

Grant of  
occasional  
licence

(2) Application for the licence shall be made to the chairman of the licensing committee at least 48 hours before the day on which the licence is required.

(3) The chairman of the licensing committee may, if he is satisfied that the occasion in respect of which the licence is required is a special occasion and that the place is suitable, at his discretion authorise the Secretary to issue the licence upon payment of the prescribed fee:

Provided that the chairman of the committee may waive payment of the fee, if satisfied that the entertainment is organised for charitable purposes.

*F—Table Licence*

Premises in respect of which table licence may be granted

24. A table licence may be granted in respect of any premises or place where table meals are sold in the ordinary course of business for consumption on or at those premises or that place.

Hours of sale and other terms of table licence

25. (1) The holder of a table licence may during the hours from 11 a.m. to 3 p.m. and from 6.30 p.m. to 10 p.m. sell or supply liquor in his licensed premises to a person taking a substantial table meal for consumption as an ancillary to that meal.

(2) The holder of a table licence shall not sell or supply in or from his licensed premises any liquor, whether to be consumed on or off those premises, except as provided in subsection (1).

(3) In this section and in section 24 "table meal" means a meal eaten by a person seated at a table or at a counter or other structure which serves the purpose of a table and is not used for the service of refreshments for consumption by persons not seated at a table or structure serving the purpose of a table.

(4) No person shall on or at any premises or place in respect of which a table licence has been granted consume liquor unless that liquor has been sold or supplied to him in accordance with this section.

(5) Any person who contravenes this section shall be liable to a fine of \$50 and to imprisonment for 3 months.

*G—Special Hours Licence*

Special hours licence

26. (1) Subject to the provisions of this section and to any conditions the licensing committee may think fit to impose, a special hours licence may be granted in respect of any premises or place in respect of which a publican's licence authorising the sale of liquor is in force (in this section referred to as the licensed premises).

(2) A special hours licence shall not be granted, renewed or transferred unless the committee is satisfied that the holder of the publican's licence in question intends to provide for the public, during the permitted special hours, meals or music, dancing or other reputable entertainment together with refreshments to which the sale of liquor is ancillary.

(3) A special hours licence shall authorise—

(a) the sale or supply of liquor on the licensed premises during the permitted special hours to any person who during

those hours on that night partakes of a meal on the licensed premises, such liquor to be consumed by such person on the licensed premises during such permitted special hours;

- (b) on any night on which music, dancing or other reputable entertainment is provided during the permitted special hours on the licensed premises to which the public have access by ticket costing at least 50 cents not including the price of any meal or liquor, the sale or supply of liquor for consumption on the licensed premises by holders of such tickets during the permitted special hours on that night;
- (c) on any night on which music, dancing or other reputable entertainment is provided for the public during the permitted special hours, the sale or supply of liquor on the licensed premises during those hours to any person who has partaken on the licensed premises of a meal between 7 p.m. on that night and the beginning of the permitted special hours on that night or to any person who partakes of food on the licensed premises during the permitted hours on that night, such liquor to be consumed by such persons on the licensed premises during such permitted special hours.

(4) For the purposes of this section the permitted special hours under a special hours licence shall be the hours from 10 p.m. to 2 a.m. on the following day.

(5) Without prejudice to any liability under section 10, no person shall—

- (a) during the permitted special hours himself or by his servant or agent sell or supply on or from the licensed premises any liquor except as authorised by the special hours licence in force in respect of those premises and in accordance with the conditions, if any, imposed by the licensing committee;
- (b) consume any liquor sold or supplied on or from the licensed premises during the permitted special hours unless that liquor has been sold or supplied to him in accordance with this subsection;

and any person who contravenes this subsection shall be liable to a fine of \$50.

(6) A special hours licence may be cancelled by the licensing committee if—

- (a) the conditions contained in subsection (2) are in the opinion of the committee no longer complied with; or

- (b) there has been any contravention of the conditions imposed by the committee on the grant of the licence; or
- (c) the premises to which the special hours licence relates or the music, dancing or other entertainment provided are being conducted in such a manner that in the opinion of the committee such licence should be cancelled; or
- (d) a publican's licence is no longer in force in respect of the premises to which the special hours licence applies; or
- (e) the licensee has been convicted of an offence under this section.

(7) The grant, renewal, removal or transfer of a special hours licence shall be notified forthwith by the committee to the Commissioner of Police.

(8) For the purposes of this section "liquor" includes sour toddy.

#### H—Sour Toddy Producer's Licence

Sour toddy  
producer's  
licence

27. (1) A sour toddy producer's licence may be granted authorising the sale of sour toddy by any person who makes the same.

(2) The holder of a sour toddy producer's licence may sell sour toddy in any quantity.

(3) Any person who consumes sour toddy on or in the vicinity of premises in respect of which a sour toddy producer's licence is in force and the holder of such a licence who permits sour toddy to be so consumed shall each be liable to a fine of \$50 and in the latter case the court shall order cancellation of the licence.

(4) Notwithstanding the other provisions of this Ordinance, the licensing authority in respect of a sour toddy producer's licence shall be the local government council within whose area of authority the premises in question are situated or, where there is no such council the administrative officer in charge of the district or area in question.

(5) Where a local government council is the licensing authority licence fees payable in respect of a sour toddy producer's licence shall be paid to and form part of the revenues of that council but in every other case such fees shall be paid into and form part of the Consolidated Fund.

(6) Sections 29, 30 and 31 shall apply *mutatis mutandis* to a licensing authority in respect of a sour toddy producer's licence as

if every reference therein to a licensing committee were a reference to such a licensing authority.

(7) The procedure prescribed by Part IV shall apply *mutatis mutandis* to a sour toddy producer's licence as if it were an off-licence:

Provided that—

- (a) upon the grant of an application for the grant or renewal of a sour toddy producer's licence and on receipt of the prescribed fee the licensing authority shall forthwith issue a sour toddy producer's licence in substantially the same form as Form 1 in Schedule 3;
- (b) upon the grant of an application for the removal or transfer of a sour toddy producer's licence and on receipt of the prescribed fee the licensing authority shall forthwith endorse the existing licence with the address of the substituted premises or with the name of the transferee, as the case may be, or issue a new licence, as it or he may think fit.

(8) Where any person is convicted of an offence under the Pure Food Ordinance (or under any Ordinance replacing the same) in respect of sour toddy that has at any time been stored, exposed for sale, sold, supplied or delivered at or from premises in respect of which a sour toddy producer's licence was then in force the licensing authority shall forthwith cancel the licence unless the licence holder proves that he was wholly unconnected with the offence. Cap. 84

### PART III

#### LIQUOR LICENSING COMMITTEE

28. (1) The Minister may by notice—

- (a) appoint 1 or more licensing committees each consisting of a chairman and not less than 2 other members, and
- (b) define the part or area of the Gilbert Islands over which a licensing committee so appointed shall exercise its authority.

Appointment  
of committee  
and quorum

(2) A member of a committee shall hold office until—

- (a) his appointment is revoked, or
- (b) he submits his resignation in writing to the Minister.

(3) In the absence of the chairman from any meeting of a



committee, the other members present shall appoint 1 of their number to act as chairman.

(4) Three members of a committee, including the chairman, shall form a quorum.

Meetings of  
committee

**29.** (1) A committee shall hold its annual meeting in November of each year but shall meet at such other times as may be necessary for the transaction of licensing business.

(2) A committee shall give at least 2 months' notice of the time, day and place appointed for its annual meeting by—

- (a) publishing such notice in any Government publication, or
- (b) causing such notice to be posted at each police station in the licensing area.

(3) A committee shall also give at least 5 days' notice in writing of the time, day and place appointed for any meeting to—

- (a) the senior police officer of the licensing area,
- (b) each applicant at such meeting,
- (c) every objector to an application at such meeting.

Functions of  
committee

**30.** (1) The functions of a committee, in respect of all licences that may be issued under this Ordinance other than an occasional licence, are—

- (a) to consider and determine all applications—
  - (i) for the grant, renewal and transfer of licences,
  - (ii) for the removal of any licence other than a ship's licence,
- (b) to cancel or vary the terms of any licence.

(2) In the exercise of its functions under subsection (1), any decision of the committee, subject only to section 46, shall be final.

Jurisdiction  
of committee

**31.** (1) Applications for licences other than an occasional licence shall be made to the committee of the area in which the premises intended to be licensed are situated, except in the case of an application for a ship's licence when the application shall be made to the committee of the area of the ship's home-port.

(2) A committee before granting any licence shall be satisfied that—

- (a) the premises to which the application relates are fit and proper for the purpose of selling liquor, having regard to the type of licence applied for,

- (b) the parts of the premises on which liquor is to be stored and sold are sufficiently defined in the application, or delineated on a plan annexed thereto, and
- (c) the applicant is a proper person to hold such licence.

#### PART IV

##### PROCEDURE RELATING TO LICENCES

32. (1) No application shall be entertained by a committee unless such application has reached the committee—

Notice of applications

(a) in the case of—

- (i) the grant of a ship's licence, club licence, off-licence, table licence or special hours licence,
- (ii) the grant or renewal of a publican's licence,
- (iii) the grant of a conditional certificate under section 40,

at least 28 days,

(b) in other cases, at least 14 days,

before the day of the meeting at which such application is to be considered.

(2) The committee shall within 10 days of any meeting cause to be published—

(a) in a government publication, or

(b) by posting at each police station in the licensing area, a list containing the names of applicants whose applications are to be considered at that meeting, the types of licences applied for, the nature of the applications (whether for a grant, renewal, removal or transfer or for a conditional certificate under section 40), and the address of the premises to which the applications refer.

33. An application for the grant, renewal or removal of an off-licence, a publican's licence or a table licence shall—

Applications for off-licences, publican's and table licences

- (a) be made and signed by the applicant,
- (b) set forth the applicant's name, address and occupation,
- (c) state whether authority is required for the sale of liquor or for the sale of beer alone,
- (d) contain a full and accurate description of the premises, or of the parts thereof, intended to be licensed, and

(e) be accompanied by a plan of such premises:

Provided that in the case of an applicant for the renewal of any such licence, the requirements of paragraphs (d) and (e) need not be set out unless the committee so directs or unless structural alterations were made to the licensed premises during the currency of the existing licence.

Application  
in respect of  
separate  
parts of the  
same prem-  
ises

34. (1) An applicant for an off-licence, a publican's licence, a table licence or a special hours licence may apply for 1 licence in respect of separate parts of the premises intended to be licensed.

(2) Upon such an application the committee, taking into consideration the nature of the premises, the relative location of the separate parts and the business intended to be done by the applicant at the separate parts of the premises, may, at its discretion—

- (a) restrict the application to a specific part of the premises,
- (b) grant 1 licence in respect of 2 or more separate parts, or
- (c) grant such number of licences as it deems appropriate in respect of the separate parts.

Applications  
for a ship's  
licence

35. An application for a ship's licence or for the renewal thereof shall—

- (a) be made and signed by the master of the ship,
- (b) set forth the name of the owner of the ship,
- (c) state whether authority is required for the sale of liquor or for the sale of beer alone,
- (d) except upon an application for a renewal, contain a description of the room or rooms intended for the sale of liquor.

Application  
for a club  
licence

36. An application for a club licence or for the renewal thereof shall be made and signed by the secretary of the club in the name of and on behalf of the club, and shall include particulars of the objects of the club, the address of the club's premises, the names and addresses of the officers and committee of management of the club, together with a copy of the rules of the club, and shall state whether authority is required for the sale of liquor or for the sale of beer alone.

Application  
for special  
hours licence

37. An application for the grant, renewal, removal or transfer of a special hours licence shall—

- (a) be made and signed by the applicant, and
- (b) contain sufficient particulars clearly to identify the premises in question.

38. (1) Applicants and objectors shall have the right to appear before the committee either in person or through an accredited representative. Consideration of application

- (2) Applications for the grant, renewal, removal or transfer—
  - (a) of any licence to the issue of which objection has been made,
  - (b) of a publican's licence,

shall not be considered by the committee unless—

- (i) in the case of an application under paragraph (a) the committee is satisfied that both the applicant and objector have had reasonable notice of the day of the meeting at which the application is to be considered,
- (ii) in the case of an application under paragraph (b) the applicant either by himself or his representative appears or, where no objection has been made to such application, is expressly dispensed from appearing by the committee.

(3) The senior police officer of the licensing area or his deputy shall attend each meeting of the committee..

(4) A committee shall not refuse any application made before it unless it is satisfied that the applicant has had reasonable notice of the day of the meeting at which the application is to be considered.

39. (1) Upon the grant of an application for the grant, renewal, removal or transfer of a licence, the committee shall issue to the applicant a certificate in the appropriate form in Schedule 1. Certificate to issue licence

(2) The applicant shall present his certificate to the Secretary who, upon receipt of the appropriate licence fee, shall—

- (a) issue the licence accordingly, or
- (b) in the case of a certificate for the removal or transfer of a licence, endorse the existing licence with the address of the substituted premises or with the name of the transferee, as the case may be, or issue a new licence, as he may think fit.

(3) A certificate shall be void unless presented to the Secretary, together with the appropriate licence fee, within 2 months of the date of its issue.

40. (1) Whenever a person is desirous of obtaining a new publican's licence for premises not yet erected or for premises requiring alterations or additions to make them suitable to be licensed under this Ordinance, he may submit an application to the com- Conditional certificate for premises to be erected or altered

mittee for a conditional certificate and, in such case, shall furnish the committee with a properly drawn plan showing the precise locality of the premises, the number and size of rooms and all other information necessary to enable the committee to form a correct estimate of the appropriateness of such proposed premises.

(2) Having considered the application and any objection that may be made thereto in accordance with section 45, the committee may grant a conditional certificate which shall remain in force until the completion of the premises provided the completion is effected within 12 months of the date of such certificate or within such further period as the committee may allow.

(3) Upon completion of the premises in accordance with the specifications of the plan furnished under subsection (1), the committee shall, upon application being made to that effect in the manner prescribed by section 33, issue a certificate for the grant of a publican's licence unless it is satisfied that the character of the applicant is objectionable.

Transfer of  
licence

**41.** (1) Upon an application for the transfer of a licence by—

- (a) the holder of such licence or any person having a lawful interest in the licensed premises to which such licence relates, when such holder is adjudged bankrupt, retires or is dismissed or discharged from his position of licensee or is lawfully evicted from the premises;
- (b) any person having a lawful interest in the licensed premises to which such licence relates, when such holder dies, is imprisoned, becomes insane or is otherwise incapacitated from performing his duties as licensee,

the licensing committee concerned may grant a certificate for the transfer of the licence.

(2) Where any of the above events occur whereby a transfer may be made and pending the transfer of the licence, the licence shall continue in force for 3 months from the date of such event or until the expiry of the licence, whichever be the earlier, and during such period the person managing the licensed premises shall be deemed to be the licensee.

(3) A committee shall not consider an application for the transfer of a licence whenever the right to such licence is in dispute.

Removal of  
licence

**42.** A licence is only removable if the premises from and to which it is removed are within the same licensing area.

43. If the premises of the holder of an off-licence or of a publican's licence are, by fire, tempest or other calamity, rendered unfit for the carrying on of his business, the licensing committee, upon application by or on behalf of such holder, may, if it thinks fit, by order in writing, authorise him temporarily to carry on his business in some neighbouring premises until the expiry of his current licence, or, if the licence is renewed, for a period not exceeding 12 months.

Destruction  
of premises

44. Where the committee grants an application subject to structural alterations and modifications being done to the licensed premises within such period as the committee may specify, the committee may, upon being satisfied that the licensee has failed to carry out the alterations or has carried them out inadequately, vary the terms of the licence or cancel it.

Cancellation  
or variation  
of terms of  
licence

45. (1) Objections to the grant of any certificate under this Ordinance other than a certificate granted under section 40 (3), or to the grant of a conditional certificate may be made to the committee by—

Objectors  
and objec-  
tions

- (a) any other licensee in the licensing area, or any 3 or more residents of the licensing area, in which the premises to which the application refers are situated or intended to be situated;
- (b) any police officer;
- (c) any sanitary inspector or any person authorised in writing by the Secretary;

on any of the following grounds—

- (i) that the applicant is a person of drunken or dissolute habits or otherwise of bad repute;
- (ii) that the applicant's licence has, within the 12 months preceding the date of application, been cancelled;
- (iii) that within the same period, the applicant has been convicted of selling liquor without a licence, or of selling adulterated liquor under any law for the time being in force, or has committed an offence against this Ordinance;
- (iv) that frequent breaches of the law have occurred on the licensed premises;
- (v) that the premises intended to be licensed are unhygienic or otherwise unsuitable for the sale of liquor;
- (vi) that the reasonable requirements of the neighbourhood do not justify the issue of the licence;

(vii) that the premises intended to be licensed are in the immediate vicinity of a place of public worship, hospital or school;

(viii) that the quiet and good order of the neighbourhood in which the premises intended to be licensed are situated will be disturbed if the certificate be granted; or

on any other ground (not being frivolous or vexatious) that appears to the committee to be sufficient.

(2) Upon an application for the grant of a certificate under section 40 (3) objection may only be taken on any of the grounds specified at paragraphs (i), (ii) and (iii) of subsection (1).

(3) The committee shall as soon as practicable after an objection has been lodged give notice of such objection to the applicant and to the senior police officer of the licensing area.

(4) Where objections are made of which the applicant has not had prior and reasonable notice, the applicant shall be entitled to an adjournment.

Case stated

46. Any applicant or objector aggrieved by a decision of a committee on the ground that it is erroneous in point of law may apply to that committee to state a special case to the High Court and the committee shall state a case accordingly.

Application

47. This Part does not apply to an application for the grant of an occasional licence.

## PART V

### PROHIBITION ORDERS

Prohibition order

48. (1) A magistrate may, upon application being made to him by any person and upon being satisfied that the person in relation to whom the application is made is of confirmed intemperate habits, order that such person be prohibited from drinking or having liquor in his possession for such period not exceeding 12 months as shall be specified in the order.

(2) Whenever any person is convicted by any court of any offence involving drunkenness and upon such conviction the court is satisfied that such person has within 12 months prior to such conviction, been convicted at least twice of offences involving drunkenness, the court may make a prohibition order.

(3) Any liquor found in the possession of a prohibited person may be seized by any police officer and shall thereupon be forfeited.

**49.** When a prohibition order has been made, the magistrate or court, as the case may be, shall cause notice thereof to be given to—

Notice of prohibition order to be given

- (a) every police officer in charge of a police station,
- (b) every licensee whose licensed premises are,
- (c) the secretary of a licensed club whose premises are,

on the island, or, if such island forms part of a contiguous group of islands, on the group of islands where the prohibited person normally resides.

**50.** (1) A prohibited person who is found drinking liquor or in possession of liquor shall be liable to a fine of \$50.

Prohibited person not to drink or have liquor in his possession

(2) A prohibited person who is found drunk on licensed premises, or in a licensed club or in any public place shall be liable to imprisonment for 12 months without the option of a fine (section 26 of the Penal Code notwithstanding), unless for reasons special to the prohibited person the court considers that a fine shall be adequate in which case he shall be liable to a fine of \$100.

Cap. 67

**51.** (1) Any person who knowingly gives, sells, supplies or in any way procures or assists in procuring any liquor to or for a prohibited person shall be liable to a fine of \$100.

Unlawfully supplying liquor to prohibited person

(2) Where the offender under subsection (1) is a person, or the servant or employee of a person, to whom notice has been given in accordance with paragraphs (b) and (c) of section 49, such person and any servant or employee of such person shall be deemed to have known, until proof to the contrary is made by him, that a prohibition order was in force in respect of the prohibited person concerned.

**52.** A licensee under a publican's licence whose licensed premises are exclusively or mainly used for the sale of liquor who permits any prohibited person to be or remain on the premises shall be liable to a fine of \$20.

Prohibited person not to remain on certain licensed premises

**53.** For the purposes of this Part "liquor" includes sour toddy and any admixture of sour toddy.

Definition of "liquor" under Part V

## PART VI

### PROHIBITION OF DISTILLATION

**54.** Any person who—

- (a) imports or sets up any still, or any machinery, implements or utensils used for the distillation of spirits;

Restriction on making spirits



- (b) has in his possession, custody or control any still, still-head, worm or other machinery or utensil used in connection with the distillation of spirits;
- (c) makes, or aids or assists or is otherwise concerned in making any spirits;
- (d) supplies any materials for making or working any still; or
- (e) conveys or conceals, or aids or assists in conveying or concealing, or upon whose premises is found, any spirits distilled or made in the Gilbert Islands,

shall be liable to a fine of \$100 and to imprisonment for 6 months.

Seizure and  
forfeiture of  
forbidden  
articles

**55.** Any police officer may enter upon any premises used, or reasonably suspected to be used, as a distillery, and may break open doors and use such force as may be necessary, and may seize all spirits there found and all materials and implements used in the process of distillation and the same shall be forfeited.

Penalty for  
making  
liquor

**56.** (1) Any person who makes, assists or is otherwise concerned in making any liquor shall be liable to a fine of \$100 and to imprisonment for 6 months.

(2) For the purposes of this section, "making liquor" includes the addition to sour toddy of any ingredient whatever.

## PART VII

### OFFENCES

Selling liquor  
without  
licence

**57.** Any person who sells or exposes for sale any liquor without holding a licence authorising the sale of that liquor shall be liable on conviction for a first offence to a fine of \$100, and for a subsequent offence to a fine of \$200 and to imprisonment for 6 months, and in the latter case, shall further be disqualified from holding a licence for a period not exceeding 2 years.

Liquor of  
kind not  
authorised to  
be kept on  
licensed pre-  
mises

**58.** If liquor of a kind not authorised by the licence is found on licensed premises or in a licensed club, the licensee or the secretary of the club, as the case may be, and any person consuming or in possession of such liquor shall be liable to a fine of \$50.

Sale by other  
person than  
licensee

**59.** If any person other than a licensee, or his servant or agent, sells liquor on that licensee's licensed premises, that person and the licensee shall be liable to a fine of \$50.

**60.** If any person holding a licence, sells or exposes for sale any liquor except at the place at which that licence authorises him to sell that liquor he shall be liable to a fine of \$50.

Sale of liquor at place other than licensed

**61.** If on the licensed premises, any licensee on demand by any police officer refuses or neglects to produce his licence, he shall be liable to a fine of \$50.

Refusal to produce licence

**62.** (1) A licensee shall not permit drunkenness or any violent, quarrelsome or riotous conduct to take place on the licensed premises.

Preserving order in licensed premises

(2) A licensee shall not sell liquor to a drunken person.

(3) If a licensee is charged under subsection (1) with permitting drunkenness, and it is proved that any person was drunk on the licensed premises, the burden of proving that the licensee and the persons employed by him took all reasonable steps for preventing such drunkenness shall be on the licensee.

(4) A licensee who contravenes this section shall be liable to a fine of \$50.

(5) In this section "licensee" includes the secretary of a licensed club, and "licensed premises" includes a licensed club.

**63.** (1) Any person who, on licensed premises or in a licensed club, procures or attempts to procure any liquor for consumption by a drunken person, shall be liable to a fine of \$50.

Procuring drink for drunken person

(2) Any person who aids a drunken person in obtaining or consuming liquor on licensed premises or in a licensed club, shall be liable to a fine of \$50.

**64.** Any person not holding a licence on whose premises any sign, writing, painting or other mark is exhibited which may imply or give reasonable cause for believing that such premises are licensed for the sale of liquor or that liquor is sold or supplied thereon, shall be liable to a fine of \$50.

Signs relating to unlicensed premises

**65.** A licensee who knowingly suffers or permits any common prostitutes, drunken or disorderly persons or persons of notoriously bad character to assemble or continue upon his licensed premises shall be liable to a fine of \$50.

Prostitutes, etc., on licensed premises

**66.** (1) Without prejudice to any other right to refuse a person admission to premises or to expel a person from premises, a licensee may refuse to admit to, or may expel from, the licensed premises any person who is drunken, violent, quarrelsome or

Power to exclude certain persons from licensed premises

disorderly, or who is using foul language, or any person suffering from an infectious disease or whose presence on his premises would subject him to a penalty under this Ordinance.

(2) If any person liable to be expelled from licensed premises under this section, when requested by the licensee or his servant or agent or any police officer to leave the premises, fails to do so, he shall be liable to a fine of \$50.

(3) A police officer shall, on the demand of the licensee or his servant or agent, expel from the licensed premises any person liable to be expelled under this section and may use any reasonable degree of force required for that purpose.

Search warrant

**67.** (1) A justice of the peace, upon being satisfied by information on oath that there is reasonable ground for believing that any liquor is sold or exposed or kept for sale at, or in, a place not licensed for such purpose, may issue a search warrant to a police officer authorising him to enter that place which shall be named in the warrant, by force if need be, and search the place for liquor and seize and remove any liquor that the police officer has reasonable grounds for supposing to be in the place for the purpose of unlawful sale there or elsewhere, and the receptacles containing such liquor.

(2) Where a police officer seizes any liquor in pursuance of a warrant under this section, any person found in the place shall, unless he proves that he is there for a lawful purpose, be liable to a fine of \$10.

Persons under age

**68.** (1) The holder of a licence who knowingly sells or supplies, or allows to be sold or supplied, or any servant of his who knowingly sells or supplies any liquor to any person under the age of 21 years shall be liable to a fine of \$50.

(2) Any person under the age of 21 years who—

(a) obtained, or attempts to obtain, liquor on or from any licensed premises or licensed club;

(b) has in his possession, or consumes, liquor in any licensed premises or licensed club, or in any public place,

shall be liable to a fine of \$50.

(3) The holder of a licence who employs any person under the age of 21 years to sell or serve liquor shall be liable to a fine of \$20.

Harbouring police officers

**69.** Any licensee who—

(a) knowingly harbours, or suffers to remain on his licensed

premises any police officer during any time appointed for that officer to be on duty, except for the purpose of that officer's duty, or

- (b) supplies any liquor or refreshment, whether by way of gift or sale, to any police officer on duty except by authority of a superior officer of that officer,

shall be liable to a fine of \$50.

70. (1) Any licensee who suffers any gaming whatever to be played on his licensed premises shall be liable to a fine of \$50.

Gaming on licensed premises

(2) In this section "gaming" has the meaning ascribed to it by section 2 (1) of the Gaming and Lotteries Ordinance.

Cap. 36

71. (1) Any licensee who knowingly suffers or permits the consumption of any liquor by any person other than a *bona fide* lodger or inmate or the *bona fide* guest of such person, in any place within the curtilage of his licensed premises, not being a place which is part of the licensed premises as described and defined in the licence shall be liable to a fine of \$50.

Liquor not to be consumed within curtilage of licensed premises

(2) Any person found consuming liquor in any place in which such consumption is contrary to subsection (1) who, upon being requested by the licensee or his servant or by any police officer to quit such place, refuses or fails to do so, may be expelled from such place with any reasonable degree of force required for that purpose and shall be liable to a fine of \$50.

72. (1) Any person found consuming liquor in any place other than premises licensed for that purpose in any part of a prohibited area to which the public have access shall be liable to a fine of \$50.

Liquor not to be consumed in prohibited areas

(2) The Minister may by notice declare any area to be a prohibited area for the purposes of this section.

73. The holder of a licence who fails to comply with any of the conditions of his licence or of a permit issued to him under section 13 (2) shall be liable to a fine of \$50.

Non-compliance with conditions of licence

74. Any person who—

- (a) whilst in a licensed club or in licensed premises other than premises in respect of which an off-licence is in force, or  
(b) whilst under the influence of drink,

is found in possession of any dangerous or offensive weapon or instrument, whether such weapon or instrument is intended or

Possession of weapons

not for use for causing injury to any person, shall be liable to a fine of \$50.

Interpretation  
of "liquor" in  
Part VII  
Consumption  
of admixtures  
of sour toddy

75. For the purpose of this Part "liquor" includes sour toddy.

76. Any person who consumes or has in his possession any admixture of sour toddy, other than an admixture of sour toddy and water, shall be liable to a fine of \$50.

## PART VIII

### MISCELLANEOUS

Presumptions  
and liability  
of servant

77. (1) In any proceedings under this Ordinance—

- (a) a certificate purporting to be signed by a Government chemist or analyst specifying the nature and contents of any liquid shall be *prima facie* evidence of the nature and contents of such liquid;
- (b) where the prosecution alleges any liquid to be liquor or sour toddy or an admixture of sour toddy the liquid shall be deemed to be liquor or sour toddy or such an admixture, as the case may be, unless the contrary is proved;
- (c) the delivery of any liquor or sour toddy shall be *prima facie* evidence of sale so as to support a conviction, unless the contrary is proved;
- (d) evidence that any person, other than the licensee or his servant, consumed or intended to consume liquor on the licensed premises shall be *prima facie* evidence that such liquor was sold by or on behalf of the licensee to that person.

(2) In any proceedings for an offence under this Ordinance involving sour toddy or an admixture of sour toddy the opinion of an indigenous person that a liquid is sour toddy or an admixture thereof shall be admissible in evidence.

(3) Where an offence for which the holder of a licence is liable under this Ordinance has, in fact, been committed by his servant or agent, the holder of the licence and his servant or agent shall be liable as joint principals in the first degree.

Action for  
price of  
liquor sold

78. No licensee shall maintain any action for, or recover in any court, any debt or demand for any liquor sold for consumption on the premises unless such liquor has been sold or supplied by such licensee to a *bona fide* lodger or for consumption with a meal.

**79.** (1) Any police officer may for the purpose of preventing or detecting the commission of any offence against this Ordinance at any time enter on any licensed premises.

Powers of entry of police officers

(2) If any person by himself or by any person in his employ or acting with his consent refuses or fails to admit any police officer who demands entry in pursuance of subsection (1), he shall be liable to a fine of \$50.

**80.** (1) Any person owning or managing a shop, whether licensed under the Licences Ordinance or not, who without a licence under this Ordinance, stores or keeps or permits to be stored or kept any liquor in any part of the shop, or in excess of his own reasonable personal requirements in any building used as a dwelling-house communicating by a passage-way or otherwise with such shop, shall be liable to a fine of \$50.

Liquor in shops  
Cap. 56 of 1973

(2) Any police officer may at any reasonable time enter any such shop or building and may search for liquor, and if any liquor be found, the same shall, upon a conviction under subsection (1), be forfeited.

**81.** Without prejudice to any other provision of this Ordinance, whenever a police officer believes or has reason to believe that an offence has been, or is being, or is about to be committed under this Ordinance, he may seize and take away all liquor and all receptacles and articles connected with such offence, and the same may, upon conviction in respect of such offence, be forfeited by the court.

Seizure of liquor and forfeiture

**82.** (1) Without prejudice to any other provision of this Ordinance, if the holder of a licence is—

Cancellation of licence

- (a) sentenced to imprisonment for a term exceeding 6 months,
- (b) convicted within a period of 12 months of a second offence against this Ordinance,
- (c) convicted of failing to comply with any of the conditions of his licence or of a permit issued to him under section 13 (2),

the licensing committee, in the case of paragraph (a); and the court of conviction, in the case of paragraph (b) or (c), may cancel the licence.

(2) Where any licensee is convicted of an offence under this Ordinance or where any other person is convicted of an offence under this Ordinance committed on licensed premises or on the premises of a licensed club the court so convicting shall within 7

days transmit to the licensing committee a written summary of the facts.

**Limitation**      **83.** A prosecution in respect of any offence shall not be instituted under this Ordinance after the expiration of 6 months from the date on which the offence was committed.

**Exemption of auctioneer**      **84.** Notwithstanding anything contained in this Ordinance an auctioneer may, when an auction is held by direction of the Minister or of a court, sell liquor without a licence.

**Interpretation of "liquor"**      **85.** For the purpose of sections 78, 80, 81 and 84 "liquor" includes sour toddy.

**Minister may order closure of licensed premises**      **86.** (1) Notwithstanding anything contained in this Ordinance the Minister may by order, whenever he deems it expedient to do so, direct the closure of any licensed premises on such day or days and for such times as may be specified in the order.

(2) A licensee who fails to comply with an order made under subsection (1) shall be liable to a fine of \$50.

**Power to close licensed premises during riot or tumult**      **87.** (1) When any riot or tumult occurs or is expected to occur in any place, the officer in charge of police in the area where that place is, may order any licensed premises in or near that place to be closed during such times as he may deem fit, and any person carrying out such order may use such force as may be necessary for closing such premises.

(2) Any person resisting or obstructing the execution of an order made under subsection (1) and any licensee failing to comply with such order shall be liable to a fine of \$50.

**Fees Schedule 2**      **88.** (1) The fees payable in respect of the several matters listed in Schedule 2 shall be those specified in the appropriate columns thereof.

(2) The Minister may by order amend Schedule 2.

**Forms Schedule 3**      **89.** (1) A licence shall be in the appropriate form specified in Schedule 3.

(2) The Minister may by order amend the form contained in Schedules 1 or 3.

**Power to make regulations**      **90.** The Minister may make regulations for all or any of the following matters—

(a) dispensing with or relaxing any of the provisions of this

Ordinance in respect of any licensing area and in relation to any person or class of persons;

(b) generally, carrying into effect the provisions of this Ordinance.

SCHEDULE 1  
(Section 39)

FORMS OF CERTIFICATES FOR LICENCES

FORM 1  
(For issue or renewal)

This certificate authorises the Secretary to issue/renew (a) a (b) in the name of (c) in respect of the following premises (d)—

subject to the following conditions (e)—

- 1.
2.
3.

Dated this day of , 19

Chairman,
Liquor Licensing Committee for (f)

NOTES.

- (a) Delete whichever is necessary.
(b) State category of licence whether for the sale of liquor or of beer only and in the case of an off-licence, whether wholesale or retail.
(c) State name of licensee or of club.
(d) State locality and give full description of premises or of parts thereof in respect of which the licence is granted.
(e) Insert conditions, if any.
(f) State licensing area.



FORM 2  
(For removal)

This certificate authorises the Accountant-General to remove the existing licence held by (a) .....to the following premises (b)—

.....  
subject to the following conditions (c)—

- 1. ....
- 2. ....

Dated this                    day of                    , 19 .

Chairman,  
Liquor Licensing Committee for (d) .....

NOTES.

- (a) State name of licensee or club.
- (b) State locality and give full description of premises or of parts thereof in respect of which the licence is granted.
- (c) Insert conditions, if any.
- (d) State licensing area.

FORM 3  
(For transfer)

This certificate authorises the Secretary to transfer the existing licence held by (a) .....in respect of his licensed premises at (b) ..... to (c) .....subject to the following conditions (d)—

- 1. ....
- 2. ....

Dated this                    day of                    , 19 .

Chairman,  
Liquor Licensing Committee for (e) .....

NOTES.

- (a) State name of transferor.
- (b) State locality.
- (c) State name of transferee.
- (d) Insert conditions, if any.
- (e) State licensing area.

SCHEDULE 2

(Section 88)

(FEES)

Part 1

	<i>Liquor Licence</i>	<i>Beer (only) Licence</i>
	\$	\$
(a) Off-licence—wholesale .. .. .	40	25
retail .. .. .	60	35
(b) Publican's licence .. .. .	120	75
(c) Ship's licence .. .. .	40	25
(d) Table licence .. .. .	60	35
(e) Club licence .. .. .	25	15
(f) Occasional licence .. .. .	10	4
(g) On the transfer of a licence .. .. .	5	5
(h) On removal to other premises .. .. .	5	5
(i) On a permit for special hours .. .. .	20	10

Part 2

Special Hours Licence .. .. .	\$60
-------------------------------	------

Part 3

Sour Toddy Producer's Licence .. .. .	\$3
---------------------------------------	-----

SCHEDULE 3

(Section 89 (1))

FORM 1

(For a licence)

In accordance with the certificate of the Liquor Licensing Committee for  
 (a) .....dated the            day of            , 19    , and the  
 prescribed fee having been paid, a (b) ..... is hereby granted to (c)  
 .....of .....in respect of the following premises (d)—

.....  
 .....

This licence is issued subject to the following conditions (e)—

1. ....
2. ....
3. ....

This licence will expire on the 31st December, 19    , unless earlier  
 cancelled.

Dated this            day of            , 19    .

Accountant-General.

SCHEDULE 2  
(Section 88)

(FEES)

Part 1

	<i>Liquor Licence</i>	<i>Beer (only) Licence</i>
	\$	\$
(a) Off-licence—wholesale .. .. .	40	25
retail .. .. .	60	35
(b) Publican's licence .. .. .	120	75
(c) Ship's licence .. .. .	40	25
(d) Table licence .. .. .	60	35
(e) Club licence .. .. .	25	15
(f) Occasional licence .. .. .	10	4
(g) On the transfer of a licence .. .. .	5	5
(h) On removal to other premises .. .. .	5	5
(i) On a permit for special hours .. .. .	20	10

Part 2

Special Hours Licence .. .. .	\$60
-------------------------------	------

Part 3

Sour Toddy Producer's Licence .. .. .	\$3
---------------------------------------	-----

SCHEDULE 3  
(Section 89 (1))

FORM 1

(For a licence)

In accordance with the certificate of the Liquor Licensing Committee for  
(a) ..... dated the            day of            , 19    , and the  
prescribed fee having been paid, a (b) ..... is hereby granted to (c)  
..... of ..... in respect of the following premises (d)—

.....  
.....  
.....

This licence is issued subject to the following conditions (e)—

1. ....
2. ....
3. ....

This licence will expire on the 31st December, 19    , unless earlier  
cancelled.

Dated this            day of            , 19    .

Accountant-General.

NOTES.

- (a) State licensing area.
- (b) State category of licence whether for the sale of liquor or of beer only, and in the case of an off-licence, whether wholesale or retail.
- (c) State name and address of licensee or club.
- (d) State locality, and give full description of premises or of parts thereof in respect of which the licence is issued.
- (e) Insert conditions, if any.

FORM 2

(For an occasional licence)

Upon the authority of the Chairman of the Liquor Licensing Committee for (a) ....., the prescribed fee having been paid/waived (b) an occasional beer/liquor (b) licence is hereby granted to (c) ..... of ..... in respect of the following premises (d)—

.....  
 .....

and shall be valid for (e) ..... hours from .....

Dated this ..... day of ....., 19 .....

..... Accountant-General

NOTES.

- (a) State licensing area.
- (b) Delete as necessary.
- (c) State name and address of licensee.
- (d) Describe premises.
- (e) State number of hours and time at which licence comes into force.

SUBSIDIARY LEGISLATION

[Subsidiary]

**Definitions of areas of authority of liquor licensing committees and appointment of official members thereof under section 28 (1)**

L.N. 35/75  
 L.N. 37/77  
 L.N. 38/77  
 L.N. 127/77

1. Northern Gilberts Liquor Licensing Committee whose area of authority extends over the islands of Abaiang, Marakei, Butaritari and Makir—
 

District Officer, Northern Gilberts	.. .. .	Chairman
Medical Officer in Charge, Butaritari	.. .. .	Member
2. Liquor licensing committee whose area of authority extends over the Central Gilberts District—
 

District Officer, Central Gilberts	.. .. .	Chairman
Medical Officer in Charge, Abemama	.. .. .	Member
3. Tarawa Liquor Licensing Committee whose area of authority extends over the Island of Tarawa—
 

Deputy Secretary to the Chief Minister	.. .. .	Chairman
An Officer from the Community Affairs Division of the Ministry of Health and Community Affairs	.. .. .	Member
Medical Officer, Betio	.. .. .	Member

[Subsidiary]

4. Liquor licensing committee whose area of authority extends over Ocean Island District—

District Officer, Ocean Island .. .. .	Chairman
Medical Officer in Charge, British Phosphate Commissioners, Ocean Island .. .. .	Member

5. Liquor licensing committee whose area of authority extends over the Line Islands District—

District Officer, Line Islands .. .. .	Chairman
Medical Officer in Charge, Christmas Island .. .. .	Member

(NOTE. The above committees also include members appointed by name.)

**Areas declared to be prohibited areas by notice under section 72 (2)**

The following areas have been declared prohibited areas— G.N. 82/69

- (a) the islet of Betio, excluding the beaches thereof;
- (b) the area extending from a line drawn north and south across the western most point of Bairiki to a line drawn north and south through beacon "E" of the Teaoraেকে-Antebuka Water Reserve, excluding the beaches thereof;
- (c) the village and settlement of Bikenibeu, commencing at a line drawn north and south 1,000 feet west of the western end of the Otintai Hotel building, and finishing at a line drawn north and south 1,000 feet east of the building known as the Manoraki Bar, excluding the beaches thereof;
- (d) the islet of Takaeang at Aranuka Island; L.N. 25/72
- (e) the island of Nikunau; L.N. 45/72
- (f) Ocean Island, excluding the beaches thereof and the British Phosphate Commissioners' sports pavilion and its surrounding area;
- (g) those parts of Christmas Island within 400 metres of— L.N. 22/78
  - (i) any dwelling house or hotel;
  - (ii) the perimeter of the NASDA Tracking Station;
  - (iii) the fuel farm at London village;
  - (iv) the explosives magazine;
  - (v) the pumping stations at Decca and Bamboo Waterholes;
  - (vi) Artemia House; and
  - (vii) the perimeters of Cassidy and Aeon Aerodromes.

**Regulations under section 90 (1)**

**THE GOVERNMENT TRAINING SHIP (TRAINEES EXEMPTION) REGULATIONS** L.N. 70/75

1. These Regulations may be cited as the Government Training Ship (Trainees Exemption) Regulations. Citation

2. The provisions of section 68 (3) (which prohibits the employment of persons under the age of 21 years to sell or serve liquor) shall not apply in relation to the employment of Marine Training School catering trainees as stewards behind the bar of a Government training ship during any period in which any such trainee is undergoing training. Dispensation in favour of certain marine trainees