

SAINT LUCIA

No. 7 of 2004

ARRANGEMENTS OF SECTIONS

PART I

PRELIMINARY

Sections

1. Short title and commencement
2. Definition

PART II

LICENCES

3. Sale of intoxicating liquors requires licence
4. Types of licences
5. Duration of licence
6. Form of licence
7. Fees

PART III

LICENSING BOARD AND LICENSING SESSIONS

8. Licensing districts
9. Establishment of licensing board
10. Members of the licensing board
11. Procedure and Licensing Sessions
12. Remuneration of members

PART IV

LICENSING PROCEDURES

13. Application for new certificate
14. Application for certificate for renewal of licence
15. Form of certificate
16. Objections to grant of certificate
17. Grounds for refusal of application
18. Appeal from decision of licensing board

19. Accountant General to issue licence
20. Grounds for refusal of licence
21. Accountant General to inform Board of refusal
22. Lost or destroyed licences
23. List of licences to be published
24. Minister to authorised issue of hotel licences
25. Form of hotel licence
26. Revocation of hotel licence
27. Application for special event licence
28. Objection to application
29. Penalty
30. Application for transfer of licence
31. Death or insolvency of licensee
32. Duties and obligation of transferees
33. Transfer of licence to another premises
34. Transferee of licence to apply for new certificate
35. Administrative charge on application for transfers

PART V

SPIRITS

36. Strength of Spirits
37. Spirits supplied by one licensee to another to be by permit
38. Receiving of spirits

PART VI

POWERS OF ENTRY, INSPECTION AND SEIZURE

39. Power of entry on licensed premises
40. Custody of things seized
41. Release of seizure on bond
42. Objections to seizure
43. Accountant General to take legal proceedings
44. Sale of seizures

PART VII

OFFENCES

45. Licence to be affixed on licensed premises
46. Disposal without licence

47. Dilution of spirits
48. Diluting of intoxicating liquor
49. Disposal of intoxicating liquor to persons under eighteen
50. Persons under sixteen not be sent to obtain liquor
51. Employment of persons under eighteen
52. Obstructing entry
53. Molestation of persons acting under this Act
54. Disposal of intoxicating liquor to impede search
55. Purchase of intoxicating liquor from unauthorised persons
56. Bribes
57. Permitting gambling, drunkenness etc. on premises
58. Drunken, quarrelsome or disorderly behaviour on licensed premises
59. False evidence
60. Penalty where none specially provided

PART VIII

ENFORCEMENT AND PROCEEDINGS

61. Summary proceedings
62. Onus of proof
63. Appropriation of property forfeited and of penalties recovered
64. Evidence of disposal or consumption of liquor
65. Precise description of intoxicating liquor not necessary
66. Proof of authority
67. Proof of knowledge not necessary
68. Conviction for several offences on the same day
69. Liability of licensee of offences committed by others
70. Suspension and revocation of licence
71. Licence to incur penalty while out of State

PART IX

MISCELLANEOUS

72. Closing hours
73. Alterations
74. Registers
75. Commencement of action
76. Limitation of liability
77. Stock books

- 78. Measures
- 79. Regulations
- 80. Repeal
 - First Schedule
 - Second Schedule
 - Third Schedule
 - Fourth Schedule
 - Fifth Schedule
 - Sixth Schedule
 - Seventh Schedule
 - Eighth Schedule
 - Ninth Schedule

I ASSENT

[L.S.]

PEARLETTE LOUISY,
Governor-General.

20th April, 2004.

SAINT LUCIA

No. 7 of 2004

AN ACT to repeal and replace the Liquor Licence Act No. 18 of 1969.

[ON ORDER]

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the House of Assembly and the Senate of Saint Lucia, and by the authority of the same as follows:

PART I
PRELIMINARY

Short title and commencement

1.— (1) This Act may be cited as the Liquor Licence Act, 2004.

(2) This Act shall, come into force on the day to be fixed by the Minister by order published in the *Gazette*.

Definition

2. In this Act unless the context otherwise requires —

“alcohol” means pure ethyl alcohol;

“certificate” means a certificate issued by the Licensing Board;

“Clerk” means the Clerk of the Licensing Board for the District;

“club” means any corporation or association of persons formed for the purpose of affording its members facilities for social recreation and which —

(a) provides services for its members (whether or not for the purpose of gain); and

(b) has premises of which only its members and their accompanied guests have a right of use;

“corked” means effectively closed with a plug or stopper made of cork or wood or some other material;

“dispose” includes sell, barter, exchange, give, supply, deliver or otherwise pass or allow to pass into the control of some other person;

“guest” means any person using any licensed premises for lodging during a night or taking a meal;

“guest house” means any building containing not fewer than two rooms for the accommodation of guests for reward and includes all structures occupied with or appurtenant to the said building;

“hotel” means a building or group of buildings used to provide services and accommodation to guests for reward, containing —

- (a) not less than six bedrooms;
 - (b) one or more kitchens in which meals may be prepared by employees of the hotel owner or hotel operator for the guests; and
 - (c) one or more dining rooms shared in common by all the guests, in which meals may be served by employees of the hotel owner or hotel operator to such guests;
- “intoxicating liquor” includes every description of spirits, wines, beer, cider and other malt liquor;
- “licence” means a licence issued under this Act;
- “licensed” in relation to persons or premises means the person named or whose name is written on a licence issued under this Act and the premises in which the sale or disposal of liquor is authorised to be carried on by a licence issued under this Act;
- “licensed dealer” means a person licensed under this Act to sell or barter intoxicating liquor and such expression includes a person authorised by the Accountant General to carry on temporarily the business of any licensed dealer under the provisions of this Act;
- “licensed premises” includes every building, yard or place for which a licence under this Act has been granted;
- “licensee” means a person who at the material time holds a valid unexpired licence which has been issued or transferred to him or her under this Act;
- “Licensing Board” means the Board established under this Act in each district of this State;
- “Licensing Session” means a sitting of the Licensing Board for the granting of certificates for licences, and any adjournment of such sitting;
- “Liquor Licence Appeals Tribunal” means the Tribunal established under section 19;
- “litre” means two-ninths of a gallon;
- “Minister” means the Minister responsible for Commerce except where the Act specifically designates another Minister;

“new certificate” means a certificate issued by the Licensing Board to an applicant who shall not at the time of making the application hold a licence in respect of the premises sought to be licensed;

“occupier” means the person in actual occupation of a house or premises or the person carrying on either on his or her own behalf or as agent of another, trade or business conducted in the house or premises;

“person” includes every member of a firm or the manager or agent of a company or corporation or other person acting for such company or corporation;

“public officer” includes a police officer or a revenue officer;

“revenue officer” includes any officer of the Customs Department and all persons employed on any duty or service relating to the Customs or Excise laws by the order of or with the concurrence, whether previously given or not, of the Accountant General or Comptroller of Customs;

“sealed” means secured with any substance without the destruction of which the cork, plug or stopper cannot be withdrawn;

“special event” means any public entertainment, festivity, sports event or meeting to which the general public are admitted whether upon payment or otherwise;

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

“strength” in relation to spirits means the strength as ascertained by the method or instrument approved by the Comptroller of Customs and Excise;

PART II

LICENCES

Sale of intoxicating liquors requires licence

3. A person shall not sell or dispose intoxicating liquor without first obtaining a licence under section 4.

Types of licences

4.— (1) A licence shall be of one of the following types —

- (a) a guest house licence;
- (b) a club licence;
- (c) a hotel licence;
- (d) a special events licence;
- (e) a bar licence;
- (f) a restaurant licence;
- (g) a retail licence;
- (h) a wholesale licence.

(2) Subject to sub-section (3) a licence shall authorise a licensee to sell the intoxicating liquor specified in that licence.

(3) Notwithstanding sub-section (2) a special event licence shall authorise the licensee to sell intoxicating liquor during the celebration of a special event.

Duration of licence

5.— (1) A licence issued from a certificate granted at a quarterly or special session shall be in force for three years from the date on which the licence was granted.

(2) A special event licence shall be valid for the period specified in the licence which shall be the period covering the event to which it relates.

Form of licence

6. A licence shall be issued in the form prescribed by the Minister by Order in the *Gazette*.

Fees

7. The fees payable in respect of a licence shall be as prescribed in the First Schedule.

PART III

LICENSING BOARD AND LICENSING SESSIONS

Licensing districts

8. For the purposes of this Act, Saint Lucia shall be divided into the licensing districts specified in the Second Schedule.

Establishment of licensing board

9. For each licensing district there shall be established a Licensing Board.

Members of the licensing board

10.— (1) Subject to sub-section (2), the Licensing Board shall consist of —

- (a) a Justice of the Peace appointed by the Minister; and
- (b) two other persons residing within the licensing district appointed by the Minister after consultation with community leaders including —
 - (i) the head of the police station in the licensing district;
 - (ii) a school principal; and
 - (iii) the priest, pastor or elder of a recognised religious denomination.

(2) Notwithstanding sub-section (1), a person shall not be appointed a member of the Licensing Board where he or she —

- (a) has been convicted of an offence;
- (b) has been refused a liquor licence; or
- (c) operates, owns or controls the premises on which intoxicating liquor is sold.

(3) Any person appointed to be a member of the Licensing Board pursuant to subsection (1) (b) shall, during his or her tenure of office as such, *ex officio*, be a Justice of the Peace for Saint Lucia.

(4) A member of the Licensing Board shall hold office for a period of three years and is eligible for reappointment.

(5) A member of the Licensing Board ceases to be a member where he or she —

- (a) fails to attend three consecutive sittings without leave being granted by the Minister;
- (b) is absent from the State for a consecutive period of six months without leave being granted by the Minister;
- (c) resigns, refuses to act or becomes incapable of acting as a member;
- (d) accepts, directly, or indirectly any article or money or other benefit, being a gift, favour, promise or advantage for himself or herself or another person for doing any act or omitting to do any act in the performance of his or her functions.

(6) Where a member is absent on account of illness or other temporary cause or is temporarily absent from the State, the Minister may appoint another person as a temporary member for the period of such absence.

(7) In the event of any member of the Licensing Board ceasing to hold office before the expiration of the period for which he or she was appointed to hold office, the Minister may appoint in his or her place another person residing in the same licensing district to be a member of the Licensing Board.

(8) Any person appointed under sub-section (6) shall hold office only for such period or remaining period as the person in whose place he or she is appointed would have held office.

(9) The Minister shall appoint a Clerk to the Board and such Clerk shall not be a public officer.

Procedure and Licensing Sessions

11.— (1) The Justice of the Peace shall preside at all sittings of the Licensing Board.

(2) A Licensing Session for the hearing of applications for certificates under this Act shall be held quarterly.

(3) Notwithstanding sub-section (2), the Minister may authorise the holding of a special Licensing Session.

(4) Notice of the day and place appointed for any Licensing Session shall be given by the Justice of the Peace not less than fourteen days prior to the day appointed by causing the notice to be advertised in at least two local newspapers and on national radio and television.

(5) The Licensing Board may cause any session advertised to be adjourned to any specified day or place by public oral notice; and all persons bound to be present at the sessions adjourned shall be equally bound to be present at the time and place appointed by the notice.

Remuneration of members

12. The members of the Licensing Board shall be paid such fees for each session as may be prescribed from time to time by Cabinet.

PART IV

LICENSING PROCEDURES

Application for new certificate

13.—(1) A person who desires to obtain a licence under this Act other than an hotel or special event licence shall forward an application for a certificate in the form prescribed in the Fifth Schedule in triplicate to the Clerk for transmission to the Licensing Board.

(2) The Clerk, on receipt of the application shall forward a copy each to the Commissioner of Police and to the Development Control Authority.

(3) It shall be the duty of the Commissioner of Police on receipt of the application to —

- (a) make an inquiry or cause an inquiry to be made by an officer not below the rank of Sergeant;
- (b) forward a report to the Licensing Board in the form prescribed in the Third Schedule.

(4) On receipt of the application, the Development Control Authority shall forward to the Licensing Board a report in the form prescribed in the Fourth Schedule, after an examination has been made of the area, stating —

- (a) the suitability or otherwise of the premises sought to be licenced;
- (b) the feasibility of granting any or further licences.

(5) The Police Officer making the report and the officer at the Development Control Authority who carried out the examination may be required to attend the session when the application is to be heard.

(6) An application made in pursuance of this section shall be heard by the Licensing Board at a Licensing Session.

(7) A certificate may be granted only by the Licensing Board or a majority of the members of the Licensing Board present at the Licensing Session.

(8) The Licensing Board may grant a certificate on such conditions as the Licensing Board may determine.

Application for certificate for renewal of licence

14.— (1) Where the application is for a certificate for the renewal of a licence the applicant shall, ten days before the day appointed for the Licensing Session, send his or her application to the Clerk in the form prescribed in the Fifth Schedule.

(2) The applicant under sub-section (1), may not appear at the Licensing Session unless required by the Licensing Board to attend.

Form of certificate

15. Subject to any special conditions imposed by the Licensing Board, the certificate shall be in the form prescribed in the Sixth Schedule.

Objections to grant of certificate

16.— (1) A person may object to the grant of a certificate by notice in the form prescribed in the Seventh Schedule.

(2) The notice referred to in sub-section (1), shall be served on the Clerk at least seven days before the date fixed for the hearing of the application for a certificate.

(3) Upon receipt of the notice referred to in sub-section (1), the Clerk shall serve the applicant a copy of such notice at least three days before the date fixed for hearing.

(4) Notwithstanding that adequate notice of objection or opposition may not have been given, the Licensing Board may adjourn the granting of the certificate to a future day and require the attendance of the applicant on such day when the case may be heard and the objection considered as if the notice had been given.

Grounds for refusal of application

17. The Licensing Board may refuse an application on any of the following grounds —

- (a) that the premises are -
 - (i) unfit for the purposes of the certificate applied for; or
 - (ii) undesirable to be licensed;
 - (iii) likely to be a nuisance to the neighborhood;
 - (iv) not in compliance with section 76;
 - (v) within two hundred yards of a school, church or place of public worship;
- (b) that the applicant -
 - (i) is not a person of good character;
 - (ii) having within the preceding year been a licensee in any part of the State allowed his or her licensed premises to become a nuisance to his or her neighbourhood;
 - (iii) has not attained the age of twenty-one years;
 - (iv) has neglected to comply with any of the provisions of this Act in making his or her application;

- (c) that there is a sufficient number of premises already licensed to meet the needs of the neighbourhood;
- (d) that a licence granted to the applicant or his wife, or her husband or any relative resident with the applicant has been cancelled under the provisions of this Act.

Appeal from decision of licensing board

18. An applicant or any person who has objected to the grant of a certificate and who is dissatisfied with the decision of the Licensing Board shall have a right of appeal to the Liquor Licence Appeals Tribunal.

Accountant General to issue licence

19. Upon the production of a certificate granted by the Licensing Board and payment of the prescribed fee the Accountant General may issue a licence to the person named in the certificate.

Grounds for refusal of licence

- 20.** The Accountant General may refuse to issue a licence —
- (a) until he or she is satisfied that the applicant has no spirits in his or her possession on which excise duty or any other duty leviable on spirits has not been paid; or
 - (b) until the applicant pays the amount of excise duty or any other duty leviable on the spirits if the applicant has the spirits in his or her possession;
 - (c) pending the outcome of any appeal made under section 18.

Accountant General to inform Board of refusal

21. Where the Accountant General has refused to issue a licence, he or she shall within fourteen days communicate his or her refusal in writing to the Licensing Board with his or her reasons and shall return the certificate to the Licensing Board.

Lost or destroyed licences

22. Upon proof being given to the satisfaction of the [Accountant General] that a licence has been lost or destroyed, he or she shall grant,

upon payment of the prescribed fee, a duplicate licence which shall operate as the original licence.

List of licences to be published

23. Within the months of February and August in each year, the Accountant General shall cause to be published in the *Gazette* a list containing the names of all persons granted licences and the address of the premises to which each specified licence applies and a certified copy of this list shall be sent to the Clerk.

Minister to authorise issue of hotel licences

24. The Minister may, on the application to him or her for a hotel licence, authorise the Accountant General to issue a hotel licence to any applicant in respect of premises used as a bona fide hotel.

Form of hotel licence

25. On the receipt of the prescribed fee the Accountant General shall issue the hotel licence in the form prescribed in the Eighth Schedule.

Revocation of hotel licence

26.— (1) The Minister may revoke a hotel licence issued under section 24, if he or she is satisfied that the hotel for which the licence had been issued is not conducted as a bona fide hotel or in a fit or proper or orderly manner.

(2) Where the Minister revokes a hotel licence pursuant to subsection (1), the licence shall be cancelled and the licensee shall also be liable to any other penalty provided in this Act.

Application for special event licence

27.— (1) An application for a special event licence may be made by —

(a) a licensee, other than a person who holds a wholesale licence;
or

(b) a person who is not licensed under this Act and who wishes to sell intoxicating liquor at a special event,

the Justice of the Peace, or in his or her absence, the Clerk.

(2) The application referred to in sub-section (1) shall be made at least seven working days before the date of the special event.

(3) A copy of the application made pursuant to sub-section (1) shall be submitted to the officer in charge of the police station of the district in which the special event is to be held.

(4) Where there is no objection by the police, the Justice of the Peace, the Clerk or any person designated by the Accountant General shall, within three working days of the receipt of the application, [grant] the special event licence to the applicant.

(5) Upon production of the certificate issued under sub-section (4), and payment of the prescribed fee, the Accountant General shall issue to the person named on the certificate a special event licence.

Objection to application

28.— (1) The Officer in charge of the police station may object to the granting of a special event licence and his or her objection shall be submitted to the Justice of the Peace, the Clerk or any person designated by the Accountant General not more than two days after the date of receipt of the copy of the application.

(2) Where an objection has been submitted by the police, the Justice of the Peace, the Clerk or any person designated by the Accountant General, shall set the matter down for hearing for the day following the day on which the objection was received and, in any event, the objection shall be heard and determined by a Justice of the Peace within a reasonable time before the day on which the special event is celebrated.

Penalty

29. Any person who sells any intoxicating liquor during a special event without first obtaining a licence to do so is liable on summary conviction to a fine of five hundred dollars.

Application for transfer of licence

30.— (1) The Justice of the Peace may in his discretion, approve the transfer of a licence on such terms and conditions, if any, as he or she considers proper.

(2) An application for transfer shall be made by the licensee and the intended transferee on the form prescribed in the Ninth Schedule to the Justice of the Peace for consideration and shall secure from the Commissioner of Police a report as to the character of the applicant.

(3) The Justice of the Peace shall annex the report to the prescribed form which shall become part of the form and if he or she is satisfied shall approve the transfer of the licence by endorsement thereon, and the date of endorsement shall be deemed to be the date of the transfer.

Death or insolvency of licensee

31. In the event of the death of the licensee, the executor or the administrator of the deceased person or any person approved by the Justice of the Peace; and in the case of insolvency, the trustee or receiver of the insolvent or any person authorised by the Justice of the Peace; may carry on the business on the licensed premises until the expiration of the licence either personally or by an agent approved by the Justice of the Peace without any formal transfer of the licence.

Duties and obligations of transferees

32. A person to whom a licence may have been transferred under section 30 or who may be carrying on a business in pursuance of section 31 shall possess all the rights and be subject to all the duties, obligations and penalties of the original holder of the licence.

Transfer of licence to another premises

33.— (1) The Justice of the Peace may, in his or her discretion authorise the removal of a licence to some other premises, on such terms and conditions as he or she considers proper.

(2) An application for a removal shall be made to the Justice of the Peace in writing in the form prescribed in the Tenth Schedule and the Justice of the Peace shall secure from the Commissioner of Police a report based on the matters described in section 17 but excluding the report of the enquiry as to the character of the applicant.

(3) The Justice of the Peace shall annex the report to the prescribed form which shall become part of the form and if he or she is satisfied that

a licence should be issued he or she may approve the removal of the licence by endorsement thereon or adjourn the application for the determination of the Licensing Board and the date of endorsement in either case shall be deemed to be the date of removal.

(4) An objection to the transfer of a licence or the removal of a licence to some other premises shall be made in the manner provided in section 17.

(5) An application for transfer of a licence or for the removal of a licence to some other premises shall be published by the Clerk in the *Gazette*.

(6) The Clerk shall within fourteen days of the endorsement notify the Accountant General of any transfer or removal of a licence to some other premises.

Transferee of licence to apply for new certificate

34. Any person to whom a licence may be transferred and any person who may be authorised to carry on a business on the death or insolvency of a licensee, shall on the expiration of the licence, apply for a new certificate as if he or she were not a licensed dealer.

Administrative charge on applications for transfers

35. Upon every application for transfer of a licence from a licensee to another person or for the removal of a licence from licensed premises to other premises, there shall be fixed an administrative charge of fifty dollars.

PART V

SPIRITS

Strength of spirits

36.—(1) A person holding a wholesale licence shall not sell any spirits at a lower strength than forty percent alcohol by volume other than spirits imported in bottles and sold intact in the bottles in which the spirits were imported.

(2) If any spirits at a lower strength than forty percent alcohol by volume other than spirits imported in bottles and sold intact in the bottles in which the spirits were imported are found on any licensed premises, the spirits shall be forfeited and may be seized by any public officer.

(3) The person in whose name the premises are licensed, and the manager of such premises on which the spirits referred to in sub-section (2) are found commits an offence if he or she contravenes sub-section (1).

(4) If in any prosecution under this section any question arises as to whether any spirits seized are or are not spirits imported in bottles and sold intact in the bottles in which the spirits were imported, then the burden of proof shall lie on the defendant or the owner or the claimant of the spirits.

Spirits supplied by one licensee to another to be by permit

37.— (1) A licensee shall not supply another licensee with spirits in any quantity unless accompanied by a permit in the form prescribed under the Excise Act, Ch. 203 for the removal of spirits exceeding in quantity five litres.

(2) A licensee who contravenes sub-section (1) commits an offence.

Receiving of spirits

38.— (1) A person licensed to sell spirits shall receive such spirits by lawful importation or from some other person licensed to sell spirits

(2) Any person who receives any spirits contrary to sub-section (1) commits an offence and is liable to a fine not exceeding one thousand.

PART VI

POWERS OF ENTRY, INSPECTION AND SEIZURE

Power of entry on licensed premises

39.— (1) The Justice of the Peace, or the Accountant General or a public officer or any person authorised in writing by a Magistrate or by the Accountant General, either alone or with such other persons as he or she may call to his or her assistance may —

- (a) enter any licensed premises or any yard, court or place belonging or connected to such yard, court or place, for the purpose of detecting or preventing any breach of the provisions of this Act or any other statute which it is his or her duty to enforce, or of any licence or permit granted under this Act;
- (b) at any time demand the production of any licence or permit granted under this Act;
- (c) having reasonable grounds for suspecting that any liquor is being unlawfully sold or disposed of, stored, introduced or otherwise dealt with, enter and inspect any ship, boat, conveyance or any premises and examine any place therein and any receptacle, package or thing, and may use all necessary force and break open any door or entrance or obstruction to any of the aforesaid if entry cannot otherwise be obtained;
- (d) seize —
 - (i) any liquor which he or she has reason to believe has been distilled, manufactured, introduced, sold, disposed of or removed, or is possessed contrary to the provisions of this Act or any other statute or is on unlicensed premises for sale or disposal or otherwise, contrary to law; and
 - (ii) any receptacle or package or thing containing the same and any ship, boat, conveyance or animal used in transporting liquor contrary to the provisions of this Act or any other statute.

(2) Where upon the examination under sub-section (1) the stock or quantity of liquor found on the premises appears to the officer examining to be in excess of the quantity the licensee should have on hand, such excess, shall be forfeited.

(3) The licensee or person in charge of the property commits an offence against this section if he or she does not give a satisfactory account to the officer by the production of licences, permits or receipts or otherwise.

(4) The powers conferred by this section are in addition to and not in derogation of any power conferred by any other statute.

Custody of things seized

40.— (1) All ships, boats, goods or other things which may be seized under this Act shall be immediately delivered into the custody of the Accountant General or some person authorised on his or her behalf who shall cause the same to be properly secured.

(2) If it appears to the Accountant General that anything seized is of a perishable nature or is likely to become deteriorated by being kept, he or she may order the sale of such thing pending its forfeiture, and shall retain the proceeds until determination of the issue.

Release of seizure on bond

41.— (1) It shall be lawful for a Magistrate, on application made to him or her in a summary way, provided the Accountant General gives his or her consent, to order the delivery of any ship, boat, goods or other thing seized to the owner or his agent on security being given by bond.

(2) The bond referred to in sub-section (1) shall be —

- (a) to the satisfaction of the Accountant General to answer double the value of the bond in case of forfeiture, such value to be taken to be that which is fixed by the Accountant General; and
- (b) taken to the use of the State in the name of the Accountant General; and
- (c) delivered and kept in the custody of the Accountant General.

(3) In case the ship, boat, goods or other thing is or are forfeited, the value shall be paid to the Accountant General who shall cancel the bond.

(4) A deposit of money in such sum as the Accountant General may consent to, being not less than the value fixed by him or her in any case may be made with the Accountant General in lieu of a bond.

Objections to seizures

42.— (1) Any person claiming that anything seized is not liable to forfeiture shall, by himself or herself or an agent give notice in writing to the Accountant General within ten days of the seizure.

(2) The notice referred to in sub-section (1) shall state that the person claiming is the owner or an agent for the owner, as the case may be, of the thing seized and shall also state the residence and occupation of the claimant.

(3) Every claim shall be supported by the oath of the claimant, or, if the claim is made through an agent, by his or her agent swearing to the best of his or her knowledge and belief.

(4) When any claim is made through an agent, evidence of his or her authority as agent shall be filed with the claim; and if the authority is not admitted at the hearing, it must be proved.

Accountant General to take legal proceedings

43.— (1) Where any notice of claim has been given in respect of anything seized, the Accountant General shall take legal proceedings for its forfeiture against the claimant who shall be the defendant in the cause.

(2) If any act is done for which a licence or permit or authority is required the onus of providing the existence of the licence or permit or authority shall be upon the defendant.

(3) At the hearing, the Accountant General may appear in person or by counsel or by a public officer, or other person authorised by the Accountant General in writing to that effect.

(4) At the hearing, the onus of proving ownership of the thing seized and its exemption from forfeiture shall be on the defendant.

Sale of seizures

44.— (1) Anything seized and forfeited, or not claimed within the time fixed, may be sold by auction by any person, whether an auctioneer or not, under the direction of the Accountant General, who shall previously notify such sale in the *Gazette*.

(2) The money raised from the sale pursuant to sub-section (1) shall be applied to pay —

- (a) all charges incidental to the sale including the auctioneers fees and for the custody and carriage;
- (b) all charges incidental to the seizure, if any, and all proceedings thereon;

and the residue of the money, if any, shall be paid to the Treasury.

PART VII OFFENCES

Licence to be affixed on licensed premises

45.— (1) Every licensee shall affix his or her licence in some conspicuous place on the licensed premises.

(2) Any licensee who contravenes sub-section (1) shall be liable on summary conviction to a fine of five hundred dollars.

Disposal without licence

46.— (1) A person who exposes for sale or disposes any intoxicating liquor without being licensed to sell the intoxicating liquor commits an offence.

(2) A licensee who sells, barter or exchanges or otherwise disposes of any intoxicating liquor at any place or in any manner except as provided by this Act or by any other statute in force in respect of his or her licence commits an offence.

(3) It shall not be an offence against this Act to sell or expose for sale intoxicating liquor without a licence under the following conditions —

- (a) where the intoxicating liquor shall be sold by virtue of any legal process or any law authorising the same;
- (b) where the intoxicating liquor shall be in the nature of medicated spirits or spirits made up in medicine and sold by a qualified medical practitioner or licensed chemist or druggist;
- (c) where the intoxicating liquor shall form part of the estate of a deceased person if the Comptroller of Inland Revenue shall authorise its sale, or where the intoxicating liquor shall be sold by a licensed auctioneer under conditions approved by the Accountant General.

Dilution of spirits

47.— (1) A licensee shall not dilute spirits with anything but pure water.

(2) A licensee who contravenes sub-section (1) commits an offence and is liable on summary conviction to a fine not exceeding five hundred dollars.

Diluting of intoxicating liquor

48.— (1) A licensee shall not sell any intoxicating liquor which is afterwards certified by any Government chemist or qualified analyst or medical practitioner to contain any substance added to or diluted with any such intoxicating liquor which is likely to cause injury to health.

(2) A licensee who contravenes sub-section (1) commits an offence and is liable to a fine not exceeding one thousand dollars.

Disposal of intoxicating liquor to persons under eighteen

49.— (1) A licensee shall not sell or dispose of, or allow any person to sell or dispose of, any intoxicating liquor to any person under the age of eighteen.

(2) A person who contravenes sub-section (1) commits an offence and is liable —

- (a) on summary conviction to a fine of one thousand dollars or
- (b) to revocation of his or her licence.

(3) Where a person is fined under sub-section (2), that conviction shall be endorsed on the licence and entered in the Register.

Persons under sixteen not to be sent to obtain liquor

50. A person shall not send any person under the age of sixteen to any premises where intoxicating liquors are disposed of for the purpose of obtaining any intoxicating liquor.

Employment of persons under eighteen

51.— (1) A licensee shall not employ or allow any person under the age of eighteen to sell, dispose of or serve any intoxicating liquor on the licensed premises.

(2) Nothing in this section shall prevent the employment by the licensee of a member of his or her family resident with him or her or his or servant or apprentice or messenger, to deliver intoxicating liquor in corked or sealed bottles or containers.

Obstructing entry

52. Whoever —

- (a) by himself or herself; or
- (b) by any other person in his or her employ; or
- (c) acting by his or her direction; or
- (d) with his or her consent;

refuses or fails to admit the Justice of the Peace, the Accountant General, a public officer or other authorised person authorised in the execution of his or her duty demanding to enter in pursuance of this act commits an offence.

Molestation of persons acting under this Act

53. Whoever molests, hinders or opposes any Justice of the Peace, public officer, the Accountant General, or an authorised person acting in aid or assistance of the execution of his or her duty in pursuance of this Act commits an offence.

Disposal of intoxicating liquor to impede search

54. A person who —

- (a) removes, throws away or destroys; or
- (b) causes to be removed, thrown away or destroyed;

any intoxicating liquor in order to prevent or impede any search for or seizure of the intoxicating liquor commits an offence.

Purchase of intoxicating liquor from unauthorised persons

55.—(1) A person shall not buy or procure any intoxicating liquor from a person not having authority to sell or deliver the same.

(2) A person who contravenes sub-section (1) commits an offence and is liable to a fine not exceeding one hundred dollars.

Bribes

56.— (1) A person who offers or causes to be offered to any public officer any money or other consideration with intent to influence the issuance of a licence commits an offence.

(2) Any public officer who accepts or receives any money or valuable consideration offered on the part of any person whether licensed or not commits an offence and is liable to a fine of five thousand dollars and in default of payment to imprisonment for two years.

Permitting gambling, drunkenness etc. on premises

57.— (1) A licensee shall not —

- (a) permit drunkenness, gambling or any other disorderly conduct on his or her licensed premises;
- (b) permit acts of violence or any other unlawful act on his or her licensed premises;
- (c) sell intoxicating liquor to any drunken person;
- (d) permit his or her premises to be used as a brothel or for the purposes of any other illicit acts.

(2) A licensee who contravenes sub-section (1) commits an offence and is liable to a fine of five thousand dollars and in default of payment to imprisonment for term not exceeding five years.

(3) Where a licensee is charged under this section and it is proved that a person was drunk on the premises, it shall lie on the defendant to prove that he or she or other persons employed by him or her, took all reasonable steps to prevent drunkenness on the premises.

(4) Where a licensee is convicted under this section his or her licence may be revoked.

Drunken, quarrelsome or disorderly behaviour on licensed premises

58.— (1) A person who is found drunk or quarrelsome or disorderly on any licensed premises commits an offence and is liable on summary conviction to a fine not exceeding five hundred dollars.

(2) A person who is found drunk, riotous, quarrelsome or disorderly on any licensed premises and who refuses or neglects to quit such licensed premises on being requested to do so by the owner, manager, occupier of the premises or his or her agent or servant, or by any police officer commits an offence.

(3) A person who contravenes sub-section (2) is liable on summary conviction to a fine of one thousand dollars.

(4) An owner, manager or occupier of the premises or his or her agent or any police officer is authorised to use all necessary force to expel the drunken, riotous, quarrelsome or disorderly person, who refuses to quit, from the licensed premises.

(5) The force referred to in sub-section (4) shall not extend to a blow or wound or grievous or dangerous harm.

(6) It shall be lawful for any police officer to take into custody without a warrant any drunken, riotous, quarrelsome or disorderly person found on any licensed premises who refuses to quit having been requested to do so by such police officer.

False evidence

59.— (1) A person shall not —

(a) knowingly and wilfully give any false evidence; or

(b) corruptly procure any person to give any false evidence;

in relation to any matter required by this Act.

(2) A person who contravenes sub-section (1) commits an offence and is liable on summary conviction to a fine not exceeding one thousand dollars.

Penalty where none specially provided

60.— (1) A person who contravenes any of the provisions of this Act shall on being convicted be liable to a penalty not exceeding two thousand dollars if no other penalty is provided.

(2) Where a person is ordered to pay a fine pursuant to sub-section (1) and the person does not pay the fine within the time stipulated by the Magistrate, he or she shall be liable to imprisonment for a term not exceeding two years as may be stipulated by the Magistrate.

PART VIII

ENFORCEMENT AND PROCEEDINGS

Summary proceedings

61. All prosecutions under this Act shall be taken in a summary manner in the name and instance of the Accountant General or any person authorised by him or her in writing or by a public officer before a Magistrate in accordance with the provisions of the Criminal Code.

Onus of proof

62. In any prosecution under this Act wherever it appears that the defendant has done any act or omission in respect of which where he or she is not licensed, he or she would be liable to some penalty under this Act, it shall be incumbent on the defendant to prove that he or she is or was licensed.

Appropriation of property forfeited and of penalties recovered

63.— (1) The proceeds of sale of any property forfeited under the provisions of this Act, and the amount of any penalty recovered under this Act shall be paid into the Treasury for the use of the State.

(2) The Minister of Finance may award any portion of the proceeds or penalties referred to in sub-section (1) which does not exceed one half to the public officer or other person concerned in the seizure of such forfeited property, or in the recovery of such penalty.

Evidence of disposal or consumption of liquor

64.— (1) In proving the sale or other disposal of intoxicating liquor for the purposes of any proceedings for an offence under this Act, it shall not be necessary to show that any money actually passed or any intoxicating liquor was actually consumed, if the court hearing the case is satisfied that a transaction in the nature of a sale or other disposal actually took place or that any consumption of intoxicating liquor was about to take place.

(2) Proof of consumption or intended consumption of intoxicating liquor on licensed premises —

- (a) by some person other than the licensee; or
- (b) by a member of his or her family residing on such premises; or
- (c) a servant employed on the premises;

shall be evidence that the intoxicating liquor was sold or otherwise disposed of by or on behalf of the licensee to the person consuming, or being about to consume, or carry away the intoxicating liquor.

(3) When any person supplies another with food or other drink with intoxicating liquor and receives payment, the presumption that the supply of liquor was in pursuance of a contract of sale shall not be rebutted by any suggestion or allegation or pretence that the payment was made in respect of the food or other drink only.

Precise description of intoxicating liquor not necessary

65. In any prosecution for an offence with respect to intoxicating liquor, it shall not be necessary that any witness should depose directly to —

- (a) the precise description of the intoxicating liquor with respect to which the offence has been committed; or
- (b) the precise consideration; or
- (c) the fact of the offence having been committed with his or her participation; or
- (d) his or her own personal or certain knowledge;

but as soon as it appears to the Court that the circumstances sufficiently establish the offence complained of, the Court shall put the defendant on his or her defence and in default of such evidence being rebutted, shall convict the defendant accordingly.

Proof of authority

66. If on any trial a question arises whether any person is a revenue officer or is authorised, his or her own evidence, or any other evidence of his or her acting as such, shall be *prima facie* evidence of his or her authority.

Proof of knowledge not necessary

67. On the hearing or trial of any proceedings for an offence under this Act, it shall not be necessary for a conviction to prove guilty knowledge or that the act charged was committed knowingly.

Convictions for several offences on the same day

68. Convictions for several offences may be made under this Act although such offences may have been committed on the same day.

Liability of licensee for offences committed by others

69. Where a person being —

- (a) a member of the family of; or
- (b) the manager for ; or
- (c) the servant; or
- (d) in the employ of; or
- (e) authorised to act in any way for; or
- (f) remain in or on the premises of;

a licensee, shall do any act, thing or omission which if done or omitted by the licensee would constitute an offence by the licensee, both the person and the licensee shall each be liable to the penalties prescribed by this Act for such offence, whether such act, thing or omission was done or made with or without the knowledge or consent of the licensee.

Suspension and revocation of licence

70.— (1) The Magistrate by whom a licensee is convicted may order that his or her licence shall be revoked in addition to any other penalty to which he or she may be liable —

- (a) where a licensee is convicted of a second or subsequent offence against the provisions of -
 - (i) this Act; or
 - (ii) any law for the time being in force in this State against smuggling or the illicit distilling of intoxicating liquor; or

- (iii) the Customs (Control and Management) Act No. 23 of 1990 and the Excise Act, Cap. 203; or
- (iv) the Drugs (Prevention of Misuse) Act No. 22 of 1988; or
- (b) where there has been repeated complaints made by affected persons of acts of lawlessness or disorderly behaviour on the licensed premises; and
- (c) the Licensee has been warned by the Justice of the Peace who issued his or her licence or the police to take steps to end the acts of lawlessness or disorderly behaviour.

(2) Where there have been two convictions on different occasions of persons whether it is the same person or not, found to be in possession of dangerous drugs on any licensed premises, the Magistrate shall order that the licence in respect of those premises be revoked.

(3) Where the police officer in charge of a district in which any licensed premises are situate, believes on reasonable grounds that such premises are frequented or used by persons engaged in drug trafficking, the officer may issue a temporary order on the licensee suspending the licence for the premises and order the premises closed for any period not exceeding fourteen days.

(4) The police officer referred to in sub-section (3) shall, within fourteen days after the date of the temporary order, apply to the Magistrate setting out the grounds of his or her belief for suspension and if the Magistrate is satisfied as to the grounds of his or her belief the Magistrate shall revoke the licence issued in respect of the licensed premises.

Licensee to incur penalty while out of State

71.— (1) Where a licensee is made liable to a penalty in respect of any offence and a charge is preferred alleging the offence while he or she is out of State —

- (a) his or her attorney or agent may appear on his or her behalf;
- (b) the Magistrate on being satisfied as to the serving of the summons, shall proceed to investigate the matter of the charge,

whether any attorney or agent appears for the licensee or not, and if the offence is proved, may order the penalty to be paid and to be levied on the goods and chattels of the licensee by distress;

- (c) and it is not shown that the licensee left the State to avoid service of the summons on him or her personally, the Magistrate shall not make order or direct that the licensee be imprisoned, either in default of sufficient goods or chattels being found or otherwise.

(2) Where the penalty has not been paid or satisfied by distress and the defendant returns to the State, he or she may on application to that effect be ordered to undergo imprisonment in case of non-payment immediately, or within such time as the Court may direct.

PART IX MISCELLANEOUS

Closing hours

72.— (1) A licensee shall not sell, or expose for sale any intoxicating liquor or open, or keep open, his or her licensed premises during —

- (a) the whole of Good Friday, Christmas Day and Corpus Christi Day;
- (b) the hours of 6 a.m. and 6 p.m. on Sunday or any other day set apart by Public Proclamation or otherwise for Divine Service.

(2)(a) Sub-section (1) shall not apply to the holder of a hotel licence, a guest house licence, or a restaurant licence in respect of the sale or disposal of liquor to guests or residents at the hotel, guest house or restaurant.

- (b) Subsection 1(b) shall not apply to a holder of a wholesale or retail licence.

(3) It shall be lawful for the Accountant General or any public officer authorised by the Minister of Finance, in any case of emergency to grant a written permit authorising the licensee to deliver from his or her licensed premises during the closing hours any quantity of intoxicating liquor not exceeding the quantity stated on such permit.

(4) A licensee who keeps his or her licensed premises open at or after any hour at which any Magistrate or Justice of the Peace, either personally or in writing, directs the same to be closed in case of apprehended acts of

violence or disorder is liable to a fine not exceeding one thousand five hundred dollars and revocation of his or her licence.

(5) A person acting by order of any Magistrate or Justice of the Peace may use such force as may be necessary for the purpose of closing the premises.

(6) Where a person during the time at which premises for the sale of intoxicating liquor are directed to be closed by or in pursuance of this Act or any other statute —

- (a) disposes of or exposes for sale in those premises any intoxicating liquor; or
- (b) allows any intoxicating liquor although purchased, sold or otherwise disposed of before the hours of closing, to be consumed on those premises; or
- (c) opens or keeps open those premises;

that person commits an offence under this Act.

(7) Where any person is found on any premises required by law to be closed, and he or she cannot satisfy the Court that his or her presence on the premises was not in contravention of the provisions of this Act relating to closing hours, that person commits an offence under this Act.

(8) A police officer, or other person authorised in writing by a Magistrate may demand the name and address of any person found on the premises during the period in which they are required by law to be closed; and if he or she has reasonable grounds to suppose that the name or address is false may require evidence of the correctness of the name or address, and may, if the person fail upon his or her demand to give his or her name or address, or the required evidence, apprehend him or her without a warrant.

(9) If any person required under this section to give his or her name and address fails to give the same, he or she commits an offence against this Act.

Alterations

73.— (1) An alteration in any licensed premises in respect of which a licence is in force, which —

- (a) gives increased facilities for the sale or disposal or consumption of intoxicating liquor; or
- (b) conceals from observation any part of the premises used for the sale or disposal or consumption of intoxicating liquor; or
- (c) affects the communication between the part of the licensed premises where the intoxicating liquor is sold, disposed of or consumed and any other part of the premises or any street or other public way;

shall not be made without the prior consent of the Licensing Board.

(2) The Licensing Board may, before giving its consent require plans of the proposed alterations to be deposited with them at such time as they may determine.

(3) A person who contravenes this section commits an offence and his or her licence may be revoked.

Registers

74.— (1) There shall be kept by the Clerk a register called “The Register of Licences” in such form as may be prescribed by the Justice of the Peace, containing the particulars of all licences granted, the premises in respect of which the licence was granted, the names of the owner of such premises and transfers of licences and licensed premises.

(2) There shall be entered on the Register all forfeitures, convictions, revocation of licences and other matters relating to the licences on the Register as directed by the Justice of the Peace.

(3) The Register of licences kept in pursuance of this section shall be receivable in evidence of the matters required by this Act to be entered therein.

(4) Every certified copy of an entry made in the Register of licences purporting to be signed by the Clerk shall be evidence of the matter stated in such certified copy without proof of the signature or authority of the person signing the same.

(5) With respect to the record of convictions for offences under this Act, the following provisions shall have effect where the Act requires the conviction to be recorded on the licence, that is to say —

- (a) the Court before whom any licensed person is accused shall require such person to produce the licence at the hearing and the summons shall state that such production will be required;
- (b) if such person is convicted, the Court shall cause the short particulars of such conviction and the penalty imposed to be endorsed on his or her licence before it is returned to the offender;
- (c) the Clerk shall enter the particulars respecting such conviction if so directed by the Magistrate in the Register of Licences kept by him or her;
- (d) where the conviction of any person has the effect of revoking the licence, the licence shall be retained by the Clerk and notice of such revocation shall be sent to the Accountant General.

Commencement of action

75.—(1) An action, or other proceedings shall not be brought against any officer or other person acting under the authority of this Act unless such action or other proceeding is commenced within three months after the cause of action has arisen; and such action or other proceeding shall not be commenced until one month has elapsed after notice in writing has been delivered to such officer or person, or left at his or her usual place of abode, by the plaintiff or his or her solicitor or agent.

(2) In the notice referred to in sub-section (1) there shall be clearly stated the cause of action or proceeding, the name and place of abode of the plaintiff, and the name and place of abode of his or her solicitor or agent.

Limitation of liability

76. When any action, suit or prosecution is brought against any person in respect of any detention or seizure made under this Act, and which is not followed by forfeiture of any of the articles detained or seized, and the Court before which such action, suit or prosecution is tried is of

opinion that there was reasonable ground for such detention or seizure, the defendant shall not be liable to pay to the plaintiff in such action or suit more than twenty-five percent of the damages claimed.

Stock books

77.—(1) A licensed dealer shall provide himself or herself with and keep a stock book according to a pattern obtainable on application from the Clerk and shall on receiving or sending out any spirits required to be accompanied by a permit under the provisions of this Act or of the Excise Act, Cap. 203, enter on the same day into his or her stock book the following particulars —

On receipt

Date: From whom received - Quantity - Description -
Strength of spirit
(Name and address)

On sending out

Date: To whom sent - Quantity - Description -
Strength of spirit
(Name and address)

(2) A Licensed dealer shall —

- (a) keep the stock book on his or her licensed premises, open for inspection by any public officer;
- (b) keep his or her stock book open for inspection for not less than twelve months after it is filled up;
- (c) on receiving spirits accompanied by a permit, immediately cancel the permit by writing in large letters in ink across the front of the same word “received” and the date and hour of such receipt.

(3) A licensee who —

- (a) fails to make the entries as are required by this Act; or
- (b) makes a false entry in a stock book;

commits an offence.

(4) A penalty shall not be incurred by any licensee for failure to produce a permit if it is proved that the failure was caused by the permit having been lost or accidentally destroyed more than three months after the date thereof.

Measures

78. A licensee shall sell all intoxicating liquor which is sold by retail and not in sealed casks or bottles in measures marked according to the standard legally in force in the State.

Amendment of Schedules

79. The Minister may by Order in the *Gazette*, amend the Schedules.

Regulations

80.— (1) The Minister may make regulations for —

- (a) prescribing the fees to be paid for each licence and the manner and time of payment;
- (b) prescribing the conditions which shall be attached to any licence either generally or specifically;
- (c) prescribing the limits to the number of licences issued from time to time either generally or in relation to any type of licence in relation to any district or any area;
- (d) requiring licensed premises to be provided with conveniences, including toilets; and
- (e) the purpose of giving effect generally to the objects and purposes of this Act.

(2) Regulations made under this section may contain provisions imposing fines not exceeding five thousand dollars for non compliance therewith.

Repeal

81. The Liquor Licence Act No. 18 of 1969 is hereby repealed.

FIRST SCHEDULE

(Section 12)

Type of Licence	Fees per half year for City of Castries, Towns of Soufriere, Gros-Islet and Vieux Fort and within radius of one mile of them	Fees per half year for other places
	\$	\$
Guest House	300	300
Clubs	120	120
Grocer's Retail	300	200
Hotel:		
(i) below 20 rooms	375	375
(ii) 20 - 39 rooms	900	900
(iii) 40 - 59 rooms	1,875	1,875
(iv) 60 - 99 rooms	3,000	3,000
(v) 100 - 169 rooms	4,500	4,500
(vi) 170 rooms and over	6,000	6,000
Bar	280	185
Restaurant	300	200
Retail	180	135
Wholesale :		
(i) Castries, Gros-Islet and environs as above	1,500	500
(ii) Vieux-fort, Soufriere and environs as above	1,000	1,000
Special event for each day or part thereof	50	50

**SECOND SCHEDULE
LICENSING DISTRICT**

(Section 8)

Gros Islet

Castries North

Babonneau

Castries East

Castries Central

Castries South East

Castries South

Anse La Raye/Canaries

Soufriere - Fond St. Jacques

Choiseul

Laborie

Vieux Fort North

Vieux Fort South

Micoud North

Micoud South

Dennerly North

Dennerly South

THIRD SCHEDULE

(Section 13(3))

**REPORT BY COMMISSIONER OF POLICE OR POLICE OFFICER
ON APPLICATION FOR CERTIFICATE FOR
LICENCE TO SELL INTOXICATING LIQUOR**

(Under the provisions of section of the Liquor

Licensing Act No of)

.....

(Date)

- 1. Name of Applicant
- 2. Address of proposed premises
- 3. Are there any convictions against the applicant?
(Answer "Yes" or "No")
- 4. If "Yes", state offences and dates of convictions
- 5. From your enquiries what is the
applicant's general reputation in.....
the area where the proposed.....
premises are situate?.....
- 6. Other enquiries
- 7. Remarks or observation.....

.....
Signature of Commissioner of
Police/Police Officer making
Report and Official Stamp

FOURTH SCHEDULE

(Section 13(4))

- 1. Name of Applicant
- 2. Address of proposed premises
- 3. Particulars of proposed premises
 - (1) Do these premises occupy an entire building
(Answer "Yes" or "No")
 - (2) If "No" what is the rest of the building used for?
 - (3) Number of rooms contained in the premises?
 - (4) Number of doors?
 - (5) Is there any internal communication between the proposed premises and any other building or any part of a building?
- 4. By what means is water supplied to the proposed premises?
- 5. Are the proposed premises situated within 200 yards of any school or church or place of public worship?

 - (a) Are there any other licensed Premises in that street, road or village, if so state number in street, road village as the case may be
 - or
 - (b) Number of licensed premises within the radius of a mile?
 - (c) Average number of persons residing within the radius of a mile?

.....
Signature of person making Report

FIFTH SCHEDULE

(Section 13)

APPLICATION FOR A CERTIFICATE FOR A LICENCE TO SELL INTOXICATING LIQUOR

(Under the provisions of section of the Liquor Licensing Act No of)

.....
(Date)

To: The Clerk
Licensing District No

I of
(name) (address)

hereby make application for a licence
(type of licence)

in respect of premises situate at
(address of proposed premises)

2. I am over twenty-five years of age.

3. (1) I hold a licence at present in respect of premises situate

(2) I do not hold a licence at present.
(Answer (1) or (2) above).

4. Particulars of proposed premises.

(1) Do these premises occupy an entire building?
.....
(Answer "Yes" or "No")

(2) If "No", what is the rest of the building used for?
.....

(3) Do you live "In" or "Near" the premises?
.....
(Answer "In" or "Near")

(4) If "Near", how far?
.....

- (5) Number of rooms contained in the premises
- (6) Number of doors?
- (7) Number of windows?
- (8) Number of other licensed premises in your village street or road?
- 9. Or alternatively -
Number of other licensed premises within the radius of a mile?
- (10) Or average number of persons residing within the radius of a mile?
- (11) Or average number of dwelling within the radius of a mile?
- 5. (1) Have you applied for a certificate before?
(Answer "Yes" or "No")
- (2) What was the result?
(Answer "Granted" or "Refused")
- (3) If "Refused" state why
.....

.....
(Signature of Applicant)

SIXTH SCHEDULE

(Section 15)

CERTIFICATE OF LICENCING BOARD

To the Accountant General

The Licensing Board of the
the State of

District of

Saint Lucia do hereby certify that we have heard and considered the application
of made before us this

day of for a liquor licence and we have
determined that the said may have such licence. These
are therefore to authorise and require you on payment by the said
of such sum as may be authorised on that behalf by the law for the time being in
force to grant to the said a liquor
licence in respect of his premises at

Special conditions: -

.....
Justice of the Peace, Licensing Board

SEVENTH SCHEDULE

(Section 16)

**OBJECTION TO GRANT OF CERTIFICATE FOR
LICENCE TO SELL INTOXICATING LIQUOR**

(Under the provisions of section of the Liquor
Licensing Act No of)

.....
(Date)

To: The Clerk,
Licensing District No

TAKE NOTICE that I, the undersigned intend to object to the grant of a
certificate to
(name of applicant)

in respect of premises situate at at the
session of the Board fixed for
(date)

on the following grounds:

.....
Signature of Objector

EIGHTH SCHEDULE

(Section 25)

HOTELLICENCE

(Serial Number)
Treasury.

.....
(Date)

Received the sum of dollars.

..... of

having paid the stipulated fee of

in respect of the above-named licence is hereby authorised to sell intoxicating
liquor at subject to the
provisions of the Liquor Licensing Act, No of

.....
Accountant General

NINTH SCHEDULE

(Section 30)

(To be completed
in duplicate).

APPLICATION FOR TRANSFER OF LIQUOR LICENCE

(Under the provisions of section of the Liquor
Licensing Act No of

.....
(Date)

To: The Magistrate,
Licensing District No

- 1. Name of holder
- 2. Address of holder
- 3. Address of Licensed Premises
- 4. Number of Licensed Premises
- 5. Name of Transferee
- 6. Address of Transferee
- 7. Age of Transferee
(State date and year of Birth)

8. I of hereby agree to
transfer the Licence No to

.....
Signature of Transferer.

.....
Signature of Transferee.

9. Report of Chief of Police to be annexed.

TENTH SCHEDULE

(Section 33)

**APPLICATION FOR REMOVAL OF A LIQUOR
LICENCE TO ANOTHER PREMISES**

(Under the provisions of the Liquor Licensing Act,
No of)

.....
(Date)

To: The Magistrate,
Licensing District No

I of holder of a
(state address)

licence in respect of premises situate at hereby make
application for transfer of the said licence to new premises situate at

2. Particulars of new premises

(1) Do these premises occupy an
entire building?
(Answer "Yes" or "No")

(2) If "No", what is the rest of the
building used for?

(3) Do you live "in" or "Near"
the premises?
(Answer "In" or "Near")

(4) If "Near", how far?

(5) Number of rooms contained in
the premises

(6) Number of doors

(7) Number of windows

3. (1) Have you applied for a Certificate before?
(Answer "Yes" or "No")

(2) What was the result?
(Answer "Granted" or "Refused")

(3) If "Refused", state why
.....
(Signature of Applicant).

4. Number of other licensed premises in your village street or road or

Number of licensed premises within the radius of a mile?

Average number of dwellings within the radius of a mile?

Average number of persons residing within the radius of a mile?

Signature of Commissioner of Police

Passed in the House of Assembly this 17th day of February, 2004.

BADEN J. ALLAIN,
Speaker of the House of Assembly.

Passed in the Senate this 14th day of April, 2004.

HILFORD DETERVILLE,
President of the Senate.