



VOISIN LAW

Liquor Licensing in Jersey is governed by the Licensing (Jersey) Law 1974, as amended. There are seven categories of licence, which are held in respect of named premises, though premises can hold more than once licence if appropriate. Except in the case of the Sixth category, licences permit the sale of alcohol for consumption on the premises.

First Category (Taverners) Licence: usually held by public houses and permits alcohol sales to members of the public, but also allows off-sales until 9 pm.

Second Category (Residential) Licence: held only by hotels and restricts alcohol sales to hotel residents and their bona fide guests.

Third Category (Restaurant) Licence: permits alcohol sales with meals (or to non-diners if seated at a table and meals are available).

Fourth Category (Comprehensive) Licence: usually held by large hotels, this is a composite of the First, Second, Third and Seventh categories.

Fifth Category (Club) Licence: held by private members clubs and restricts alcohol sales to members and their bona fide guests.

Sixth Category (Off) Licence: permits alcohol sales for consumption off the premises and is generally held by shops. This is the only licence which can be held for different premises by the same person.

Seventh Category (Entertainment) Licence: holders include theatres and cinemas as well as nightclubs, but it should be noted that a Bailiff's permit is also usually required to authorise entertainment.

Each type of licence has different "permitted hours" set out in the Law which must be strictly observed. Persons under the age of 18 years are not permitted to purchase alcohol at any time.

Licences are granted by the Licensing Assembly, which usually sits four times per year on specific dates set out in the Law, in March, June, September and December, to consider applications. An extraordinary Assembly can sometimes be arranged at the discretion of the Bailiff. The Assembly comprises the Bailiff or Deputy Bailiff and at least five Jurats.

Applications for licences must be made to the States Treasury on the prescribed form. These are then referred to the parish in which the premises are situated, so that they can be considered by a parish assembly. The parish constable will usually arrange an inspection of the premises and will consult with statutory authorities such as the Fire Service and environmental health to ensure the premises are suitable for the grant of the licence applied for. At the parish assembly all applications must be proposed and seconded by a rate payer or elector and a vote is taken. The views of parishioners are communicated to the Licensing Assembly, but are not binding on the Assembly.

Once granted, licences remain in force until 24 December of the same year, but may be automatically renewed annually between 5 October and 5 November on payment of the appropriate fee. Renewal between 6 November and 14 December is also possible on payment of an additional fee. Failure to renew



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a licence on time means a new licence has to be applied for.

A liquor licence can be held by an individual or by a company, or in the case of a club, by its Secretary. When a licence is held by a company it is of no effect unless the company appoints a manager, who must be approved by the Constable of the parish in which the premises are situated, and registered in the Royal Court.

The Licensing (Jersey) Law 1974 also includes provision for applications to the Licensing Assembly to vary conditions on a liquor licence, for permission to carry out structural changes to premises, and to extend the licence to an “al fresco” area. It can be difficult to interpret at times and procedures are not set out in detail. Applicants for liquor licences are advised to seek appropriate legal advice to ensure compliance with the Law.

For further information please contact our Dispute Resolution team.

This note is intended to provide a brief rather than a comprehensive guide to the subject under consideration. It does not purport to give legal or financial advice that may be acted or relied upon. Specific professional advice should always be taken in respect of any individual matter

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