

LIQUOR LICENSING (FIRE PRECAUTIONS) ACT, 1962



1962, No. IV

AN ACT TO PROVIDE FOR THE REFUSAL OF THE GRANT, RENEWAL OR TRANSFER OF LICENCES FOR THE SALE OF INTOXICATING LIQUOR AS RESPECTS PREMISES AT WHICH THE ARRANGEMENTS FOR SECURING SAFETY IN CASE OF FIRE ARE INADEQUATE; AND FOR PURPOSES CONNECTED THEREWITH.

[13th September, 1962]

Commence-
ment.

BE IT ENACTED by the Legislature of the Federation of Nigeria in this present Parliament assembled and by the authority of the same as follows :—

1.—(1) Where an application in pursuance of the Liquor (Licensing) Act, 1959 (which regulates the licensing of premises for the sale of intoxicating liquor) is made to the secretary of the board established by that Act—

Fire pre-
cautions at
licensed
premises,
etc.
No. 39 of
1959.

(a) in pursuance of section fourteen of that Act, for the grant or renewal of a licence ; or

(b) in pursuance of section twenty-five of that Act, for the removal of a licence to other premises ; or

(c) in pursuance of section nine of that Act, for the grant of a temporary liquor licence,

it shall be the duty of the secretary to give notice of the application to the Federal Inspector of Fire Services and, in proceeding with the application, to take into consideration any report made in pursuance of the next following subsection.

(2) On receiving notice in pursuance of the foregoing subsection it shall be the duty of the Inspector, as soon as may be, to arrange—

(a) for the inspection of the premises in question ; and

(b) for the secretary to receive a report in writing as to the adequacy of the fire precautions at the premises.

(3) The grounds on which the board may refuse to authorise the grant or renewal of a licence in respect of any premises shall include

the ground that the fire precautions at the premises are inadequate ; and the secretary shall not permit the removal of a licence if he considers that the fire precautions at the premises in question are inadequate.

(4) Any person authorised in that behalf in writing by the Inspector may, on production if so required of his authority, at any time enter any licensed premises (within the meaning of the said Act of 1959) and—

(a) require any person reasonably appearing to him to be for the time being in charge of the premises to produce the licence for his inspection ;

(b) inspect the premises for the purpose of ascertaining whether any conditions of the licence relating to fire precautions are being observed ;

and any person who fails to permit a person authorised as aforesaid to enter or inspect any such premises or who fails to produce the licence for his inspection shall be guilty of an offence and liable on summary conviction to a fine of an amount not exceeding one hundred pounds ; and the provisions of sections forty-two to forty-five of the said Act of 1959 (which provide for the endorsement of convictions on licences, imprisonment for subsequent offences, the conviction of servants of licensees and the forfeiture of licences) shall apply to an offence under this subsection as they apply to an offence under that Act.

(5) In this section "fire precautions", in relation to any premises, means the facilities for escaping from and extinguishing fire on the premises which are available at all hours when persons are present on the premises ; and in considering the adequacy of any fire precautions for the purposes of this section any lift, hoist and similar appliance shall be disregarded.

(6) For the avoidance of doubt it is hereby declared that any regulation in pursuance of the said Act of 1959 prescribing conditions in respect of licences of any description, and any variation of such a regulation, has effect in relation to licences of that description which are current when the regulation or variation comes into force.

2.—(1) This Act may be cited as the Liquor Licensing (Fire Precautions) Act, 1962, and this Act and the said Act of 1959 may be cited together as the Liquor (Licensing) Acts, 1959 and 1962.

(2) This Act shall apply to the Federal territory only.

Citation
and
extent.