

(3) In any case where an order has been made under Regulation 10 hereof disqualifying any premises from receiving a license for any period, the Chairman and two members of the appropriate Licensing Committee, with the approval of the owner and of a Superintendent or Inspector of Police, shall at the expiration of that period grant a temporary license in respect of the premises to some fit and proper person to hold the same until the next succeeding quarterly meeting of the Committee; and at that meeting, or as soon as possible thereafter, the Committee shall consider and dispose of any application for a new license in respect of the premises and shall not fail to grant a new license in respect thereof if any applicant therefor is approved for the purpose by the owner of the premises and the Superintendent or Inspector of Police.

(4) In any case where a temporary license has been granted under the foregoing provisions of this regulation within the twenty-eight days immediately preceding a quarterly meeting of the Licensing Committee it shall not be necessary for the applicant for the new license to comply with the provisions of section 84 (1) of the Licensing Act, 1908.

13. (1) Upon the cancellation of any license under these regulations, if the licensee is not the owner of the licensed premises the Chairman of the Licensing Committee may, on the request of the owner of the premises, order the licensee to vacate those premises. If the licensee makes default in vacating the premises pursuant to the said order, he shall be liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding £5 for each day during which such default continues, or to both such imprisonment and such fine.

(2) If the licensee is a lessee or sub-lessee of the licensed premises, the Chairman may, on the request of the lessor or sub-lessor, execute in the name and on behalf of the licensee an assignment or surrender of the lease or sublease, and such assignment or surrender shall have the same effect as if it were executed by the licensee himself.

(3) Nothing in this regulation shall derogate from any other rights or remedies of the owner against the licensee.

Miscellaneous.

14. Notwithstanding anything to the contrary in section 72 of the Licensing Act, 1908, or in any other enactment, any married woman whose husband is for the time being either rendering continuous service as a member of any of His Majesty's naval, military, or air forces or prevented from performing the duties of a licensee by his compliance with any requirements, orders, or directions made or given under any emergency regulations within the meaning of the Emergency Regulations Act, 1939, may, if the Licensing Committee thinks fit, hold a license under the Licensing Act, 1908:

Provided that if the married woman is not qualified under the provisions of that Act to hold a license the Licensing Committee may require the license to be transferred to the husband on his discharge from such service or, as the case may be, on his being no longer so prevented from performing the duties of a licensee.

15. The provisions of the Licensing Act, 1908, relating to the maintenance of premises at the standard required by that Act shall not apply to prevent the granting of any application for the renewal of a publican's license, or for a new publican's license, in any case where the Licensing Committee is satisfied that the failure to maintain the premises at the required standard or to provide the required accommodation is due to the present war or to conditions directly or indirectly created thereby.

16. While these regulations continue in force licensed premises may be closed under the authority of section 7 of the Sale of Liquor Restriction Act, 1917,* notwithstanding that they may have been previously closed under the authority of that section.

17. (1) It shall not be lawful for any person to enter into any contract relating to the management or control of any premises in respect of which a publican's license has been granted if the contract provides for the payment of remuneration to any person at a rate, or at rates, determined or affected by reference, directly or indirectly, to the amount of intoxicating liquor sold in the premises or to the profits of the business carried on therein.

(2) Any such contract as aforesaid entered into before the commencement of these regulations shall be adjusted so as to provide for the payment of remuneration at a rate, or at rates, which are not determined or affected by reference, directly or indirectly, to the amount of intoxicating liquor sold in the premises or to the profits of the business carried on therein.

(3) If the parties to any such contract as aforesaid entered into before the commencement of these regulations cannot agree upon the adjustment thereof as required by subclause (2) of this regulation, the matter shall be referred to the arbitration of one arbitrator if the parties can agree upon one, otherwise to two arbitrators, one to be

* See Reprint of Statutes, Vol. IV, page 372.