1990 No. 169 (C. 5)

SCOTCH WHISKY

Scotch Whisky (1988 Order) (Commencement and Transitional Provisions) Order (Northern Ireland) 1990

Made . . . . . 3rd May 1990

The Department of Health and Social Services, in exercise of the powers conferred on it by Article 1(2) and (3) of the Scotch Whisky (Northern Ireland) Order 1988(**a**) and paragraph 2(1) of Schedule 1 to the Northern Ireland Act 1974(**b**) and of all other powers enabling it in that behalf, hereby makes the following order:

Citation and interpretation

1.—(1) This order may be cited as the Scotch Whisky (1988 Order) (Commencement and Transitional Provisions) Order (Northern Ireland) 1990.

(2) In this order—

"exempt Scotch whisky" means Scotch whisky bottled and labelled for retail sale before 15th December 1990;

"the Order" means the Scotch Whisky (Northern Ireland) Order 1988.

Commencement of provisions

2. The provisions of the Order shall come into operation on 11th June 1990.

Transitional provisions

3. Notwithstanding the provisions of Article 3(1)(*b*) of the Order, it shall be lawful—

(*a*) to sell by wholesale or retail exempt Scotch whisky until 14th December 1991; and

(*b*) to sell by retail such exempt Scotch whisky as is held in stock by a retailer on 14th December 1991 until such stock is exhausted,

at an alcoholic strength less than any such strength specified in an order made by the Department under that Article (being also transitional measures relating to the sale of spirit drinks contained in Article 1 of Commission Regulation (EEC) No. 3773/89(**c**) laying down transitional measures relating to spirituous beverages).

(**a**) S.I. 1988/1852 (N.I. 19)
(**b**) 1974 c. 28
(**c**) O.J. No. L365, 15.12.89, p. 48

Sealed with the Official Seal of the Department of Health and Social Services on 3rd May 1990.

(L.S.) *R. McMurray*
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Order.)

This order brings into operation on 11th June 1990 the provisions of the Scotch Whisky (Northern Ireland) Order 1988.

Article 3 of this order provides for transitional provisions under which the sale of Scotch whisky at a strength less than that specified in an order made by the Department of Health and Social Services under Article 3(1) of the Scotch Whisky (Northern Ireland) Order 1988 remains lawful for limited periods in certain circumstances.