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## STATUTORY INSTRUMENTS

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# 1996 No. 3158

## The Licensing (Northern Ireland) Order 1996

### PART III

#### PERMITTED HOURS

##### *Extension licences*

##### **Suitability of certain premises for functions**

**48.**—(1) In respect of premises to which this Article applies,—

- (a) a county court which grants a licence or declares a licence provisionally granted to be final, on the application of the person applying for the grant or declaration, or
- (b) a court of summary jurisdiction, at any time, upon the application of the holder of the licence for those premises made in compliance with the procedure set out in Schedule 9,

may, by order, specify any part of the premises as being suitable for functions such as are mentioned in Article 47(5).

(2) A court shall not make an order under paragraph (1) unless it is satisfied—

- (a) that the part of the premises specified in the order is suitable for functions; and
- (b) that—
  - (i) that part of the premises is structurally adapted and used or intended to be used for the purpose of providing for the accommodation of persons frequenting it substantial refreshment to which the sale of intoxicating liquor is ancillary; and
  - (ii) suitable means of access to that part of the premises, otherwise than through any other part of the premises which is used for the sale of intoxicating liquor, are available for customers.

(3) An order under paragraph (1) may be revoked by a court of summary jurisdiction—

- (a) on the application of the holder of the licence; or
- (b) where, on complaint made under Part VIII of the Magistrates' Courts (Northern Ireland) Order 1981 the court is not satisfied that the requirements of paragraph (2)(a) and (b) have continued to be complied with.

(4) The premises to which this Article applies are—

- (a) an hotel;
- (b) a restaurant;
- (c) a conference centre;
- (d) a higher education institution;

[<sup>F1</sup>(dd) an indoor arena;]

[<sup>F2</sup>(de) an outdoor stadium;]

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**Changes to legislation:** The Licensing (Northern Ireland) Order 1996, Section 48 is up to date with all changes known to be in force on or before 20 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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- (e) any part of premises of a kind mentioned in Article 5(1)(a) which are structurally adapted and used, or intended to be used, for the purpose of providing persons frequenting the premises with a main table meal at midday or in the evening, or both.

**F1** [2004 NI 17](#)

**F2** Art. 48(4)(de) inserted (1.9.2016) by [Licensing Act \(Northern Ireland\) 2016 \(c. 24\)](#), **ss. 6**, 8(1)

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**Changes and effects yet to be applied to the whole Order associated Parts and Chapters:**

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- [art. 57B inserted by 2011 c. 18 \(N.I.\) s. 5](#)