

SCHEDULES

SCHEDULE 1

AMENDMENTS: SINGLE JURISDICTION

The Licensing (Northern Ireland) Order 1996 (NI 22)

110.—(1) In Article 2(2) (interpretation) in the definition of “licensed premises” for “by the clerk of petty sessions” substitute “under Article 34(2)”.

(2) In Article 5(4) (premises for which licence may be granted) omit “by the clerk of petty sessions for the petty sessions district in which the premises are situated”.

(3) In Article 28(3) (temporary continuance) for the words from “upon” to “situated” substitute “upon—

(a) the clerk of petty sessions; and

(b) the district commander of the police district in which the premises are situated;”.

(4) In Article 29(3) (temporary continuance) omit the words from “for the petty sessions district” to the end.

(5) In Article 30(1) (occasional licences) omit the words from “sitting in the county court division” to “includes that place”.

(6) In Article 31(1)(d)(ii) (consent for alterations) omit “for the petty sessions district in which the premises are situated”.

(7) In Article 34 (register of licences) in paragraph (1) for the words before sub-paragraph (a) substitute—

“(1) The Department of Justice shall cause to be kept (whether by clerks of petty sessions or otherwise) a register, in such form as may be prescribed, of licences granted under this Order; and there shall be recorded in the register in respect of each licence—”.

(8) In Article 34(1) omit sub-paragraph (i).

(9) In Article 34(2) for the words from the beginning to “received by him under paragraph (3)” substitute “The Department of Justice shall also arrange for the keeping of the plans received under”.

(10) Omit Article 34(3).

(11) In Article 34(4) for “A clerk of petty sessions may make such alterations” substitute “The Department may cause such alterations to be made”.

(12) For Article 36 substitute—

“Information for Department

36. The Department of Justice shall, in respect of each such period as the Department may specify, arrange for a statement to be sent to the Department showing the number of premises of each of the kinds mentioned in Article 5 having a current licence and containing such other information as the Department may require”.

(13) In Article 37(1) (register as evidence) omit “kept by him”.

(14) In Article 38(2) (proof of licence) for “the clerk of petty sessions for the petty sessions district in which the premises for which a licence was granted are situated” substitute “a clerk of petty sessions”.

(15) In Article 69A(1) (closure orders) for “petty sessions district, a court of summary jurisdiction acting for the district” substitute “place, a court of summary jurisdiction”.

(16) In Articles 69C(1)(a), 69D(1)(b), 69E and 69F(1), (2), (3) and (4) omit “relevant”.

(17) In Article 69J(4) (interpretation) omit the definition of “relevant court of summary jurisdiction”.

(18) In Article 75 (suspension procedure) in paragraph (3) for sub-paragraphs (a) and (b) substitute “retain the licence”.

(19) In Schedule 3 (approval of sites), omit paragraph 4(3).

(20) In Schedule 4 (applications for renewal of licence)—

(a) in paragraph 2 for “clerk of petty sessions for each petty sessions district” substitute “Department of Justice” and for “in that district” substitute “throughout Northern Ireland”;

(b) in paragraph 3 omit “for the petty sessions district in which the premises are situated”.