

These notes refer to the Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c.7) which received Royal Assent on 26 August 2021

Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 1

Licensing

Section 14: Underage functions

Subsection (1) introduces new Articles 58A and 58B in the Licensing Order in relation to the suitability of certain premises and authorisations for underage functions.

Article 58A (Suitability of certain premises for underage functions) permits a court, provided it is satisfied that a number of conditions have been met, to make an order specifying a part of certain licensed premises as suitable to hold underage functions.

Article 58B permits a court of summary jurisdiction or the clerk of petty sessions in certain circumstances, to authorise underage functions in certain licensed premises, up to 1.00am in a part of licensed premises to which an order under Article 58A applies. It is a condition of an authorisation that, in the part of the premises for which the authorisation is in force, each dispenser of intoxicating liquor is incapable of operation and access to any other container of intoxicating liquor is prevented. The court may attach to the authorisation such other conditions as it thinks fit.

An offence is added (punishable by a fine up to £1,000) for contravention of any of the conditions.

Subsections (2) to (6) make consequential amendments to Article 58 of the Licensing Order (young persons prohibited from certain premises), Part 1 of Schedule 1 to the Licensing Order (application for grant of licence), Schedule 9 (applications to courts), Schedule 10 (applications for extension licences etc.) and Part 1 of Schedule 10A (penalty points for offences punishable with level 3 fine) to include the offences under the new Articles 58A and 58B.

These notes refer to the Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c.7) which received Royal Assent on 26 August 2021

Subsection (7) inserts paragraph (4ZA) in Article 108 of the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 (use of gaming machines on other premises). This paragraph makes it an offence for gaming machines to be made available in any part of licensed premises in which an underage function is being held.