

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

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EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 1

Licensing

Section 3: Public houses and hotels: further additional hours

This section introduces new Articles 44A and 44B in the Licensing Order in relation to further later opening for public houses and hotels.

Article 44A (Order for further additional permitted hours) gives a court or clerk of petty sessions a power, in certain circumstances, to extend later opening by one hour in public houses or hotels which are structurally adapted to provide entertainment and/or substantial refreshment and which hold a court order for later opening under Article 44.

An order under Article 44A permits later opening for an additional one hour on any day to which an order under Article 44 applies (1.00am – 2.00am).

An order under Article 44A also permits later opening for three hours in premises which hold an order for later opening under Article 44, on a day which is not covered in that order (11.00pm – 2.00am). Entertainment and/or substantial refreshment must be provided throughout the later opening just as if an order under Article 44 applied to that day.

An order under Article 44A may be made for a maximum of 104 days in any year but may not be made for Christmas Day.

The Department may make regulations to change the number of days for which orders under Article 44A may be made. The regulations cannot come into operation unless and until approved by the Assembly.

Article 44B (Orders under Article 44A: revocation, modification etc.) provides powers for a court of summary jurisdiction to revoke or modify an order for further later opening. These powers mirror the powers a court has to revoke or modify an order for later opening made under Article 44.

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Subsection (2) amends Schedule 9 to the Licensing Order (procedure for certain applications) to require a licence holder applying to a court of summary jurisdiction for an order under Article 44 or 44A, to place a notice of the application in local newspapers and display the notice on or near the premises.