

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 5: Police authorisations for additional hours

This section amends Article 45 of the Licensing Order (authorisations for additional permitted hours).

Subsection (1) amends Article 45(1) to allow police to authorise later opening (11.00pm- 1.00am), in pubs which have a court order for later opening under Article 44, on a day that is not specified in the Article 44 order.

Subsection (2) inserts a new Article 45(1A) detailing the conditions which must be satisfied before an authorisation can be made for pubs holding an order under Article 44.

Subsection (3) substitutes Article 45(2) to allow the police to authorise later opening in pubs holding an order under Article 44 for a maximum of 20 days in any year; introduces Article 45(2A) to increase the number of authorisations to pubs not holding an order for later opening under Article 44 from 20 days to 104 days in any year; and introduces Article 45(2B) to provide the Department with a power to make regulations to change the number of days for which orders under Article 45(2) or (2A) may be made. The regulations cannot come into operation unless and until approved by the Assembly.

Subsection (4) inserts new paragraphs (4) to (8) in Article 45 to require a licence holder applying for an authorisation under this Article, to display a notice of the application on or near the relevant premises during the three weeks before the first occasion to which the application relates. A copy of the notice must also be served on the district council. There is provision for complaints to be made to the courts where undue inconvenience is caused to local residents as a result of a late night authorisation. Courts are given the power to revoke an authorisation, modify the hours of an authorisation, or make an authorisation subject to such

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terms and conditions as it thinks fit, including those requested by the district commander of the police of the district in which the premises are situated.