
STATUTORY INSTRUMENTS

1987 No. 1277

The Licensing (Northern Ireland) Order 1987

Other miscellaneous amendments

- 13.**—(1) In section 3 of the Licensing Act (premises for which licences may be granted)—
- (a) in subsection (2) at the end there shall be added—
“or providing accommodation for guests such as is mentioned in section 28(2A)”;
 - (b) in subsection (5)—
 - (i) in paragraph (a) for “such as is mentioned in paragraph 7(1) of Schedule 11” there shall be substituted—
“showing that the licence was granted—
 - (i) before 31st July 1902; or
 - (ii) between 30th July 1902 and 3rd May 1971 otherwise than under section 2(2) of the Licensing (Ireland) Act 1902 or section 9(a)(ii) of the Intoxicating Liquor Act (Northern Ireland) 1923; or
 - (iii) under Article 4(1) of the Licensing (Northern Ireland) Order 1978 in lieu of an existing licence to which sub-paragraph (i) or (ii) applied.”;
 - (ii) in paragraph (b)(ii) for “paragraph 7(1) of Schedule 11” there shall be substituted “paragraph (a)”.
- (2) After section 14(1) of the Licensing Act (renewal of licence pending grant of new licence) there shall be inserted—
“(1A) Where the holder of a licence has died, his personal representative may apply under subsection (1) for the renewal of the licence, and the court may renew the licence in his name.”.
- (3) In section 19(2)(b)(ii) of the Licensing Act (transfer of licences for hotels) for “paragraph 7 of Schedule 11” there shall be substituted “section 3(5)(a)”.
- (4) For section 35 of the Licensing Act (inspection of register) there shall be substituted—
- “35 Inspection of register.**
- 35.** A register of licences may be inspected and copies of all or any part of any entry in the register may be taken at all reasonable hours.”.
- (5) In section 48 of the Licensing Act (consumption or removal after permitted hours of liquor bought during those hours)—
- (a) in paragraph (a) for “or in an hotel or restaurant” there shall be substituted “and in premises of a kind mentioned in section 3(1)(a), an hotel, a restaurant, a refreshment room in an airport or a theatre”;
 - (b) in paragraph (b)—

- (i) in sub-paragraph (i) for the words from “applying” to “force” there shall be inserted “is in force or where the liquor was sold in contravention of section 57(1) or of a condition inserted in the licence under section 45(3)”;
 - (ii) in sub-paragraph (ii) for “57(2)(a)” there shall be substituted “57(1)”.
- (6) In section 84 of the Licensing Act (interpretation)—
- (a) in subsection (1)—
 - (i) the following definitions shall be inserted at the appropriate places—
 - “ballroom” means any premises which are structurally adapted and used or intended to be used for the purpose of public dancing and for which an entertainments licence within the meaning of Schedule 1 to the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985 is in force;
 - “main table meal” means a meal which is in its entirety, or which includes, a main course and which is eaten by a person seated at—
 - (a) a table; or
 - (b) a counter or other structure which serves the purpose of a table and which is not used—
 - (i) wholly or mainly as a bar; or
 - (ii) for the service of refreshments for consumption by persons not seated at a table or that counter or structure;
 - “police sub-division”, in relation to a sub-divisional commander means the sub-division for which that commander acts;
 - “sub-divisional commander” means a sub-divisional commander of the Royal Ulster Constabulary;”;
 - (ii) in the definition of “bar” the word “drinking” shall cease to have effect;
 - (iii) the definition of “divisional commander” shall cease to have effect;
 - (iv) in the definition of “housing authority” the words “local or” shall cease to have effect;
 - (v) the definition of “local body” shall cease to have effect;
 - (vi) for the definition of “place of public entertainment” there shall be substituted—
 - “place of public entertainment’ means—
 - (a) premises used as a theatre;
 - (b) premises used as a ballroom;
 - (c) premises on a licensed track within the meaning of the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985;
 - (d) such other premises used for the purposes of such entertainments, in accordance with such conditions, as may be prescribed by regulations made subject to affirmative resolution;”;
 - (vii) in the definition of “restaurant”, in paragraph (a) for “customary main meal” there shall be substituted “main table meal”;
 - (viii) the definitions of “police division” and “table meal” shall cease to have effect;
 - (b) in subsection (4)(a) for “paragraph 7(1) of Schedule 11” there shall be substituted “section 3(5)(a)”;

- (c) in subsection (8) for “police division” where it twice occurs there shall be substituted “police sub-division”;
- (d) after subsection (8) there shall be inserted—
 - “(9) In this Act any reference to a sub-divisional commander of a police sub-division includes a reference to any other member of the Royal Ulster Constabulary nominated by him.”.
- (7) In section 85(f) of the Licensing Act (exemptions and savings)—
 - (a) for “wine to or by a local or” there shall be substituted “intoxicating liquor to or by a”;
 - (b) at the end there shall be added “or consumed as ancillary to such a meal.”.
- (8) In Article 4(1)(a) of the Licensing (Northern Ireland) Order 1978 (grant of new licences in lieu of existing licences) for
“is one to which head (a) or
 (b) of paragraph 7(1) of Schedule 11 to the Act applied” there shall be substituted—
“was granted—
 - (i) before 31st July 1902; or
 - (ii) between 30th July 1902 and 3rd May 1971 otherwise than under section 2(2) of the Licensing (Ireland) Act 1902 or section 9(a)(ii) of the Intoxicating Liquor Act (Northern Ireland) 1923;”.