
STATUTORY INSTRUMENTS

1996 No. 3158

The Licensing (Northern Ireland) Order 1996

PART II

THE GENERAL LICENSING SYSTEM

Grant of licences

Grant of new licence in lieu of existing licence

11.—(1) Where the holder of a licence which has been renewed under Article 17 (or which could have been so renewed if the renewal date had fallen between the date of the discontinuance of the principal business and the date when his application for a new licence comes before the county court) applies to a county court for the grant or provisional grant of a new licence in lieu of the existing licence, and the court is satisfied that the premises for which the new licence is sought are, or will be,—

- (a) where the existing 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,
premises of an establishment allocated by a certificate under Article 13 of the Tourism (Northern Ireland) Order 1992 to the statutory category of tourist establishment mentioned in Article 12(1)(a) of that Order, or
- (b) where the existing licence is for premises to which Article 2(5)(a) applied—
 - (i) an hotel as defined by section 1(3) of the Intoxicating Liquor Act (Northern Ireland) 1923; and
 - (ii) premises of an establishment allocated by a certificate under Article 13 of the Tourism (Northern Ireland) Order 1992 to the statutory category of tourist establishment mentioned in Article 12(1)(b) or (c) of that Order, or
- (c) where the existing licence is for premises to which Article 2(5)(b) applied—
 - (i) without a public bar for the sale of intoxicating liquor; and
 - (ii) premises of an establishment allocated by a certificate under Article 13 of the Tourism (Northern Ireland) Order 1992 to the statutory category of tourist establishment mentioned in Article 12(1)(b) of that Order,

the court, if it grants the licence applied for, may order that a statement be noted on the licence and recorded in the register of licences to the effect that the licence is granted in lieu of an existing licence of that description.

(2) In this Article “principal business” means the business of an hotel or the business of providing accommodation for guests in premises such as are mentioned in Article 2(5)(a) or (b).