
STATUTORY INSTRUMENTS

1996 No. 3158

The Licensing (Northern Ireland) Order 1996

PART IV

CONDUCT OF LICENSED PREMISES, ETC.

General provisions regulating sale, etc., possession and delivery of intoxicating liquor

Penalty for permitting consumption of intoxicating liquor in unlicensed part of premises

56.—(1) Where part or parts of any premises (other than premises of a kind mentioned in Article 5(1)(a) which provides accommodation for guests such as is mentioned in Article 46(3), premises of a kind mentioned in Article 5(1)(b), an hotel or a guest house) are licensed premises the holder of the licence, himself or by his servant or agent, shall not permit any other person to consume intoxicating liquor in any other part of the premises.

(2) If paragraph (1) is contravened the holder of the licence shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(3) Where the holder of a licence is charged with an offence under this Article it shall be a defence to prove—

- (a) that the liquor was supplied by the person in charge of the business carried on under the licence at the expense of the holder or that person; and
- (b) that it was consumed by either—
 - (i) the holder of the licence or that person, or his guests; or
 - (ii) persons employed in the premises for the purposes of the business carried on under the licence; and
- (c) that it was consumed in a part of the premises to which the public do not have access.