
STATUTORY INSTRUMENTS

1996 No. 3158

The Licensing (Northern Ireland) Order 1996

PART V

ENFORCEMENT

Suspension of licences

Procedure in connection with suspension

75.—(1) Where the holder of a licence is charged with an offence under—

- (a) any provision of this Order, or
- (b) the Food Safety (Northern Ireland) Order 1991, where the offence was committed in or in relation to the licensed premises, or
- (c) the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 where the offence was committed in the licensed premises, or
- (c) section 13 of the Criminal Law Amendment Act 1885,

the court may require the register of licences in which particulars of the licence are recorded, or a copy of the entries therein relating to the licence, to be produced for inspection by the court before passing sentence.

(2) A court which suspends a licence or makes an order under Article 73(3) shall order the holder of the licence to deliver it to the clerk of the court within a period specified in the order, unless it has already been so delivered and has not been returned under paragraph (3); and if he contravenes the order he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 4 on the standard scale or to imprisonment for a term not exceeding 3 months or to both.

(3) The clerk of a court to whom a licence is delivered under paragraph (2) shall—

- (a) if he is not the clerk of petty sessions who keeps the register in which particulars of the licence are recorded, send the licence to that clerk of petty sessions; or
- (b) subject to paragraph (4) if he keeps that register, retain the licence;

and the licence shall not be returned to the holder of the licence until the end of the period of suspension.

(4) The clerk of petty sessions who keeps the register as mentioned in paragraph (3) shall, in the case of a licence for premises with respect to which an order under Article 73(3) applies, note the effect of the order and the period for which it has effect on the licence.