
Status: Point in time view as at 31/10/2016.

Changes to legislation: The Licensing (Northern Ireland) Order 1996, Cross Heading: Form, register and proof of licences, etc. is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

STATUTORY INSTRUMENTS

1996 No. 3158

The Licensing (Northern Ireland) Order 1996

PART II

THE GENERAL LICENSING SYSTEM

Form, register and proof of licences, etc.

Form of licence

- 33.** A licence shall be in such form as may be prescribed by regulations and shall specify—
- (a) the name and address of the holder of the licence;
 - (b) the address of the premises for which it is granted;
 - (c) the kind of premises for which it is granted;
 - (d) the name and address of the owner of the premises;
 - (e) such other matters as may be prescribed by regulations.

Register of licences

34.—^[F1](1) The Department of Justice shall cause to be kept (whether by clerks of petty sessions or otherwise) a register, in such form as may be prescribed, of licences granted under this Order; and there shall be recorded in the register in respect of each licence—]

- (a) the matters which under Article 33 are required to be specified in the licence;
 - (b) particulars of any renewal or transfer, or the surrender, of the licence;
 - (c) particulars of any condition imposed under Article 7(12) or any direction given under Article 7(10) or 15(5)(a) and any cancellation of any such direction;
 - (d) particulars of any direction given under Article 7(13) or 15(6) and particulars of any variation or cancellation of any such direction;
 - (e) particulars of any protection order and of any notice served under Article 28(3);
 - (f) particulars of any order made under Article 8(1) or (3), 31 (1), (3) or (4), 43, 44 or 48 in respect of premises specified in the licence and of any requirement in respect of those premises notice of which is served on him under Article 31(1)(ii);
 - (g) particulars of any children's certificates granted in respect of premises specified in the licence;
 - (h) particulars of any conviction of the licence holder of any offence such as is mentioned in Article 75(1) and of any order made in consequence of the conviction;
- ^[F2](ha) particulars of any conviction of the licence holder of any offence under this Order and of any penalty points endorsed on the licence or any suspension order made in consequence of the conviction;]

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^{F3}(i)

(j) such other matters as may be prescribed by regulations.

(2) [^{F4}The Department of Justice shall also arrange for the keeping of the plans received under] , Article 8(1)(b), paragraph 4 of Schedule 6 and paragraph 8 of Schedule 8, and those plans shall be deemed to be matters which are required to be, and have been, recorded in the register under paragraph (1).

^{F5}(3)

(4) [^{F6}The Department may cause such alterations to be made] in the register as are necessary to ensure that the matters recorded therein in respect of any licence are accurate.

F1	Words in art. 34(1) substituted (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 110(7) (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k) (with art. 3)
F2	Art. 34(1)(ha) inserted (1.5.2012) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2011 (c. 18), s. 18, Sch. 3 para. 2 ; S.R. 2012/48, art. 2, Sch.
F3	Art. 34(1)(i) repealed (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 110(8), Sch. 9 Pt. 1 (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k)(m) (with art. 3)
F4	Words in art. 34(2) substituted (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 110(9) (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k) (with art. 3)
F5	Art. 34(3) repealed (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 110(10), Sch. 9 Pt. 1 (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k)(m) (with art. 3)
F6	Words in art. 34(4) substituted (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 110(11) (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k) (with art. 3)

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.

[^{F7}Information for Department

36. The Department of Justice shall, in respect of each such period as the Department may specify, arrange for a statement to be sent to the Department showing the number of premises of each of the kinds mentioned in Article 5 having a current licence and containing such other information as the Department may require]

F7	Art. 36 substituted (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 110(12) (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k) (with art. 3)
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Register of licences to be evidence

37.—(1) A register of licences shall be received in evidence of the matters required by or under this Order to be recorded in it, and any document purporting to be certified by a clerk of petty sessions to be a true copy of an entry in the register of licences ^{F8}... shall be received in evidence of any such matters contained in the entry.

(2) On an application for the grant, provisional grant, renewal or transfer of a licence or for a protection order, the court shall have regard to the entries, if any, in the register of licences relating to the person by whom, or the premises in respect of which, the application is made.

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F8 Words in art. 37(1) repealed (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 110(13), **Sch. 9 Pt. 1** (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k)(m) (with art. 3)

Proof, etc., of licence

38.—(1) A document purporting to be a licence and to be signed by the clerk of the court by which the licence was granted shall be received in evidence.

(2) A document which has been issued by [^{F9}a clerk of petty sessions] and certified by him to contain a true copy of the particulars recorded in the register of licences in respect of that licence shall be treated for the purposes of this Order as the licence.

(3) The clerk of petty sessions may issue a document under paragraph (2) where he is satisfied that the licence has been lost or destroyed.

F9 Words in art. 38(2) substituted (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), **Sch. 1 para. 110(14)** (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k) (with art. 3)

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