
STATUTORY INSTRUMENTS

1996 No. 3158

The Licensing (Northern Ireland) Order 1996

PART III

PERMITTED HOURS

Exceptions

Exceptions from prohibition of sale, etc., of intoxicating liquor outside permitted hours

46.—(1) Where intoxicating liquor is sold in licensed premises during the permitted hours, Article 41 shall not prohibit or restrict—

- (a) during the first 30 minutes after the conclusion of the permitted hours except where the premises are—
 - (i) part of premises of a kind mentioned in Article 5(1)(a) with respect to which an order under Article 43 is in force; or
 - (ii) of a kind mentioned in Article 5(1)(b); the consumption or permitting consumption of the liquor in the premises;
- (b) during the first 30 minutes after the inclusion of the permitted hours, the taking of the liquor from the premises in a sealed container, if the premises are—
 - (i) of a kind mentioned in Article 5(1)(a) (except where the liquor is taken from a part of the premises with respect to which an order under Article 43 is in force or where the liquor was sold in contravention of Article 50(1)); or
 - (ii) an hotel (except where the liquor was sold in contravention of Article 5(3)(b) or 50(1)).
- (2) Article 41 shall not prohibit or restrict—
 - (a) the sale of intoxicating liquor to a resident in premises of a kind mentioned in Article 5(1) (a) which provides accommodation for guests such as is mentioned in paragraph (3) or in an hotel or in a guest house; or
 - (b) the taking of it by a resident from such premises or hotel or, in a case to which Article 51(1)(b) applies, guest house; or
 - (c) the consumption or permitting consumption of it in such premises, hotel or guest house by a resident or his guests; or
 - (d) the dispatch, in a vehicle or receptacle, by the holder of a licence for premises which are either of a kind mentioned in Article 5(1)(a) or (b) or an hotel to which Article 5(5)(b)(ii) applies, of intoxicating liquor sold by him for delivery and consumption off the premises.
- (3) The accommodation for guests to which paragraph (2) applies is accommodation—
 - (a) in 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; and

- (b) which conforms to the requirements, if any, prescribed by regulations made with the concurrence of the Department of Economic Development.