

EXPLANATORY MEMORANDUM TO

The Licensing (Requirements for Conference Centre)(Amendment) Regulations (Northern Ireland) 2012

SR 2012 No. 249

1. Introduction

- 1.1. This Explanatory Memorandum has been prepared by the Department for Social Development to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.
- 1.2. The Statutory Rule is made under The Licensing (Northern Ireland) Order 1996 and is subject to the negative resolution procedure.

2. Purpose

- 2.1. The Statutory Rule amends the Licensing (Requirements for Conference Centre) Regulations (Northern Ireland) 1997 (Conference Centre Regulations) which are made in concurrence with the Department of Enterprise, Trade and Investment (DETI). The Conference Centre Regulations set out the conditions to which a conference centre premises must conform before they may be awarded a certificate by the Northern Ireland Tourist Board for the purposes of securing a licence for the sale by retail of intoxicating liquor.
- 2.2. The Statutory Rule removes the requirement that a conference centre must have a fire certificate issued by the Fire Authority of Northern Ireland (now known as the Northern Ireland Fire and Rescue Service) or a letter from an authorised member of the fire brigade in relation to fire safety arrangements. A new requirement that a conference centre has an assessment pursuant to Articles 25 and 26 of The Fire and Rescue Services (Northern Ireland) Order 2006 is inserted.

3. Background

- 3.1. The Fire and Rescue Services (Northern Ireland) Order 2006, for which the Department for Health, Social Services and Public Safety has responsibility, replaced fire precautions legislation based on the requirement to obtain a fire certificate, with a new requirement to comply with fire safety duties such as the duty to carry out risk assessments and to take specified fire safety measures. Any legislative requirement that premises have a fire certificate issued by the Northern Ireland Fire and Rescue Service has been revoked from 15 November 2010.
- 3.2. The Conference Centre Regulations are amended to ensure that the fire safety condition is retained for conference centre premises by inserting a requirement that conference centre premises has an assessment pursuant to Articles 25 and 26 of the Fire and Rescue Services (Northern Ireland) Order 2006.

4. Consultation

- 4.1. No consultation was carried out in relation to the proposed Statutory Rule. The amendment to the existing fire safety condition places no additional administrative burden on a conference centre.

5. Equality Impact

- 5.1. In accordance with its duty under Section 75 of the Northern Ireland Act 1998 the Department has conducted a screening exercise on the legislative proposals for these Regulations. The Department has concluded that the proposals would not have significant implications for equality of opportunity and therefore considered an Equality Impact Assessment was not necessary.

6. Regulatory Impact

- 6.1. The Department concluded that no further Regulatory Impact Assessment was necessary as this matter was considered when the The Fire and Rescue Services (Northern Ireland) Order 2006 was introduced.

7. Financial Implications

- 7.1. The Statutory Rule will not impose any significant compliance costs on conference centres and no other financial implications were identified for the public sector.

8. Section 24 of the Northern Ireland Act 1998

- 8.1. The Department has considered section 24 of the Northern Ireland Act 1998 and is satisfied that the Statutory Rule is not incompatible with the convention rights, is not incompatible with community law, does not discriminate against a person or class of person on the grounds of religious belief or political opinion and does not modify an enactment in breach of section 7 of the Northern Ireland Act 1998.

9. EU Implications

- 9.1. Not applicable.

10. Parity or Replicatory Measure

- 10.1. There are no corresponding regulations in relation to conference centres in Great Britain. The grant of a licence permitting any premises to sell alcohol in Great Britain is a matter for local authorities and is subject to such conditions which are consistent with the operating schedule accompanying an application for a licence.

11. Additional Information

- 11.1. Not applicable.