

EXPLANATORY MEMORANDUM TO
The Licensing (Notice Relating to Restaurants and Guest Houses) Regulations
(Northern Ireland) 2022

SR 2022 No. 79

1. Introduction

- 1.1. This Explanatory Memorandum has been prepared by the Department for Communities to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.
- 1.2. The Statutory Rule is made under Article 51(4B) of the Licensing (Northern Ireland) Order 1996 (the 1996 Order) and is subject to the negative resolution procedure.

2. Purpose

- 2.1. The Statutory Rule prescribes the form and dimensions of the notice relating to conditions that licensed restaurants, and guest houses which carry on the business of a licensed restaurant, must display.
- 2.2. The Statutory Rule also prescribes information relating to conditions that must be complied with in relation to the sale and consumption of intoxicating liquor in such premises.

3. Background

- 3.1. The 1996 Order regulates the retail sale of intoxicating liquor to the public by prescribing the kinds of premises which may be granted a liquor licence by the courts. Article 51 of the 1996 Order imposes conditions on licences granted to restaurants and guest houses.
- 3.2. The Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 amends Article 51 of the 1996 Order to require licensed restaurants and guest houses which carry on the business of a licensed restaurant, to display a notice detailing the information in relation to the conditions under which intoxicating liquor may be sold and consumed in the premises.

4. Consultation

- 4.1. The Department held a public consultation on general liquor licensing laws in 2019 and asked whether the current provision of entertainment in licensed restaurants was adequate. This was in response to concerns raised by the PSNI that some restaurants were failing to comply with the conditions placed upon them and operating more along the lines of a pub.
- 4.2. 43% of respondents agreed that the law relating to licensed restaurants was adequate, 26% did not think it was adequate and 31% were undecided. The policy decision was to require a notice to be placed on the premises detailing conditions that apply to the sale and consumption of intoxicating liquor in licensed restaurants, to reinforce with licence holders and ensure awareness among the public.

5. Equality Impact

- 5.1. The Statutory Rule has been screened for any possible impact on equality of opportunity affecting the groups listed in section 75 of the Northern Ireland Act 1998 and no adverse or differential aspects were identified.

6. Regulatory Impact

- 6.1. No Regulatory Impact Assessment is required as the proposals will result in no or negligible costs or savings to any business, charity or voluntary group.

7. Financial Implications

- 7.1. None for the Department.

8. Section 24 of the Northern Ireland Act 1998

- 8.1. The Department considers that the Statutory Rule is compatible with section 24 of the Northern Ireland Act 1998.

9. EU Implications

- 9.1. Not applicable.

10. Parity or Replicatory Measure

- 10.1. The Statutory Rule does not replicate any corresponding legislation in Great Britain where local authorities are responsible for liquor licensing.

11. Additional Information

- 11.1. Not applicable.