Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2011

2011 CHAPTER 18

An Act to make provision in relation to liquor licensing and registration of clubs. [29th March 2011]

BE IT ENACTED by being passed by the Northern Ireland Assembly and assented to by Her Majesty as follows:

PART 1

LICENSING

Closure of licensed premises

1.—(1) After Part 4 of the Licensing Order insert the following Part—

Status: *Point in time view as at 01/01/2013. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *There are currently no known outstanding effects for the Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2011. (See end of Document for details)*

"PART 4A

CLOSURE OF LICENSED PREMISES

Closure of licensed premises in an identified district

Orders to close licensed premises in district experiencing disorder

69A.—(1) Where there is or is expected to be disorder in any petty sessions district, a court of summary jurisdiction acting for the district may make an order requiring licensed premises which are situated at or near the place of the disorder or expected disorder to be closed for a period, not exceeding 24 hours, specified in the order.

(2) A court of summary jurisdiction may make an order under this Article only on the application of a police officer who is of the rank of superintendent or above.

(3) A court of summary jurisdiction may not make such an order unless it is satisfied that it is necessary to prevent disorder.

(4) Where an order is made under this Article, the holder of a licence or the licence holder's servant or agent shall be guilty of an offence if that person knowingly keeps any licensed premises to which the order relates open, or allows any such premises to be kept open, during the period of the order and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(5) A constable may use such force as may be necessary for the purpose of closing premises ordered to be closed under this Article.

Closure of identified licensed premises

Closure orders for identified licensed premises

69B.—(1) A senior police officer may make a closure order in relation to any licensed premises if that officer reasonably believes that there is disorder on, or in the vicinity of and related to, the premises and their closure is necessary in the interests of public safety.

(2) A closure order is an order under this Article requiring licensed premises to be closed for a period not exceeding 24 hours beginning with the coming into force of the order.

(3) In determining whether to make a closure order in respect of any premises, the senior police officer must have regard, in particular, to the conduct of the holder of the licence and the licence holder's servant or agent in relation to the disorder or nuisance.

(4) A closure order must—

(a) specify the premises to which it relates;

(b) specify the period for which the premises are to be closed;

(c) specify the grounds on which it is made; and

(d) state the effect of Articles 69C to 69G.

(5) A closure order in respect of any licensed premises comes into force at the time a constable gives notice of it to the holder of the licence or the licence holder's servant or agent.

(6) The holder of a licence or the licence holder's servant or agent shall be guilty of an offence if, without reasonable excuse, that person permits licensed premises to be open in contravention of a closure order or any extension of it and shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale or to imprisonment for a term not exceeding 6 months, or to both.

Extension of closure order

69C.—(1) Where, before the end of the period for which licensed premises are to be closed under a closure order or any extension of it (the "closure period"), the responsible senior police officer reasonably believes that—

(a) a relevant court of summary jurisdiction will not have determined whether to exercise its powers under Article 69F(2) in respect of the closure order and any extension of it or the premises concerned, by the end of the closure period, and

(b) closure is necessary in the interests of public safety because of disorder on, or in the vicinity of and related to, the premises,

that officer may extend the closure period for a further period not exceeding 24 hours beginning with the end of the previous closure period.

(2) An extension in relation to any licensed premises comes into force when a constable gives notice of it to the holder of the licence or the licence holder's servant or agent.

(3) But the extension does not come into force unless the notice is given before the end of the previous closure period.

Cancellation of closure order

69D.—(1) The responsible senior police officer may cancel a closure order and any extension of it at any time—

(a) after the making of the order, but

(b) before a relevant court of summary jurisdiction has determined whether to exercise its powers under Article 69F(2) in respect of the order and any extension of it or the premises concerned.

(2) The responsible senior police officer must cancel a closure order and any extension of it if that officer does not reasonably believe that closure is necessary in the interests of public safety because of disorder on, or in the vicinity of and related to, the premises.

(3) Where a closure order and any extension of it are cancelled under this Article, the responsible senior police officer must, as soon as reasonably practicable, give notice of the cancellation to the holder of the licence or the licence holder's servant or agent.

Application to court of summary jurisdiction by police

69E The responsible senior police officer must, as soon as reasonably practicable after a closure order comes into force in respect of any licensed premises, apply to a relevant court of summary jurisdiction for it to consider the order and any extension of it.

Consideration of closure order by court of summary jurisdiction

69F.—(1) A relevant court of summary jurisdiction must as soon as reasonably practicable after receiving an application under Article 69E—

(a) hold a hearing to consider whether it is appropriate to exercise any of the court's powers under paragraph (2) in relation to the closure order or any extension of it or the premises concerned; and

(b) determine whether to exercise any of those powers.

(2) The relevant court of summary jurisdiction may—

(a) revoke the closure order and any extension of it;

(b) order the premises to remain, or to be, closed for such period not exceeding 28 days as the court may order;

(c) where an order under Article 44 has been made in respect of the premises—

(i) revoke the order;

(ii) modify the order, or in relation to the order, the hours mentioned in Article 44(2); or

(iii) make the continuance of the order subject to such terms and conditions as the court thinks fit;

(d) where an occasional licence has been granted in respect of the premises—

(i) by order revoke that licence;

(ii) by order revoke any other occasional licences granted in respect of those premises;

(iii) order that the premises specified in the occasional licence shall not be premises for which an occasional licence may be granted.

(3) In determining whether the premises will be, or will remain, closed, the relevant court of summary jurisdiction must—

(a) consider whether closure is necessary in the interests of public safety because of disorder or likely disorder on, or in the vicinity of and related to, the premises; and

(b) hear representations, if any, from the holder of the licence.

(4) The relevant court of summary jurisdiction must notify the district commander for the police district in which the premises are situated of any decision it makes under this Article.

(5) The holder of a licence or the licence holder's servant or agent shall be guilty of an offence if, without reasonable excuse, that person permits licensed premises to be open in contravention of an order under paragraph (2)(b) and shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale or to imprisonment for a term not exceeding 6 months, or to both.

Appeal from decision of court of summary jurisdiction

69G.—(1) Any person aggrieved by a decision of a court of summary jurisdiction under Article 69F may, within 21 days from the day the decision is made, appeal against the decision to the county court in accordance with magistrates' court rules.

(2) When an order is made under Article 69F(2)(b) to (d), the order shall not have effect from the time a person brings an appeal under paragraph (1) against the making of the order until the appeal is abandoned or determined.

Enforcement of closure order

69H A constable may use such force as may be necessary for the purposes of closing premises in compliance with a closure order.

Exemption of police from liability for damages

69I.—(1) A constable is not liable for relevant damages in respect of any act or omission of that constable in the performance or purported performance of that constable's functions in relation to a closure order or any extension of it.

(2) The Chief Constable is not liable for relevant damages in respect of any act or omission of a constable under the Chief Constable's direction or control in the performance or purported performance of a function of that constable in relation to a closure order or any extension of it.

(3) But neither paragraph (1) nor (2) applies—

(a) if the act or omission is shown to have been in bad faith; or

(b) so as to prevent an award of damages in respect of an act or omission on the grounds that the act or omission was unlawful as a result of section 6(1) of the Human Rights Act 1998 (incompatibility of act or omission with Convention rights).

(4) This Article does not affect any other exemption from liability for damages (whether at common law or otherwise).

(5) In this Article, "relevant damages" means damages awarded in proceedings for judicial review, the tort of negligence or misfeasance in public office.

Interpretation

Interpretation of Part 4A

69J.—(1) This Article has effect for the purposes of this Part.

(2) Licensed premises are open if a person who is not within paragraph (3) enters the premises and that person consumes, buys or is otherwise supplied with food or intoxicating liquor.

(3) A person is within this paragraph if the person is—

(a) the holder of the licence or the licence holder's servant or agent;

(b) a person who usually lives at the premises; or

(c) a member of the family of a person within sub-paragraph (a) or (b).

(4) The following expressions have the meanings given—

"closure order" has the meaning given in Article 69B(2);

"extension", in relation to a closure order, means an extension of the order under Article 69C;

"relevant court of summary jurisdiction", in relation to any licensed premises, means a court of summary jurisdiction acting for the petty sessions district in which the premises are situated;

"responsible senior police officer", in relation to a closure order, means—

(a) the senior police officer who made the order, or

(b) if another senior police officer is designated for the purpose by the district commander for the police district in which the premises are situated, that other officer;

"senior police officer" means a police officer of, or above, the rank of inspector.".

(2) In Article 2(2) of the Licensing Order—

(a) in the definition of "licence", after "65" insert " , 69A to 69J ";

(b) in the definition of "licensed premises", after "58 to 65" insert " , 69A to 69J ".

(3) Omit Article 49 of the Licensing Order (power to vary hours in certain circumstances).

Commencement Information

I1 S. 1 in operation at 10.12.2012 by S.R. 2012/420, art. 2, **Sch.**

Penalty points

2.—(1) Insert the following Articles after Article 71 of the Licensing Order—

"Penalty points

Penalty points to be attributed to an offence

71A.—(1) Where the holder of a licence is convicted of an offence under a provision of this Order specified in column 1 of Schedule 10A (the general nature of which offence is indicated in column 2) then, subject to the following provisions of this Article, the number of penalty points to be attributed to the offence is a number within the range of numbers shown in relation to the offence in column 3 of Schedule 10A (or if an order is made under paragraph (5) substituting a number for a range, the number shown in relation to that offence).

(2) Where the holder of a licence is convicted (whether on the same occasion or not) of 2 or more offences committed on the same occasion, the total number of penalty points to be attributed to them is the number or highest number that would be attributed on a conviction of one of them (so that if the convictions are on different occasions the number of penalty points to be attributed to the offences on the later occasion or occasions shall be restricted accordingly).

(3) In a case where (apart from this paragraph) paragraph (2) would apply to 2 or more offences, the court may if it thinks fit determine that that paragraph shall not apply to the offences (or, where 3 or more offences are concerned, to any one or more of them).

(4) Where a court makes such a determination it must state the reasons for the determination in the order of the court.

(5) The Department may, by order subject to affirmative resolution, amend column 3 of Schedule 10A (by substituting one range of numbers for another, a number for a range, or a range for a number).

Endorsement of licences

71B.—(1) Where the holder of a licence is convicted of an offence under a provision of this Order specified in column 1 of Schedule 10A, the court must order there to be endorsed on the licence particulars of the conviction and also particulars of the offence, including the date when it was committed.

(2) Where the holder of a licence is convicted of an offence under a provision of this Order specified in column 1 of Schedule 10A—

(a) subject to paragraph (3), where the provision is one specified in Part 1 of Schedule 10A, the court may order there to be endorsed on the licence the penalty points to be attributed to the offence;

(b) subject to paragraph (4), where the provision is one specified in Part 2 of Schedule 10A, the court must order there to be endorsed on the licence the penalty points to be attributed to the offence unless for special reasons the court thinks fit not to do so;

(c) where the provision is one specified in Part 3 of Schedule 10A, the court must order there to be endorsed on the licence the penalty points to be attributed to the offence.

(3) Where the holder of a licence who has been convicted of an offence under a provision of this Order specified in Part 1 of Schedule 10A ("the first offence") is convicted of an offence under the same provision of this Order committed less than 3 years after the first offence was committed, the court must order the penalty points to be attributed to the offence to be endorsed on the licence.

(4) Where the holder of a licence who has been convicted of an offence under a provision of this Order specified in Part 2 of Schedule 10A ("the first offence") is convicted of an offence under a provision of this Order specified in that Part of that Schedule committed less than 3 years after the first offence was committed, the court must order the penalty points to be attributed to the offence to be endorsed on the licence.

(5) A court which orders the endorsement of a licence under this Article must order the holder of the licence to deliver it to the clerk of the court within a period specified in the order and if the holder of the licence contravenes the order that person 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.

Suspension of licence for repeated offences

71C.—(1) Where the holder of a licence is convicted of an offence under a provision of this Order specified in column 1 of Schedule 10A, the penalty points to be taken into account on that occasion are (subject to paragraphs (2) and (7))—

(a) any that are to be attributed to the offence or offences in respect of which the holder of the licence is convicted; and

(b) any that were on a previous occasion ordered to be endorsed on the licence;

and where the penalty points so taken into account number 10 or more, the court must, by order, suspend the licence.

(2) If any of the offences was committed more than 3 years before another, the penalty in respect of that offence shall not be added to those in respect of the other.

(3) The period for which a licence is suspended under paragraph (1) shall not be less than 1 week or more than 3 months.

(4) The suspension of a licence under paragraph (1) shall be in addition to any other penalty which may be imposed by the court.

(5) Article 72(5) applies where a court suspends a licence under paragraph (1) as it applies where a court suspends a licence under that Article.

(6) A licence may be suspended under paragraph (1) for any period notwithstanding that it is due to expire before the commencement of, or during, that period.

(7) After the suspension of a licence under paragraph (1), none of the penalty points taken into account on making the order under paragraph (1) may be taken into account on any other occasion.”.

(2) After Schedule 10 to the Licensing Order insert as Schedule 10A the Schedule set out in Schedule 1.

(3) In Article 73 of the Licensing Order (suspension of licences on conviction of certain offences), omit—

(a) paragraph (1)(a);

(b) in paragraph (2)(a)(i), the words from “other than an offence” to “that sub-paragraph,”; and

(c) paragraph (3).

Commencement Information

I2 S. 2 in operation at 1.5.2012 by S.R. 2012/28, art. 2, **Sch.**

Proof of age

3.—(1) In Article 58 of the Licensing Order (young persons prohibited from certain premises) after paragraph (11) insert—

“(11A) Without prejudice to any other means of proving the exercise of all due diligence, for the purposes of paragraph (11) the holder of the licence

or his servant or agent is to be treated as having exercised all due diligence to avoid the commission of an offence if—

(a) the holder of the licence or his servant or agent was shown any of the documents specified in paragraph (11B); and

(b) that document would have convinced a reasonable person.

(11B) The documents referred to in paragraph (11A)(a) are any document purporting to be—

(a) a passport;

(b) a photocard driving licence;

(c) an electoral identity card;

(d) a photographic identity card of a type approved by the British Retail Consortium for the purposes of its Proof of Age Scheme; or

(e) such other document, or a document of such other description, as may be prescribed by regulations.”.

(2) In Article 60 of the Licensing Order (sale, etc., of intoxicating liquor to young persons) after paragraph (7) insert—

“(7A) Without prejudice to any other means of proving the exercise of all due diligence, for the purposes of paragraph (7) the holder of the licence or his servant or agent is to be treated as having exercised all due diligence to avoid the commission of an offence if—

(a) the holder of the licence or his servant or agent was shown any of the documents specified in paragraph (7B); and

(b) that document would have convinced a reasonable person.

(7B) The documents referred to in paragraph (7A)(a) are any document purporting to be—

(a) a passport;

(b) a photocard driving licence;

(c) an electoral identity card;

(d) a photographic identity card of a type approved by the British Retail Consortium for the purposes of its Proof of Age Scheme; or

(e) such other document, or a document of such other description, as may be prescribed by regulations.”.

(3) After Article 60A of the Licensing Order insert the following Article—

“**Duty to display notice relating to age**

60B.—(1) A holder of a licence must at all times display the notice specified in paragraph (2)—

(a) at each place in the licensed premises where intoxicating liquor is sold; and

(b) in a position where it is readily visible to any person seeking to purchase intoxicating liquor.

(2) The notice referred to in paragraph (1) must contain such information and be in such form and of such dimensions as are prescribed by regulations.

(3) Without prejudice to the generality of paragraph (2), the notice must contain—

(a) such information as may be prescribed by regulations in relation to offences concerning the sale to or purchase by persons under the age of 18 of intoxicating liquor; and

(b) a description of the documents specified in Articles 58(11B) and 60(7B).

(4) A holder of a licence acting in contravention of this Article or any provision made under this Article shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.”.

Commencement Information

I3 S. 3 in operation at 1.5.2012 by S.R. 2012/28, art. 2, **Sch.**

Irresponsible drinks promotions

4 After Article 57 of the Licensing Order insert—

“**Irresponsible drinks promotions**

57A.—(1) Regulations may prohibit or restrict the holder of a licence or the licence holder's servant or agent from carrying on an irresponsible drinks promotion on or in connection with the licensed premises.

(2) A drinks promotion is irresponsible if it—

(a) relates specifically to any intoxicating liquor likely to appeal largely to persons under the age of 18,

(b) involves the supply of any intoxicating liquor free of charge or at a reduced price on the purchase of one or more drinks (whether or not intoxicating liquor),

(c) involves the supply free of charge or at a reduced price of one or more extra measures of intoxicating liquor on the purchase of one or more measures of the liquor,

(d) involves the supply of unlimited amounts of intoxicating liquor for a fixed charge (including any charge for entry to the premises),

(e) encourages, or seeks to encourage, a person to buy or consume a larger measure of intoxicating liquor than the person had otherwise intended to buy or consume,

(f) is based on the strength of any intoxicating liquor,

(g) rewards or encourages, or seeks to reward or encourage, consuming intoxicating liquor quickly, or

(h) offers intoxicating liquor as a reward or prize, unless the liquor is in a sealed container and consumed off the premises.

(3) Sub-paragraphs (b) to (d) of paragraph (2) apply only to a drinks promotion carried on in relation to intoxicating liquor sold for consumption on the premises.

(4) Regulations may modify paragraph (2) or (3) so as to—

(a) add further descriptions of drinks promotions,

(b) modify any of the descriptions of drinks promotions for the time being listed in it, or

(c) extend or restrict the application of any of those descriptions of drinks promotions.

(5) A person who contravenes any provision of regulations made under this Article is guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(6) Regulations shall not be made under this Article unless a draft of the regulations has been laid before, and approved by a resolution of, the Assembly.

(7) In this Article "drinks promotion" means, in relation to any licensed premises, any activity which promotes, or seeks to promote, the buying or consumption of any intoxicating liquor on the premises.".

Commencement Information

I4 S. 4 in operation at 1.1.2013 for specified purposes by S.R. 2012/405, art. 2, **Sch.**

PROSPECTIVE

Pricing of intoxicating liquor

5 After Article 57A of the Licensing Order (inserted by section 4) insert—

"**Pricing of intoxicating liquor**

57B.—(1) Regulations may—

(a) prohibit or restrict the holder of a licence or the licence holder's servant or agent from varying the price at which intoxicating liquor is sold on licensed premises during such period or hours as are specified in the regulations;

(b) restrict the price at which the holder of a licence or the licence holder's servant or agent may sell on licensed premises a package containing two or more intoxicating liquor products.

(2) A person who contravenes any provision of regulations made under this Article is guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(3) Regulations shall not be made under this Article unless a draft of the regulations has been laid before, and approved by a resolution of, the Assembly.

(4) In this Article, "intoxicating liquor product" means a product containing intoxicating liquor and includes the container in which the liquor is for sale.".

Application to limited liability partnerships

6 After Article 2A of the Licensing Order insert the following Article—

"**Application to limited liability partnerships**

2B In its application to a limited liability partnership, this Order shall have effect with the following modifications—

(a) a reference to a director of a body corporate is a reference to a member of a limited liability partnership;

(b) in Article 2(7), the reference to the secretary of a body corporate is a reference to any designated member of a limited liability partnership.".

Commencement Information

I5 S. 6 in operation at 1.5.2012 by S.R. 2012/28, art. 2, **Sch.**

PART 2

REGISTRATION OF CLUBS

Closure of registered clubs

7 After Part 4 of the Registration of Clubs Order insert the following Part—

"PART 4A

CLOSURE OF PREMISES OF REGISTERED CLUBS

Closure of premises of registered clubs in an identified district

Orders to close premises of registered clubs in district experiencing disorder

41A.—(1) Where there is or is expected to be disorder in any petty sessions district, a court of summary jurisdiction acting for the district may make an order requiring the premises of registered clubs which are situated at or near the place of the disorder or expected disorder, to be closed for a period, not exceeding 24 hours, specified in the order.

(2) A court of summary jurisdiction may make an order under this Article only on the application of a police officer who is of the rank of superintendent or above.

(3) A court of summary jurisdiction may not make such an order unless it is satisfied that it is necessary to prevent disorder.

(4) Where an order is made under this Article, the registered club and every official of the club shall be guilty of an offence if the club or the official knowingly keeps any premises to which the order relates open, or allows any such premises to be kept open, during the period of the order and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(5) A constable may use such force as may be necessary for the purpose of closing premises of a registered club ordered to be closed under this Article.

Closure of identified premises of registered clubs

Closure orders for identified premises of registered clubs

41B.—(1) A senior police officer may make a closure order in relation to the premises of any registered club if that officer reasonably believes that

there is disorder on, or in the vicinity of and related to, the premises and their closure is necessary in the interests of public safety.

(2) A closure order is an order under this Article requiring the premises of a registered club to be closed for a period not exceeding 24 hours beginning with the coming into force of the order.

(3) In determining whether to make a closure order in respect of the premises of a registered club, the senior police officer must have regard, in particular, to the conduct of the registered club and the officials of the club in relation to the disorder or nuisance.

(4) A closure order must—

(a) specify the premises of the registered club to which it relates;

(b) specify the period for which the premises are to be closed;

(c) specify the grounds on which it is made; and

(d) state the effect of Articles 41C to 41G.

(5) A closure order in respect of the premises of a registered club comes into force at the time a constable gives notice of it to the registered club or any official of the club.

(6) The registered club and every official of the club shall be guilty of an offence if, without reasonable excuse, the club or the official permits the premises of a registered club to be open in contravention of a closure order or any extension of it and shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale or to imprisonment for a term not exceeding 6 months, or to both.

Extension of closure order

41C.—(1) Where, before the end of the period for which the premises of a registered club are to be closed under a closure order or any extension of it (the "closure period"), the responsible senior police officer reasonably believes that—

(a) a relevant court of summary jurisdiction will not have determined whether to exercise its powers under Article 41F(2) in respect of the closure order, and any extension of it, by the end of the closure period, and

(b) closure is necessary in the interests of public safety because of disorder on, or in the vicinity of and related to, the premises of the registered club,

that officer may extend the closure period for a further period not exceeding 24 hours beginning with the end of the previous closure period.

(2) An extension in relation to the premises of any registered club comes into force when a constable gives notice of it to the registered club or any official of the club.

(3) But the extension does not come into force unless the notice is given before the end of the previous closure period.

Cancellation of closure order

41D.—(1) The responsible senior police officer may cancel a closure order and any extension of it at any time—

(a) after the making of the order, but

(b) before a relevant court of summary jurisdiction has determined whether to exercise its powers under Article 41F(2) in respect of the order and any extension of it.

(2) The responsible senior police officer must cancel a closure order and any extension of it if that officer does not reasonably believe that closure is necessary in the interests of public safety because of disorder on, or in the vicinity of and related to, the premises of the registered club.

(3) Where a closure order and any extension of it are cancelled under this Article, the responsible senior police officer must, as soon as reasonably practicable, give notice of the cancellation to the registered club or any official of the club.

Application to court of summary jurisdiction by police

41E The responsible senior police officer must, as soon as reasonably practicable after a closure order comes into force in respect of the premises of a registered club, apply to a relevant court of summary jurisdiction for it to consider the order and any extension of it.

Consideration of closure order by court of summary jurisdiction

41F.—(1) A relevant court of summary jurisdiction must as soon as reasonably practicable after receiving an application under Article 41E—

(a) hold a hearing to consider whether it is appropriate to exercise any of the court's powers under paragraph (2) in relation to the closure order or any extension of it; and

(b) determine whether to exercise any of those powers.

(2) The relevant court of summary jurisdiction may—

(a) revoke the closure order and any extension of it;

(b) order the premises to remain, or to be closed, for such period not exceeding 28 days as the court may order.

(3) In determining whether the premises of the registered club will be, or will remain, closed, the relevant court of summary jurisdiction must—

(a) consider whether closure is necessary in the interests of public safety because of disorder or likely disorder on the premises of the registered club, or in the vicinity of and related to, the premises; and

(b) hear representations, if any, from the secretary of the club.

(4) The relevant court of summary jurisdiction must notify the district commander for the police district in which the premises are situated of any decision it makes under this Article.

(5) The registered club and every official of the club shall be guilty of an offence if, without reasonable excuse, the club or the official permits the premises of a registered club to be open in contravention of an order under paragraph (2)(b) and shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale or to imprisonment for a term not exceeding 6 months, or to both.

Appeal from decision of court of summary jurisdiction

41G.—(1) Any person aggrieved by a decision of a court of summary jurisdiction under Article 41F may, within 21 days from the day the decision is made, appeal against the decision to the county court in accordance with magistrates' court rules.

(2) Where an order is made under Article 41F(2)(b), the order shall not have effect from the time a person brings an appeal under paragraph (1) against the making of the order until the appeal is abandoned or determined.

Enforcement of closure order

41H A constable may use such force as may be necessary for the purposes of closing the premises of a registered club in compliance with a closure order.

Exemption of police from liability for damages

41I.—(1) A constable is not liable for relevant damages in respect of any act or omission of that constable in the performance or purported performance of that constable's functions in relation to a closure order or any extension of it.

(2) The Chief Constable is not liable for relevant damages in respect of any act or omission of a constable under the Chief Constable's direction or control in the performance or purported performance of a function of that constable in relation to a closure order or any extension of it.

(3) But neither paragraph (1) nor (2) applies—

(a) if the act or omission is shown to have been in bad faith; or

(b) so as to prevent an award of damages in respect of an act or omission on the grounds that the act or omission was unlawful as a result of section 6(1) of the Human Rights Act 1998 (incompatibility of act or omission with Convention rights).

(4) This Article does not affect any other exemption from liability for damages (whether at common law or otherwise).

(5) In this Article, "relevant damages" means damages awarded in proceedings for judicial review, the tort of negligence or misfeasance in public office.

Interpretation

Interpretation of Part 4A

41J.—(1) This Article has effect for the purposes of this Part.

(2) The premises of a registered club are open if a person enters the premises (other than an official of the registered club who enters the premises for official purposes connected with the activities of the club) and that person consumes or is supplied with food or intoxicating liquor.

(3) The following expressions have the meanings given—

"closure order" has the meaning given in Article 41B(2);

"extension", in relation to a closure order, means an extension of the order under Article 41C;

"relevant court of summary jurisdiction", in relation to the premises of a registered club, means a court of summary jurisdiction acting for the petty sessions district in which the premises are situated;

"responsible senior police officer", in relation to a closure order, means—

(a) the senior police officer who made the order, or

(b) if another senior police officer is designated for the purpose by the district commander for the police district in which the premises are situated, that other officer;

"senior police officer" means a police officer of, or above, the rank of inspector.".

Commencement Information

I6 S. 7 in operation at 10.12.2012 by S.R. 2012/420, art. 2, **Sch.**

Penalty points

8.—(1) In Article 43 of the Registration of Clubs Order (penalty points to be attributed to an offence)—

(a) in paragraph (1), for sub-paragraphs (a) and (b) substitute " a number within the range of numbers shown in relation to the offence in column 3 of Schedule 6 (or if an order is made under paragraph (5) substituting a number for a range, the number shown in relation to that offence). ";

(b) for paragraph (5) substitute—

"(5) The Department may, by order subject to affirmative resolution, amend column 3 of Schedule 6 (by substituting one range of numbers for another, a number for a range, or a range for a number).".

(2) In Article 44 of the Registration of Clubs Order (endorsement of certificates of registration)—

(a) in paragraph (1), omit sub-paragraph (b) and the word "and" immediately preceding it;

(b) for paragraph (2) substitute—

"(2) Where a registered club or any official of a registered club is convicted of an offence under a provision of this Order specified in column 1 of Schedule 6—

(a) subject to paragraph (2A), where the provision is one specified in Part 1 of Schedule 6, the court may order there to be endorsed on the certificate of registration the penalty points to be attributed to the offence;

(b) subject to paragraph (2B), where the provision is one specified in Part 2 of Schedule 6, the court must order there to be endorsed on the certificate of registration the penalty points to be attributed to the offence unless for special reasons the court thinks fit not to do so;

(c) where the provision is one specified in Part 3 of Schedule 6, the court must order there to be endorsed on the certificate of registration the penalty points to be attributed to the offence.

(2A) Where a registered club or any official of a registered club who has been convicted of an offence under a provision of this Order specified in Part 1 of Schedule 6 ("the first offence") is convicted of an offence under the same provision of this Order committed less than two years after the first offence was committed, the court must order the penalty points to be attributed to the offence to be endorsed on the certificate of registration.

(2B) Where a registered club or any official of a registered club who has been convicted of an offence under a provision of this Order specified in Part 2 of Schedule 6 ("the first offence") is convicted of an offence under

a provision of this Order specified in that Part of that Schedule committed less than two years after the first offence was committed, the court must order the penalty points to be attributed to the offence to be endorsed on the certificate of registration.”.

(c) in paragraph (3), for “paragraph (1)” substitute “ this Article ”.

(3) For Article 45 of the Registration of Clubs Order substitute—

“**Suspension of registration for repeated offences**

45.—(1) Where a registered club or any official of a registered club is convicted of an offence under a provision of this Order specified in column 1 of Schedule 6, the penalty points to be taken into account on that occasion are (subject to paragraphs (2) and (6))—

(a) any that are to be attributed to the offence or offences in respect of which the club or, as the case may be, the official is convicted; and

(b) any that were on a previous occasion ordered to be endorsed on the certificate of registration issued to the registered club;

and where the penalty points so taken into account number 10 or more, the court must, by order, suspend the registration of the club.

(2) If any of the offences was committed more than two years before another, the penalty in respect of that offence shall not be added to those in respect of the other.

(3) The period for which registration is suspended under paragraph (1) shall not be less than 1 week or more than 3 months.

(4) The suspension of registration under paragraph (1) shall be in addition to any other penalty which may be imposed by the court.

(5) Where a court suspends the registration of a club under paragraph (1), the registration shall not be in force during the period of suspension except for the purposes of the provisions of this Order relating to the renewal of registration.

(6) After the suspension of registration of a club under paragraph (1), none of the penalty points taken into account on making the order under paragraph (1) may be taken into account on any other occasion.”.

(4) For Schedule 6 to the Registration of Clubs Order substitute the Schedule set out in Schedule 2.

Commencement Information

I7 S. 8 in operation at 1.5.2012 by S.R. 2012/28, art. 2, **Sch.**

Proof of age

9.—(1) In Article 32 of the Registration of Clubs Order (young persons prohibited from bars) after paragraph (11) insert—

"(11A) Without prejudice to any other means of proving the exercise of all due diligence, for the purposes of paragraph (11) the person is to be treated as having exercised all due diligence to avoid the commission of an offence if—

(a) the person was shown any of the documents specified in paragraph (11B); and

(b) that document would have convinced a reasonable person.

(11B) The documents referred to in paragraph (11A)(a) are any document purporting to be—

(a) a passport;

(b) a photocard driving licence;

(c) an electoral identity card;

(d) a photographic identity card of a type approved by the British Retail Consortium for the purposes of its Proof of Age Scheme; or

(e) such other document, or a document of such other description, as may be prescribed.".

(2) In Article 34 of the Registration of Clubs Order (supply, etc., of intoxicating liquor to young persons) after paragraph (3) add—

"(4) Without prejudice to any other means of proving the exercise of all due diligence, for the purposes of paragraph (3) the person is to be treated as having exercised all due diligence to avoid the commission of an offence if—

(a) the person was shown any of the documents specified in paragraph (5); and

(b) that document would have convinced a reasonable person.

(5) The documents referred to in paragraph (4)(a) are any document purporting to be—

(a) a passport;

(b) a photocard driving licence;

(c) an electoral identity card;

(d) a photographic identity card of a type approved by the British Retail Consortium for the purposes of its Proof of Age Scheme; or

(e) such other document, or a document of such other description, as may be prescribed.".

(3) After Article 34 of the Registration of Clubs Order insert—

"**Duty to display notice relating to age**

34A.—(1) A registered club must at all times display the notice specified in paragraph (2)—

(a) at each place in the premises of the club where intoxicating liquor is supplied; and

(b) in a position where it is readily visible to any person seeking to be supplied with intoxicating liquor.

(2) The notice referred to in paragraph (1) must contain such information and be in such form and of such dimensions as are prescribed.

(3) Without prejudice to the generality of paragraph (2), the notice must contain—

(a) such information as may be prescribed in relation to offences concerning the supply to or purchase by persons under the age of 18 of intoxicating liquor; and

(b) a description of the documents specified in Articles 32(11B) and 34(5).

(4) Where this Article, or any provision made under this Article, is contravened—

(a) the registered club, and

(b) every official of the club at the time of the contravention,

shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.".

Commencement Information

I8 S. 9 in operation at 1.5.2012 by S.R. 2012/28, art. 2, **Sch.**

Irresponsible drinks promotions

10 After Article 31 of the Registration of Clubs Order insert—

"**Irresponsible drinks promotions**

31A.—(1) Regulations may prohibit or restrict a registered club from carrying on an irresponsible drinks promotion on or in connection with the premises of the club.

(2) A drinks promotion is irresponsible if it—

(a) relates specifically to any intoxicating liquor likely to appeal largely to persons under the age of 18,

(b) involves the supply of any intoxicating liquor free of charge or at a reduced price on the purchase of one or more drinks (whether or not intoxicating liquor),

(c) involves the supply free of charge or at a reduced price of one or more extra measures of intoxicating liquor on the purchase of one or more measures of the liquor,

(d) involves the supply of unlimited amounts of intoxicating liquor for a fixed charge (including any charge for entry to the premises),

(e) encourages, or seeks to encourage, a person to obtain or consume a larger measure of intoxicating liquor than the person had otherwise intended to obtain or consume,

(f) is based on the strength of any intoxicating liquor,

(g) rewards or encourages, or seeks to reward or encourage, consuming intoxicating liquor quickly, or

(h) offers intoxicating liquor as a reward or prize, unless the liquor is in a sealed container and consumed off the premises.

(3) Regulations may modify paragraph (2) so as to—

(a) add further descriptions of drinks promotions,

(b) modify any of the descriptions of drinks promotions for the time being listed in it, or

(c) extend or restrict the application of any of those descriptions of drinks promotions.

(4) If any provision of regulations under this Article is contravened—

(a) the registered club,

(b) every official of the club at the time of the contravention, and

(c) any other person permitting the contravention,

is guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(5) Regulations shall not be made under this Article unless a draft of the regulations has been laid before, and approved by a resolution of, the Assembly.

(6) In this Article "drinks promotion" means, in relation to the premises of a registered club, any activity which promotes, or seeks to promote, the obtaining or consumption of any intoxicating liquor on the premises.".

Commencement Information

I9 S. 10 in operation at 1.1.2013 for specified purposes by S.R. 2012/405, art. 2, **Sch.**

PROSPECTIVE

Pricing of intoxicating liquor

11 After Article 31A of the Registration of Clubs Order (inserted by section 10) insert—

"**Pricing of intoxicating liquor**

31B.—(1) Regulations may prohibit or restrict a registered club from varying the price at which intoxicating liquor is supplied on the premises of the club during such period or hours as are specified in the regulations.

(2) If any provision of regulations under this Article is contravened—

(a) the registered club,

(b) every official of the club at the time of the contravention, and

(c) any other person permitting the contravention,

is guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(3) Regulations shall not be made under this Article unless a draft of the regulations has been laid before, and approved by a resolution of, the Assembly.".

VALID FROM 01/04/2022

Accounts of registered clubs

12.—(1) Article 40 of the Registration of Clubs Order (accounts of registered clubs, etc.) is amended as follows.

(2) In paragraph (1)—

(a) in sub-paragraph (b) omit the word "prescribed";

(b) in sub-paragraph (c) after "accounts" insert " within 3 months of the end of that club's financial year, ";

(c) for sub-paragraphs (d) and (e) substitute—

"(d) cause, within 3 months of the end of that club's financial year, those accounts to be audited by a person referred to in this Article as "the auditor" or examined by an independent examiner in such manner as may be prescribed, and

(e) on being required by the auditor or independent examiner, produce any record or voucher and any other information or explanation which appears to the auditor or independent

examiner to relate to those accounts and which the auditor or independent examiner requires to inspect, and";

(d) omit sub-paragraphs (f) and (j);

(e) in sub-paragraph (g), after "auditor's" insert "or independent examiner's";

(f) after sub-paragraph (g) insert—

"(ga) on the demand of the district commander of the police district in which the premises are situated, send a summary of those accounts and the auditor's or independent examiner's report thereon to that district commander, free of charge, as soon as they become available, and";

(g) in sub-paragraphs (h) and (i), after "auditor's" insert "or independent examiner's".

(3) After paragraph (1) insert—

"(1A) Regulations under this paragraph may make provision for the—

(a) system of control referred to in paragraph (1)(b) to be in such form and manner as may be directed by the Department;

(b) selection of a person for appointment as an independent examiner to be in such manner as may be directed by the Department.".

(4) After paragraph (2) insert—

"(2A) If regulations under paragraph (1A) are contravened—

(a) the registered club, and

(b) every official of the club at the time of the contravention;

shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.".

(5) In paragraph (3) for "paragraph (1)" substitute " or by virtue of this Article ".

Authorisations for special occasions

13.—(1) Article 26 of the Registration of Clubs Order (authorisations for special occasions) is amended as follows.

(2) In paragraph (1)—

(a) after "before the" insert " first ";

(b) for "on any 1 occasion specified in the authorisation" substitute " on such occasions specified in the authorisation as the commander thinks fit ".

(3) In paragraph (2), for "52" substitute " 85 ".

Commencement Information

I10 S. 13 in operation at 1.3.2012 by S.R. 2012/9, **art. 2**

Young persons prohibited from bars

14 In Article 32 of the Registration of Clubs Order (young persons prohibited from bars) for "9" in each of the 3 places where it occurs substitute " 10 ".

Commencement Information

I11 S. 14 in operation at 1.3.2012 by S.R. 2012/9, **art. 2**

PART 3

GENERAL

Ancillary provision

15.—(1) The Department may by order make such incidental, supplementary, consequential, transitional, transitory or saving provisions as it considers appropriate for the purposes of, in consequence of, or for giving full effect to this Act or any provision of it.

(2) An order under this section may amend, repeal, revoke or otherwise modify any statutory provision or document.

(3) The power conferred by this section is not restricted by any other provision of this Act.

(4) An order shall not be made under this section unless a draft of the order has been laid before, and approved by a resolution of, the Assembly.

Commencement Information

I12 S. 15 in operation at 1.5.2012 by S.R. 2012/28, art. 2, **Sch.**

Interpretation

16 In this Act—

"the Department" means the Department for Social Development;

"the Licensing Order" means the Licensing (Northern Ireland) Order 1996 (NI 22);

"the Registration of Clubs Order" means the Registration of Clubs (Northern Ireland) Order 1996 (NI 23);

"statutory provision" has the meaning given by section 1(f) of the Interpretation Act (Northern Ireland) 1954 (c. 33).

Minor and consequential amendments and repeals

17.—(1) Schedule 3, which contains minor amendments and amendments consequential on the provisions of this Act, shall have effect.

(2) The statutory provisions mentioned in the first column of Schedule 4 are repealed to the extent set out in the second column.

Commencement Information

I13 S. 17 in operation at 1.5.2012 by S.R. 2012/28, art. 2, **Sch.**

Commencement

18 This Act, except section 16, this section and section 19, shall come into operation on such day or days as the Department may by order appoint.

Short title

19 This Act may be cited as the Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2011.

SCHEDULES

SCHEDULE 1

Section 2(2).

SCHEDULE TO BE INSERTED IN LICENSING ORDER AS SCHEDULE 10A

Commencement Information

I14 Sch. 1 in operation at 1.5.2012 for specified purposes by S.R. 2012/48, art. 2, **Sch.**

I15 Sch. 1 in operation at 10.12.2012 for specified purposes by S.R. 2012/420, art. 2, **Sch.**

I16 Sch. 1 in operation at 1.1.2013 for specified purposes by S.R. 2012/405, art. 2, **Sch.**

"SCHEDULE 10A

TABLE OF OFFENCES WITH PENALTY POINTS

PART 1

OFFENCES PUNISHABLE WITH LEVEL 3 FINE ON THE STANDARD SCALE

Article of Order	General nature of offence	Penalty points
30(8)	Selling of intoxicating liquor etc. otherwise than in accordance with an occasional licence	3-4
30(9)	Failure to admit constable where there is an occasional licence	3-4
47(7)	Selling of intoxicating liquor etc. otherwise than during hours or in premises specified in an extension licence	3-4
50(2)	Selling etc. of intoxicating liquor for consumption off the	3-4

	premises on Christmas Day or Easter Day	
51(5)	Failure to comply with conditions as to sale etc. in guest houses and restaurants	3-4
52(2)	Failure to comply with conditions as to sale etc. in places of public entertainment	3-4
52A(2)	Failure to comply with conditions as to sale etc. in indoor arenas	3-4
54(2)	Failure to comply with conditions as to sale etc. in seamen's canteens	3-4
56(2)	Permitting consumption of intoxicating liquor in unlicensed part of premises	3-4
57(1) or (2)	Breaching terms of off-licence	3-4
60B(4)	Failure to display notice relating to age	3-4
65(1)	Allowing prostitutes to assemble on licensed premises	3-4
69A(4)	Keeping premises open after closure made under Article 69A	3-4
80(5)	Failure to comply with licence for non-seagoing vessels	3-4

PART 2

OFFENCES PUNISHABLE WITH LEVEL 4 FINE ON THE STANDARD SCALE

Article of Order	General nature of offence	Penalty points
5(6)	Failure to comply with licence in respect of certain premises	4-5
58(10)	Allowing person under 18 to be in licensed premises in contravention of Article 58(2) or (8)	4-5
61(1)	Permitting drunkenness, or selling intoxicating liquor to a drunken person	4-5
71(2)	Failure to admit constable etc.	4-5

PART 3

OFFENCES PUNISHABLE WITH LEVEL 5 FINE ON THE STANDARD SCALE

Article of Order	General nature of offence	Penalty points
3(2)	Selling etc. intoxicating liquor in premises not authorised by a licence	5-6
8(4)	Failure to comply on grant of licence with court order to make alterations etc.	5-6
31(6)	Failure to comply with court order to restore premises as far as possible to original condition	5-6

41(2)	Selling intoxicating liquor etc., otherwise than during permitted hours	5-6
55(2)	Selling liquor etc. other than of certain kind	5-6
57A(5)	Contravention of regulations as to irresponsible drinks promotions	5-6
57B(2)	Contravention of regulations as to pricing of intoxicating liquor	5-6
60(6)	Selling of intoxicating liquor etc. to person under 18 in contravention of Article 60(1)	5-6
67(3)	Supplying etc. intoxicating liquor at any entertainment	5-6
68(3)	Supplying etc. intoxicating liquor in premises used by a club	5-6
69B(6)	Permitting premises to be open in contravention of closure order under Article 69B	5-6
69F(5)	Permitting premises to be open etc. in contravention of court's decision about closure order	5-6”

SCHEDULE 2

Section 8(4).

SCHEDULE TO BE SUBSTITUTED IN REGISTRATION OF CLUBS ORDER FOR SCHEDULE 6

Commencement Information

I17 Sch. 2 in operation at 1.5.2012 for specified purposes by S.R. 2012/48, art. 2, **Sch.**

I18 Sch. 2 in operation at 10.12.2012 for specified purposes by S.R. 2012/420, art. 2, **Sch.**

I19 Sch. 2 in operation at 1.1.2013 for specified purposes by S.R. 2012/405, art. 2, **Sch.**

"SCHEDULE 6

TABLE OF OFFENCES WITH PENALTY POINTS

PART 1

OFFENCES PUNISHABLE WITH LEVEL 3 FINE ON THE STANDARD SCALE

Article of Order	General nature of offences	Penalty points
31(1)	Misconduct of club	3-4
34A(4)	Failure to display notice relating to age	3-4
40(2A)	Contravention of regulations concerning accounts	3-4
41A(4)	Keeping premises open after order made under Article 41A	3-4

PART 2

OFFENCES PUNISHABLE WITH LEVEL 4 FINE ON THE STANDARD SCALE

Article of Order	General nature of offences	Penalty points
29(2)	Permitting unauthorised persons to be on premises	4-5
30(3)	Holding an unauthorised function on the premises	4-5
31(3)	Contravention of provisions of Schedule 1 which are included in the club's rules	4-5

32(10)	Allowing person under 18 to be in club premises, or bar of club premises etc.	4-5
35(2)	Permitting drunkenness etc.	4-5
38(1)(a) and (b)	Failure to comply with restrictions on advertisements relating to functions in registered clubs	4-5
42(2)	Failure to admit constable or produce books and records, etc.	4-5
42(6)	Failure to comply with written notice to produce books, etc.	4-5

PART 3

OFFENCES PUNISHABLE WITH LEVEL 5 FINE ON THE STANDARD SCALE

Article of Order	General nature of offences	Penalty points
22(2)	Supply etc. of intoxicating liquor outside permitted hours	5-6
23(2)	Failure to keep bar closed outside permitted hours	5-6
28(2)	Supply of intoxicating liquor to persons other than permitted persons	5-6
31A(4)	Contravention of regulations as to irresponsible drinks promotions	5-6
31B(2)	Contravention of regulations as to pricing of intoxicating liquor	5-6

34(2)	Supply etc. of intoxicating liquor to person under 18	5-6
40(2)	Failure to comply with requirement to—	
	(1) keep proper vouchers	5-6
	(2) establish and maintain a system of control	5-6
	(3) prepare annual accounts	5-6
	(4) have accounts audited or examined	5-6
	(5) produce required records etc. to auditor or independent examiner	5-6
	(6) provide summary of accounts to district commander	5-6
	(7) provide summary of accounts to members	5-6
	(8) display accounts for 4 weeks	5-6
	(9) retain records for 6 years	5-6
41B(6)	Permitting premises to be kept open after closure order under Article 41B	5-6
41F(5)	Permitting premises to be kept open etc. in	5-6”

contravention of court's decision about closure order

SCHEDULE 3

Section 17(1).

AMENDMENTS

Commencement Information

I20 Sch. 3 in operation at 1.5.2012 by S.R. 2012/48, art. 2, **Sch.**

The Licensing (Northern Ireland) Order 1996 (NI 22)

1 In Article 2(2) (interpretation)—

(a) in the definition of "licence", after the word "Articles" insert " 57A, 57B, ";

(b) in the definition of "licensed premises", after "55," insert " 57A, 57B, ".

Commencement Information

I21 Sch. 3 para. 1 in operation at 1.5.2012 by S.R. 2012/48, art. 2, **Sch.**

2 In Article 34(1) (register of licences), after sub-paragraph (h) insert—

"(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;".

Commencement Information

I22 Sch. 3 para. 2 in operation at 1.5.2012 by S.R. 2012/48, art. 2, **Sch.**

3 In Article 58(11) (young persons prohibited from certain premises), for "(7)" substitute " (8) ".

Commencement Information

I23 Sch. 3 para. 3 in operation at 1.5.2012 by S.R. 2012/48, art. 2, **Sch.**

4 For Article 76(2) (appeals against suspension of licence, etc.) substitute—

"(2) When on conviction of an offence a licence is suspended the suspension shall not take effect—

(a) until the expiry of the time for bringing an appeal against the conviction or against the suspension; and

(b) if such an appeal is brought, until the appeal has been determined or abandoned.”.

Commencement Information

I24 Sch. 3 para. 4 in operation at 1.5.2012 by S.R. 2012/48, art. 2, **Sch.**

The Registration of Clubs (Northern Ireland) Order 1996 (NI 23)

5 In Article 2(2) (interpretation) in the definition of “regulations” after “subject” insert “ (except as otherwise provided in this Order) ”.

Commencement Information

I25 Sch. 3 para. 5 in operation at 1.5.2012 by S.R. 2012/48, art. 2, **Sch.**

6 In Article 3(2)(b) (restriction on supply etc. of intoxicating liquor on the premises of a club), after head (i) insert—

(ia) the suspension of the registration; or”.

Commencement Information

I26 Sch. 3 para. 6 in operation at 1.5.2012 by S.R. 2012/48, art. 2, **Sch.**

7 In Article 16 (register of clubs) in paragraph (2)(e) for “or any disqualification order” substitute “ or any suspension or disqualification order ”.

Commencement Information

I27 Sch. 3 para. 7 in operation at 1.5.2012 by S.R. 2012/48, art. 2, **Sch.**

8 In Article 49 (procedure in connection with cancellation and disqualification)—

(a) for the heading substitute “ **Procedure in connection with suspension, cancellation and disqualification** ”;

(b) in paragraph (1) for “A court which cancels” substitute “ A court which suspends or cancels ”;

(c) in paragraph (3)—

(i) for “cancels” substitute “ suspends or cancels ”;

(ii) after “send notice of the” insert “ suspension, ”.

Commencement Information

I28 Sch. 3 para. 8 in operation at 1.5.2012 by S.R. 2012/48, art. 2, **Sch.**

SCHEDULE 4

Section 17(2).

REPEALS

Commencement Information

I29 Sch. 4 in operation at 1.5.2012 by S.R. 2012/48, art. 2, **Sch.**

Short Title	Extent of repeal
The Licensing (Northern Ireland) Order 1996 (NI 22).	Article 49. In Article 73, paragraph (1)(a), in paragraph (2)(a)(i) the words from "other than an offence" to "that sub-paragraph,", and paragraph (3). Article 74(b) and the word "or" immediately preceding it. In Article 75, in paragraph (2) the words "or makes an order under Article 73(3)", in paragraph (3)(b) the words "subject to paragraph (4)", and paragraph (4).
The Registration of Clubs (Northern Ireland) Order 1996 (NI 23).	In Article 15(1)(b), the words "or 45(1)". In Article 40(1)(b), the word "prescribed". In Article 40(1), sub-paragraphs (f) and (j). In Article 44(1), sub-paragraph (b) and the word "and" immediately preceding it.

Status:
Point in time view as at 01/01/2013. This version of this Act contains provisions that are not valid for this point in time.

Changes to legislation:
There are currently no known outstanding effects for the Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2011.