



2021 CHAPTER 7

PART 1

LICENSING

*Miscellaneous*

**Code of practice**

**25.—**(1) At the beginning of Part 6 of the Licensing Order (miscellaneous) insert—

*“Code of practice*

**Code of practice**

**76F.—**(1) Where a person or group of persons which the Department considers to have a relevant interest produces a relevant code of practice, the Department may approve the code.

- (2) A person or group has a “relevant interest” if the person or group—
- (a) is representative of persons whose business involves the sale of intoxicating liquor under a licence, or
  - (b) is representative of persons whose business involves the production of intoxicating liquor, or
  - (c) is representative of persons whose business involves dealing wholesale in intoxicating liquor, or

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*Changes to legislation: There are currently no known outstanding effects for the Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021, Section 25. (See end of Document for details)*

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- (d) is engaged in research into, or otherwise has an interest in, the effects of the consumption of intoxicating liquor on personal or public health or on public order.
- (3) A code of practice is relevant if it relates to—
  - (a) the display or sale of intoxicating liquor in licensed premises, or
  - (b) activities designed to promote the sale of intoxicating liquor in licensed premises whether for consumption in or off such premises.
- (4) Where the Department approves a relevant code of practice, it must give notice of its approval in the Belfast Gazette.
- (5) Before deciding whether to approve a relevant code of practice, the Department must consult the Police Service of Northern Ireland.
- (6) Where a person or group of the kind referred to in paragraph (1) amends a relevant code of practice, the Department may approve the amendments; and paragraphs (4) and (5) apply in relation to approving an amendment as they apply in relation to approving a code, unless the Department does not consider the amendment significant enough for those paragraphs to apply.
- (7) The Department may withdraw its approval of a relevant code or of an amendment to it; and paragraphs (4) and (5) apply in relation to withdrawing approval of a code or amendment as they apply in relation to approving it.”.
- (2) In Article 7(4) of the Licensing Order (grant of licence: matters of which court must be satisfied), after sub-paragraph (b) (but before the following “and”) insert “and
  - (ba) that the applicant is aware of the responsibilities under any code of practice which the Department has approved under Article 76F (and from which it has not withdrawn its approval);”.
- (3) In Article 14(4) of the Licensing Order (renewal of licence by clerk of petty sessions: grounds for clerk to refer to court), after sub-paragraph (f) (but before the following “or”) insert “or
  - (fa) the clerk is not satisfied that the applicant has been complying with any code of practice which the Department has approved under Article 76F (and from which it has not withdrawn its approval);”.
- (4) In Article 15(2) of the Licensing Order (renewal of licence by court: matters of which court must be satisfied), after sub-paragraph (b) (but before the following “and”) insert “and
  - (ba) that the applicant is aware of the responsibilities under, and has been complying with, any code of practice which the Department has approved under Article 76F (and from which it has not withdrawn its approval);”.
- (5) In Article 22(6) of the Licensing Order (transfer of licences: matters of which the court must be satisfied), after sub-paragraph (b) (but before the following “and”) insert “and

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(ba) that the applicant is aware of the responsibilities under any code of practice which the Department has approved under Article 76F (and from which it has not withdrawn its approval);”.

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**Commencement Information**

- I1** S. 25 not in operation at Royal Assent, see **s. 47(2)**
- I2** S. 25 in operation at 1.10.2022 by S.R. 2022/180, arts. 1(2), 2, **Sch.**

**Changes to legislation:**

There are currently no known outstanding effects for the Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021, Section 25.