
STATUTORY INSTRUMENTS

1987 No. 1277

The Licensing (Northern Ireland) Order 1987

Provision for inspection and rights of entry

11. For sections 67 and 68 of the Licensing Act (right of police to enter premises and search warrant) there shall be substituted—

“67 Provision for inspection and rights of entry.

- (1) A constable may, at any reasonable time,—
 - (a) for the purpose of inspecting the suitability of—
 - (i) premises in respect of which a notice of application has been served under paragraph 1(b) of Schedule 1 for the grant of a licence under this Act;
 - (ii) licensed premises in respect of which a notice of application has been served under paragraph 3 of Schedule 4 for the renewal of a licence under this Act and in which since the last previous renewal of the licence (or, where the renewal to be applied for is the first renewal of the licence, since the licence was granted), alterations have been made; enter and inspect the premises or, as the case may be, the licensed premises;
 - (b) for the purpose of ascertaining whether a contravention of this Act is being or has been committed or whether any conditions which are applicable under this Act are being or have been complied with, enter and inspect—
 - (i) licensed premises; or
 - (ii) premises which adjoin or are near licensed premises and which belong to the holder of the licence or are under his control or used by his permission.
- (2) If any person—
 - (a) fails or delays without reasonable excuse to admit a constable who demands admission to the premises under subsection (1); or
 - (b) on being required by a constable to do so, fails without reasonable excuse to permit the constable to inspect the premises; he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 4 on the standard scale.
- (3) If, on complaint on oath, a justice of the peace is satisfied that there are reasonable grounds for suspecting that an offence under this Act is being, has been or is about to be committed at any place, he may issue a warrant in writing authorising any constable to enter that place, if necessary by force, at any time within 14 days from the time of the issue of the warrant and to search that place.
- (4) Any constable who enters any place under the authority of a warrant issued under subsection (3) may—
 - (a) seize and remove any intoxicating liquor and its containers found in that place which he has reasonable cause to believe may be required as evidence for the purposes of proceedings in respect of an offence under this Act, and

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- (b) arrest and search any person found at that place whom he has reasonable cause to believe to be committing or to have committed any such offence.
- (5) A constable may arrest without warrant any person who does in his presence any act the doing of which is declared by this section to be an offence and who refuses to give his name and address.
- (6) In subsections (3) and (4) “place” includes “premises”.