#### STATUTORY INSTRUMENTS

### 1996 No. 3158

## The Licensing (Northern Ireland) Order 1996

# PART III PERMITTED HOURS

### Exceptions

### Exceptions from prohibition of sale, etc., of intoxicating liquor outside permitted hours

- **46.**—(1) Where intoxicating liquor is sold in licensed premises during the permitted hours, Article 41 shall not prohibit or restrict—
  - (a) during the first 30 minutes after the conclusion of the permitted hours except where the premises are—
    - (i) part of premises of a kind mentioned in Article 5(1)(a) with respect to which an order under Article 43 is in force; or
    - (ii) of a kind mentioned in Article 5(1)(b); the consumption or permitting consumption of the liquor in the premises;
  - (b) during the first 30 minutes after the Inclusion of the permitted hours, the taking of the liquor from the premises in a sealed container, if the premises are—
    - (i) of a kind mentioned in Article 5(1)(a) (except where the liquor is taken from a part of the premises with respect to which an order under Article 43 is in force or where the liquor was sold in contravention of Article 50(1)); or
    - (ii) an hotel (except where the liquor was sold in contravention of Article 5(3)(b) or 50(1)).
  - (2) Article 41 shall not prohibit or restrict—
    - (a) the sale of intoxicating liquor to a resident in premises of a kind mentioned in Article 5(1)
      (a) which provides accommodation for guests such as is mentioned in paragraph (3) or in an hotel or in a guest house; or
    - (b) the taking of it by a resident from such premises or hotel or, in a case to which Article 51(1)(b) applies, guest house; or
    - (c) the consumption or permitting consumption of it in such premises, hotel or guest house by a resident or his guests; or
    - (d) the dispatch, in a vehicle or receptacle, by the holder of a licence for premises which are either of a kind mentioned in Article 5(1)(a) or (b) or an hotel to which Article 5(5)(b)(ii) applies, of intoxicating liquor sold by him for delivery and consumption off the premises.
  - (3) The accommodation for guests to which paragraph (2) applies is accommodation—
    - (a) in an establishment allocated by a certificate under Article 13 of the Tourism (Northern Ireland) Order 1992 to the statutory category of tourist establishment mentioned in Article 12(1)(b) of that Order; and

(b) which conforms to the requirements, if any, prescribed by regulations made with the concurrence of the Department of Economic Development.