
STATUTORY INSTRUMENTS

1996 No. 3158

The Licensing (Northern Ireland) Order 1996

PART IV

CONDUCT OF LICENSED PREMISES, ETC.

Conditions for sale, etc., of intoxicating liquor applicable to certain licences

Conditions as to sale, etc., in guest houses and restaurants

51.—(1) Subject to paragraph (2), where a guest house is licensed for the sale of intoxicating liquor, the holder of the licence shall not, himself or by his servant or agent, sell such liquor to, or make it available for purchase by, any person or permit it to be consumed by any person unless the intoxicating liquor is sold to a resident and is consumed by him or his guest either—

- (a) on the premises; or
- (b) with a meal supplied at, but consumed off, the premises.

(2) Where there is carried on the business of a restaurant in the premises of a guest house licensed for the sale of intoxicating liquor, paragraph (3) shall apply to the sale and consumption of intoxicating liquor in the restaurant as it applies to a restaurant which is licensed for the sale of intoxicating liquor [^{F1}; and paragraph (4A) shall apply in relation to the restaurant.]

(3) Where a restaurant is licensed for the sale of intoxicating liquor, the holder of the licence shall not, himself or by his servant or agent, sell such liquor to, or make it available for purchase by, any person or permit it to be consumed by any person unless the conditions specified in paragraph (4) are complied with.

(4) The conditions mentioned in paragraph (3) are—

- (a) that the intoxicating liquor is sold for consumption and is consumed—
 - (i) as ancillary to a main table meal; and
 - (ii) in a part of the restaurant set apart for the service of such meals or for the service of intoxicating liquor and other beverages to diners before or after such meals; and
- (b) that suitable beverages other than intoxicating liquor (including drinking water) are also made available for consumption; and
- (c) that the intoxicating liquor is paid for at the same time, and on the same bill, as the meal; and
- (d) that no payment by way of entrance fee to the premises containing the restaurant shall be made; and
- (e) any conditions prescribed by regulations for the purposes of this Article.

[^{F2}(4A) Where a restaurant is licensed for the sale of intoxicating liquor, the holder of the licence must at all times display the notice specified in paragraph (4B)—

- (a) at each part of the restaurant mentioned in paragraph (4)(a)(ii); and

Changes to legislation: *The Licensing (Northern Ireland) Order 1996, Section 51 is up to date with all changes known to be in force on or before 22 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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

(4B) The notice referred to in paragraph (4A) must—

(a) contain such information in relation to the conditions mentioned in paragraph (3) as is prescribed in regulations, and

(b) be in such form and of such dimensions as are so prescribed.]

(5) Any person acting in contravention of paragraph (1), (2) or (3) shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

[^{F3}(6) A holder of a licence acting in contravention of paragraph (4A) shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.]

F1 Words in art. 51(2) inserted (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), ss. 17(2), 47(2); S.R. 2022/63, art. 2, Sch.

F2 Art. 51(4A)(4B) inserted (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), ss. 17(1), 47(2); S.R. 2022/63, art. 2, Sch.

F3 Art. 51(6) inserted (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), ss. 17(3), 47(2); S.R. 2022/63, art. 2, Sch.

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Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- [art. 57B inserted by 2011 c. 18 \(N.I.\) s. 5](#)