
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

Restriction as to sale, etc., of intoxicating liquor for consumption off the premises

50.—(1) The holder of a licence for premises of a kind mentioned in Article 5(1)(a) or an hotel shall not, himself or by his servant or agent, sell intoxicating liquor to, or make it available for purchase by, any person for consumption off the premises on Christmas Day or Easter Day.

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

(3) Paragraph (1) shall not prohibit or restrict the selling of intoxicating liquor for consumption off the premises to a resident in premises of a kind mentioned in Article 5(1)(a) which provides accommodation for guests such as is mentioned in Article 46(3) or an hotel or the taking of it by him from such premises or hotel.

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.

(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.

(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.

Places of public entertainment

52.—(1) Where a place of public entertainment of any description is licensed for the sale of intoxicating liquor, such liquor shall not be sold or made available for purchase there, except where—

- (a) it is sold to, or made available for purchase by, persons employed or attending an entertainment in the premises; and
- (b) other beverages and food are also made available for purchase; and
- (c) any conditions prescribed by regulations applying to places of public entertainment of that description are observed.

(2) If paragraph (1) is contravened the holder of the licence shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

International airports

53.—(1) Where any licensed premises are within the examination station approved under section 22 of the Customs and Excise Management Act 1979 for an airport the Department may, by order, specify the airport as an international airport.

(2) The Department shall not specify an airport as an international airport unless—

- (a) it appears to it that there is a substantial amount of international passenger traffic at the airport; and
- (b) it is satisfied that arrangements have been made for affording reasonable facilities on licensed premises within the examination station referred to in paragraph (1) at the airport for obtaining hot and cold beverages other than intoxicating liquor at all times when such liquor is obtainable for consumption in the premises.

(3) Where it appears to the Department that at any airport specified as an international airport by order under paragraph (1) the arrangements referred to in paragraph (2)(b) are not being maintained, it shall revoke that order in relation to the airport, but without prejudice to its power of making a further order with respect to it.

Seamen's canteens

54.—(1) Where a seamen's canteen is licensed for the sale of intoxicating liquor, such liquor shall not be sold or made available for purchase there, except where—

- (a) it is sold to, or made available for purchase by, persons who are entitled to use the canteen under rules in force under Article 77; and
- (b) other beverages and food are also made available for purchase.

(2) If paragraph (1) is contravened the holder of the licence shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.