

## SCHEDULES

### SCHEDULE 4

Articles 14, 15, 16, 23, 85.

#### APPLICATIONS FOR THE RENEWAL OF LICENCES

### PART I

#### GENERAL PROCEDURE

1. The Department shall, during the month of July in each year, cause notice that licences which expire on 30th September in that year are due for renewal during the month of September to be published at least once in 2 newspapers circulating throughout Northern Ireland.

2. The [<sup>F1</sup>Department of Justice] shall, not less than 6 weeks before the renewal date, cause notice of that date and of the provisions of paragraph 6 to be published in 2 newspapers circulating [<sup>F1</sup>throughout Northern Ireland] .

**F1** Words in Sch. 4 para. 2 substituted (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 110(20)(a) (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k) (with art. 3)

3. A person who intends to make an application for the renewal of a licence for any premises shall, not less than 3 weeks before the renewal date, serve notice of the application upon the clerk of petty sessions <sup>F2</sup>... and at the same time serve a copy of the notice upon—

- (a) the sub-divisional commander of the police sub-division in which the premises are situated;
- (b) where the applicant resides in some other police sub-division, upon the sub-divisional commander of that sub-division;
- (c) the district council for the district in which the premises are situated.

**F2** Words in Sch. 4 para. 3 repealed (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 110(20)(b), Sch. 9 Pt. 1 (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k)(m) (with art. 3)

4. The notices mentioned in paragraph 3 shall specify the kind of premises for which the renewal of the licence is sought and shall be in such form and contain such other information as may be prescribed by magistrates' courts rules.

[<sup>F3</sup>4A. In the case of an application for the renewal of a licence for premises of a kind mentioned in Article 5(1)(m), the notice mentioned in paragraph 3 must be accompanied by a copy of any certificate of registration, licence or other authorisation which is required by a statutory provision for the production of intoxicating liquor in the premises.]

**F3** Sch. 4 Pt. I para. 4A inserted (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), ss. 10(8), 47(2); S.R. 2022/63, art. 2, Sch.

**Changes to legislation:** The Licensing (Northern Ireland) Order 1996, SCHEDULE 4 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

5. A sub-divisional commander upon whom notice is required by paragraph 3 to be served, the district council mentioned in that paragraph or any person owning, or residing or carrying on business in, premises in the vicinity of the premises for which the renewal of the licence is sought may appear at the hearing of the application and object to the renewal of the licence on any ground mentioned in Article 15(2).

6. A person intending to object under paragraph 5 shall not less than 1 week before the renewal date,—

- (a) serve upon the applicant notice of his intention to object, briefly stating his grounds for so doing;
- (b) serve a copy of the notice upon the clerk of petty sessions.

7. Before the renewal date, the applicant shall deposit the licence with the clerk of petty sessions.

## PART II

### PROCEDURE FOR RENEWALS OUT OF TIME

8. Part I shall apply in relation to an application under Article 16 or 23(1) for the renewal of a licence as if—

- (a) where the application is made under Article 16
  - (i) paragraphs 1 and 2 were omitted;
  - (ii) in paragraphs 3, 6 and 7 references to the renewal date were references to the time of the court sitting at which the application is to be made;
- (b) where the application is made under Article 23(1)—
  - (i) paragraphs 1 and 2 were omitted;
  - (ii) in paragraph 3 for “not less than 3 weeks before the renewal date” there were substituted
    - “(a) not more than 6 weeks nor less than 2 weeks before the time of the court sitting at which the application is to be made, cause notice of the application to be published at least once in 2 newspapers circulating in the vicinity of the premises for which the transfer is sought;
    - (b) not less than 3 weeks before that time;”
  - (iii) in paragraphs 6 and 7 references to the renewal date were references to the time of the court sitting at which the application is to be made;

and the requirements of this Schedule shall be taken to be satisfied if the notices mentioned in paragraphs 3 and 6(a) were served by and upon either the holder of the licence or the person who intends to make application for the transfer.

**Changes to legislation:**

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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](#)