

## SCHEDULES

### SCHEDULE 6

Articles 26, 29, 34, 85.

#### APPLICATIONS FOR PROTECTION ORDERS AND AUTHORISATIONS OF TEMPORARY CONTINUANCE OF BUSINESSES

1. In this Schedule “application” means an application for—
  - (a) a protection order; or
  - (b) an order authorising the temporary continuance of a business in premises other than those specified in a licence.
2. A person who intends to make an application shall, not less than 4 days before the time of the court sitting at which the application is to be made, serve notice of the application upon the clerk of petty sessions and at the same time serve a copy of the notice upon the sub-divisional commander of the police sub-division in which the premises to which the application relates are situated.
3. The notice mentioned in paragraph 2 shall specify the kind of premises to which the application relates and shall be in such form and, without prejudice to paragraph 4, shall contain such other information as may be prescribed by magistrates' courts rules.
- 4.—(1) Where the application is for an order authorising the temporary continuance of a business in any premises, the applicant shall attach to—
  - (a) the notice mentioned in paragraph 2, and
  - (b) the copy of that notice which is served upon the sub-divisional commander,a plan of the premises for which the authorisation is sought.
  - (2) The plan mentioned in sub-paragraph (1) shall clearly delineate by appropriate colourings or markings and a legend or key thereto the part or parts of the premises, or, in the case of an hotel, any public or common part or parts of the premises, in which intoxicating liquor is to be sold.
5. The sub-divisional commander upon whom notice is required by paragraph 2 to be served may appear at the hearing of the application and object to the making of the protection order or, as the case may be, the authorisation of the temporary continuance of the business in the premises in question.
6. The court may consider the application, notwithstanding that the procedure set out in this Schedule has not been complied with if, having regard to the circumstances, it is reasonable to do so.

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Licensing (Northern Ireland) Order 1996. Any changes that have already been made by the team appear in the content and are referenced with annotations.

**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):

- Pt. 4A inserted by 2011 c. 18 (N.I.) s. 1(1)
- Pt. 5A inserted by 2014 c. 9 (N.I.) Sch. para. 2
- Sch. 10A inserted by 2011 c. 18 (N.I.) Sch. 1
- Sch. 10A Pt. 1 words inserted by 2016 c. 24 (N.I.) s. 7(3)
- art. 2B inserted by 2011 c. 18 (N.I.) s. 6
- art. 2AA inserted by 2016 c. 24 (N.I.) s. 2(2)
- art. 5(1)(l) inserted by 2016 c. 24 (N.I.) s. 3(2)
- art. 31(1)(d)(ii) words repealed by 2015 c. 9 (N.I.) Sch. 1 para. 110(6) Sch. 9 Pt. 1
- art. 34(1)(ha) inserted by 2011 c. 18 (N.I.) Sch. 3 para. 2
- art. 48(4)(de) inserted by 2016 c. 24 (N.I.) s. 6
- art. 57A inserted by 2011 c. 18 (N.I.) s. 4
- art. 57B inserted by 2011 c. 18 (N.I.) s. 5
- art. 58(11A) (11B) inserted by 2011 c. 18 (N.I.) s. 3(1)
- art. 58(13)(g) inserted by 2016 c. 24 (N.I.) s. 7(2)
- art. 60(7A) (7B) inserted by 2011 c. 18 (N.I.) s. 3(2)
- art. 60B inserted by 2011 c. 18 (N.I.) s. 3(3)
- art. 69A(1) words substituted by 2015 c. 9 (N.I.) Sch. 1 para. 110(15)
- art. 69C(1)(a) word repealed by 2015 c. 9 (N.I.) Sch. 1 para. 110(16)
- art. 69D(1)(b) word repealed by 2015 c. 9 (N.I.) Sch. 1 para. 110(16)
- art. 69E word repealed by 2015 c. 9 (N.I.) Sch. 1 para. 110(16)
- art. 69F(1)-(4) word repealed by 2015 c. 9 (N.I.) Sch. 1 para. 110(16)
- art. 69J(4) words repealed by 2015 c. 9 (N.I.) Sch. 1 para. 110(17) Sch. 9 Pt. 1
- art. 71A-71C inserted by 2011 c. 18 (N.I.) s. 2(1)
- art. 77A(2A) inserted by 2016 c. 24 (N.I.) s. 4(3)(b)

**Commencement Orders yet to be applied to the The Licensing (Northern Ireland) Order 1996**

Commencement Orders bringing legislation that affects this Order into force:

- S.R. 2012/28 art. 2 commences (2011 c. 18 (N.I.))
- S.R. 2012/48 art. 2 commences (2011 c. 18 (N.I.))
- S.R. 2012/405 art. 2 Sch. commences (2011 c. 18 (N.I.))
- S.R. 2012/420 art. 2 commences (2011 c. 18 (N.I.))
- S.R. 2015/49 art. 2 3 Sch. 1 commences (2011 c. 25 (N.I.))
- S.R. 2016/203 art. 2 commences (2016 c. 2 (N.I.))
- S.R. 2016/387 art. 2 commences (2015 c. 9 (N.I.))