

2016 No. 405

MAGISTRATES' COURTS

**The Magistrates' Courts (Licensing) (Amendment) Rules
(Northern Ireland) 2016**

Made - - - - - *21st November 2016*

Coming into operation - *19th December 2016*

The Magistrates' Courts Rules Committee makes and the Department of Justice, after consultation with the Lord Chief Justice, allows the following Rules in exercise of the powers conferred by Article 13 of the Magistrates' Courts (Northern Ireland) Order 1981(a) and paragraph 4 of Schedule 4, paragraph 2 of Schedule 5, paragraph 3 of Schedule 6, paragraph 3 of Schedule 9 and paragraph 3 of Schedule 10 to the Licensing (Northern Ireland) Order 1996(b) and all other powers enabling them in that behalf.

Citation, commencement and interpretation

1.—(1) These Rules may be cited as the Magistrates' Courts (Licensing) (Amendment) Rules (Northern Ireland) 2016 and shall come into operation on 19th December 2016.

(2) In these Rules, “the principal Rules” means the Magistrates' Courts (Licensing) Rules (Northern Ireland) 1997(c), a reference to a Rule by number means the Rule so numbered in the principal Rules and any reference to a Form by number is a reference to that Form so numbered in the Schedule to the principal Rules.

Amendments to the principal Rules

2. In Rule 5(4)(d), after “indoor arena”, insert “or outdoor stadium”.

3. In Rule 14A—

- (a) in the heading, after “INDOOR ARENA” insert “AND OUTDOOR STADIUM”; and
- (b) omit “for an indoor arena” in each place it occurs.

4. In the Schedule—

- (a) in Forms 1, 3 and 4, after “wholly or substantially surrounding that area]” insert—

“**5.**—(1) (1) an outdoor stadium i.e. any premises (a) which are structurally adapted and used, or intended to be used, for the purpose of providing a venue primarily for a variety of outdoor sporting events and activities, (b) which include one or more areas for indoor

(a) S.I. 1981/1675 (N.I. 26); Article 13 was amended by paragraph 65 of Schedule 5 to the Constitutional Reform Act 2005 (c.4); paragraph 133 of Schedule 18 to the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976) and paragraph 4 of the Schedule to the Northern Ireland (Miscellaneous Provisions) Act 2014 (c.13)

(b) 1996 No. 3158; to which relevant amendments were made by the Licensing (Indoor Arenas) (Northern Ireland) Order 2004 (S.I. 2004/1994) (N.I. 17) and the Licensing Act (Northern Ireland) 2016 (c. 24)

(c) S.R. 1997 No. 62; as amended by S.R. 2004 No. 451

events and activities, and (c) which are designated in Regulations as a stadium which the Department considers to be of importance to the whole of Northern Ireland.”

- (b) in Form 2, in note 3(e)(ii), for “(k)” substitute “(l)”;
- (c) in Form 5, in note 3(d), for “(j)” substitute “(l)”;
- (d) in Form 6, for “(k)” substitute “(l)”;
- (e) in Forms 8 and 14, after “[5(1)(k)]” insert “5[1][l]”;
- (f) in Forms 17 and 18, after “[an indoor arena]” insert “[an outdoor stadium]”;
- (g) in Forms 22 and 23, for “indoor arena” in each place where it occurs, substitute “[indoor arena][outdoor stadium]”.

William A McNally
Marc Little
Peter Luney
Eoghan McKenna
Ciaran McQuillan

Dated 10th November 2016

In exercise of the powers conferred by Article 13 of the Magistrates’ Courts (Northern Ireland) Order 1981, I allow these Rules.

Sealed with the Official Seal of the Department of Justice on 21st November 2016

Claire Sugden
Minister of Justice

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the Magistrates' Courts (Licensing) Rules (Northern Ireland) 1997 (S.R. 1997 No. 62) in consequence of the Licensing Act (Northern Ireland) 2016 (c. 24) which adds an outdoor stadium to the types of premises for which a court may grant a licence for the retail sale of intoxicating liquor. In particular, to prescribe the procedure for an application to attach, vary or remove conditions in respect of a licence for an outdoor stadium.

© Crown copyright 2016

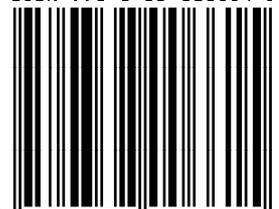
Printed in the UK by The Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office being the Government Printer for Northern Ireland and the Officer appointed to print Acts of the Northern Ireland Assembly.

£4.25

NI201611217 11/2016 19585

<http://www.legislation.gov.uk/id/nisr/2016/405>

ISBN 978-0-33-800661-5



9 780338 006615