

*Draft Order in Council laid before Parliament under the Northern Ireland Act 1974, Schedule 1
paragraph 1(4)(a), for approval by resolution of each House of Parliament.*

DRAFT STATUTORY INSTRUMENTS

1999 No. (N.I.)

NORTHERN IRELAND

Licensing and Registered Clubs (Northern Ireland) Order 1999

Made - - - - 1999
Coming into operation 1999

At the Court at the day of 1999

Present,

The Queen's Most Excellent Majesty in Council

Whereas a draft of this Order has been approved by a resolution of each House of Parliament:

Now, therefore, Her Majesty, in exercise of the powers conferred by paragraph 1 of Schedule 1 to the Northern Ireland Act 1974 and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

PART I

INTRODUCTORY

Title and commencement

1.—(1) This Order may be cited as the Licensing and Registered Clubs (Northern Ireland) Order 1999.

(2) This Order comes into operation on the expiration of one week from the day on which it is made.

Interpretation

2. The Interpretation Act (Northern Ireland) 1954 shall apply to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

PART II

NEW YEAR (MILLENNIUM) HOURS FOR LICENSED PREMISES, ETC.

Interpretation of Part II

3. In this Part “the Licensing Order” means the Licensing (Northern Ireland) Order 1996 and expressions used in this Part which are used in the Licensing Order have the same meaning in this Part as they have in that Order.

Licensed premises

4.—(1) This Article applies to any licensed premises except—

- (a) licensed premises which are premises of a kind mentioned in paragraph (1)(b) or (h) of Article 5 of the Licensing Order (off-licences and places of public entertainment);
- (b) any part of premises mentioned in Article 5(1)(a) of the Licensing Order in respect of which an order has been made under Article 43(1) of that Order (alternative permitted hours for off-sales).

(2) The hours between 11 in the evening of 31st December 1999 and half past 11 in the morning of 1st January 2000 shall, in addition to the hours mentioned in Article 42(1) of the Licensing Order, be included in the permitted hours for licensed premises to which this Article applies for the purposes of

- (a) the sale and purchase of intoxicating liquor for consumption; and
- (b) the consumption of intoxicating liquor,

on any part or parts of those premises.

(3) Any order made under Article 44(1) of the Licensing Order and applying to any licensed premises to which this Article applies shall not apply to those premises during the hours between 11 in the evening of 31st December 1999 and 1 in the morning of 1st January 2000.

(4) Where the hours between 11 in the evening of 31st December 1999 and 1 in the morning of 1st January 2000 are included in the permitted hours for any licensed premises to which this Article applies by virtue of an authorisation granted under Article 45 of the Licensing Order, that authorisation—

- (a) shall have no effect; and
- (b) shall not be taken into account in calculating the number of authorisations granted under that Article to any holder of a licence in any year.

(5) Any extension licence granted under Article 47 of the Licensing Order in respect of any licensed premises to which this Article applies shall not apply during any hours which—

- (a) are specified in the extension licence; and
- (b) are hours between half past 11 in the morning of 31st December 1999 and 1 in the morning of 1st January 2000.

(6) Any function organised by a licence holder during any hours between half past 11 in the morning of 31st December 1999 and 1 in the morning of 1st January 2000 shall not be taken into account in calculating the number of functions organised by a licence holder in any one year for the purposes of paragraph (5) of Article 47 of the Licensing Order.

(7) This Article applies to—

- (a) any licence or authorisation whether granted before or after the coming into operation of this Order;
- (b) any order whether made before or after the coming into operation of this Order.

Places of public entertainment

5. That part of the hours between 11 in the evening of 31st December 1999 and half past 11 in the morning of 1st January 2000 which comprises—

- (a) the period of an entertainment; and
- (b) periods, not exceeding 30 minutes in each case, which immediately precede the commencement and immediately succeed the termination of an entertainment,

shall be added to the permitted hours for a place of public entertainment.

Occasional licences

6.—(1) Where an occasional licence granted under Article 30 of the Licensing Order specifies any hours which—

- (a) begin on 31st December 1999; and
- (b) end on that day or 1st January 2000,

those hours shall notwithstanding anything contained in the licence, be deemed to end at half past 11 in the morning of 1st January 2000.

(2) This Article applies to an occasional licence whether granted before or after the coming into operation of this Order.

PART III

NEW YEAR (MILLENNIUM) HOURS FOR REGISTERED CLUBS

Interpretation of Part III

7. In this Part “the Registration of Clubs Order” means the Registration of Clubs (Northern Ireland) Order 1996 and expressions used in this Part which are used in the Registration of Clubs Order have the same meaning in this Part as they have in that Order.

Registered clubs other than nightworkers clubs

8.—(1) The hours between 11 in the evening of 31st December 1999 and half past 11 in the morning of 1st January 2000 shall, in addition to the hours mentioned in Article 24(1) of the Registration of Clubs Order, be included in the permitted hours for a registered club other than a nightworkers club.

(2) Where the hours between 11 in the evening of 31st December 1999 and 1 in the morning of 1st January 2000 are included in the permitted hours for a registered club other than a nightworkers club by virtue of an authorisation granted under Article 26(1) of the Registration of Clubs Order that authorisation—

- (a) shall have no effect; and
- (b) shall not be taken into account in calculating the number of authorisations granted under that Article to any club in any year.

(3) Paragraph (2) applies to an authorisation whether granted before or after the coming into operation of this Order.

Nightworkers clubs

9.—(1) The hours described in paragraph (2) shall be added to the permitted hours in a nightworkers club.

(2) The hours mentioned in paragraph (1) are the hours which are specified in a notice in writing served on or before 23rd December 1999 by the secretary of the club on the sub-divisional commander for the police sub-division in which the premises of the club are situated and the hours so specified shall—

- (a) follow the end of the permitted hours in the club on 31st December 1999; and
- (b) not exceed 12½ hours.

(3) Where any hours are included in the permitted hours for a nightworkers club on 31st December 1999 by virtue of an authorisation granted under Article 26 of the Registration of Clubs Order, that authorisation—

- (a) shall have no effect;
- (b) shall not be taken into account in calculating the number of authorisations granted to the club in any year; and
- (c) shall be disregarded in determining for the purposes of paragraph (2)(a) when any permitted hours end.

(4) Paragraph (3) applies to an authorisation whether granted before or after the coming into operation of this Order.

(5) The rules of a nightworkers club or Article 5(8)(b) of the Registration of Clubs Order shall not prohibit the admission of guests of members to, or their presence in, the premises of the club during any hours added by paragraph (1).

Clerk of the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order)

This Order authorises the sale and supply of intoxicating liquor in certain premises (other than off-licences) for additional hours on New Year's Eve 1999.