
STATUTORY INSTRUMENTS

1992 No. 1726

The Licensing (Validation) (Northern Ireland) Order 1992

Validation of certain protection orders, renewals, transfers, etc.

3.—(1) Where, notwithstanding sections 23 and 24 of the Licensing Act (Northern Ireland) 1971⁽¹⁾ or Articles 28 and 29 of the Licensing (Northern Ireland) Order 1990, during the period from 3rd May 1971 until the day on which this Order is made, in connection with any licence, more than one protection order has been made in favour of a person, other than a person to whom section 24(2) of that Act or, as the case may be, Article 29(2) of that Order applies (protection order made to carry on business under licence where holder of licence has become incapable through illness or other infirmity),—

- (a) any such second, and if the case so requires, subsequent protection order made in favour of that person shall be deemed to have been validly made; and
- (b) any renewal or transfer of the licence during that period, and any licence granted or issued on the surrender of the licence during that period, shall be valid and effective.

(2) Where, during the period from 3rd May 1971 until the day on which this Order is made, in connection with any licence,—

- (a) notwithstanding sections 23 and 24 of the Licensing Act (Northern Ireland) 1971⁽²⁾ or Articles 28 and 29 of the Licensing (Northern Ireland) Order 1990⁽³⁾, one or more than one protection order has been made in favour of a person on whom authority to carry on business under the licence has been conferred by section 25(1) of that Act or Article 30(1) of that Order (temporary continuance on death, bankruptcy, etc.); or
- (b) that person has carried on business under the licence by virtue of that section 25(1) or Article 30(1) for an indefinite period,

then—

- (i) any such protection order and, if the case so requires, subsequent protection order shall be deemed to have been validly made; and
- (ii) any renewal or transfer of the licence during that first-mentioned period, and any licence granted or issued on the surrender of the licence during that first-mentioned period, shall be valid and effective.

(1) 1971 c. 13 (N.I.)
(2) 1971 c. 13 (N.I.)
(3) 1990 NI 6