

Draft Order laid before Parliament under section 1(4) of the Deregulation and Contracting Out Act 1994 for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2002 No.

DEREGULATION, ENGLAND AND WALES

The Deregulation (Restaurant Licensing Hours) Order 2002

<i>Made</i>	- - - -	<i>2002</i>
<i>Coming into force</i>	- -	<i>2002</i>

Whereas:

- (a) the Secretary of State is of the opinion that certain provisions of the Licensing Act 1964(1) which are the subject of this Order impose burdens affecting persons in the carrying on of a trade, business, profession or otherwise and that by amending or repealing the provisions concerned and by making certain other provision it is possible to remove or reduce the burdens without removing any necessary protection;
- (b) the Secretary of State has consulted such organisations as appear to the Secretary of State to be representative of interests substantially affected by the Secretary of State’s proposals and such other persons as the Secretary of State considers appropriate;
- (c) it appears to the Secretary of State that it is appropriate, following that consultation, to proceed with the making of this Order;
- (d) a document setting out the Secretary of State’s proposals has been laid before Parliament as required by section 3 of the Deregulation and Contracting Out Act 1994(1) and the period for parliamentary consideration under section 4 of that Act has expired;
- (e) the Secretary of State has had regard to the representations made during that period;
- (f) a draft of this Order has been laid before Parliament with a statement giving details of those representations and the changes to the Secretary of State’s proposals in the light of those representations; and
- (g) a draft of this Order has been approved by resolution of each House of Parliament;

Now, therefore, the Secretary of State, in exercise of the powers conferred upon her by section 1 of the Deregulation and Contracting Out Act 1994, hereby makes the following Order:

- 1.—(1) This Order may be cited as the Deregulation (Restaurant Licensing Hours) Order 2002.
- (2) This Order shall come into force 28 days after the day on which it is made.

(1) 1994 c. 40.
(1) 1994 c. 40.

(3) This Order does not extend to Scotland or Northern Ireland.

2. In section 95(3) of the Licensing Act 1964⁽²⁾ (permitted hours in premises for which restaurant or residential and restaurant licence is in force) for the words “paragraph (a)” substitute “Paragraphs (a) and (b)”.

2002

Parliamentary Under-Secretary of State
Department for Culture, Media and Sport

(2) Section 95 was amended by section 19 of and Schedules 3 and 4 to the Licensing Act 1988 (c. 17).

EXPLANATORY NOTE

(This note is not part of the Order)

This order is made under section 1 of the Deregulation and Contracting Out Act 1994. Article 2 removes the requirement in section 95 of the Licensing Act 1964 for the licensee of a restaurant which serves alcohol with meals until midnight on weekdays and 11.30pm on Sundays to obtain a supper hours certificate.