

Status: Point in time view as at 01/01/2013.

Changes to legislation: There are currently no known outstanding effects for the Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2011. (See end of Document for details)

SCHEDULES

SCHEDULE 1

Section 2(2).

SCHEDULE TO BE INSERTED IN LICENSING ORDER AS SCHEDULE 10A

Commencement Information

- I1** Sch. 1 in operation at 1.5.2012 for specified purposes by S.R. 2012/48, art. 2, Sch.
I2 Sch. 1 in operation at 10.12.2012 for specified purposes by S.R. 2012/420, art. 2, Sch.
I3 Sch. 1 in operation at 1.1.2013 for specified purposes by S.R. 2012/405, art. 2, Sch.

“SCHEDULE 10A

TABLE OF OFFENCES WITH PENALTY POINTS

PART 1

OFFENCES PUNISHABLE WITH LEVEL 3 FINE ON THE STANDARD SCALE

Article of Order	General nature of offence	Penalty points
30(8)	Selling of intoxicating liquor etc. otherwise than in accordance with an occasional licence	3-4
30(9)	Failure to admit constable where there is an occasional licence	3-4
47(7)	Selling of intoxicating liquor etc. otherwise than during hours or in premises specified in an extension licence	3-4
50(2)	Selling etc. of intoxicating liquor for consumption off the	3-4

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	premises on Christmas Day or Easter Day	
51(5)	Failure to comply with conditions as to sale etc. in guest houses and restaurants	3-4
52(2)	Failure to comply with conditions as to sale etc. in places of public entertainment	3-4
52A(2)	Failure to comply with conditions as to sale etc. in indoor arenas	3-4
54(2)	Failure to comply with conditions as to sale etc. in seamen's canteens	3-4
56(2)	Permitting consumption of intoxicating liquor in unlicensed part of premises	3-4
57(1) or (2)	Breaching terms of off-licence	3-4
60B(4)	Failure to display notice relating to age	3-4
65(1)	Allowing prostitutes to assemble on licensed premises	3-4
69A(4)	Keeping premises open after closure made under Article 69A	3-4
80(5)	Failure to comply with licence for non-seagoing vessels	3-4

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PART 2

OFFENCES PUNISHABLE WITH LEVEL 4 FINE ON THE STANDARD SCALE

Article of Order	General nature of offence	Penalty points
5(6)	Failure to comply with licence in respect of certain premises	4-5
58(10)	Allowing person under 18 to be in licensed premises in contravention of Article 58(2) or (8)	4-5
61(1)	Permitting drunkenness, or selling intoxicating liquor to a drunken person	4-5
71(2)	Failure to admit constable etc.	4-5

PART 3

OFFENCES PUNISHABLE WITH LEVEL 5 FINE ON THE STANDARD SCALE

Article of Order	General nature of offence	Penalty points
3(2)	Selling etc. intoxicating liquor in premises not authorised by a licence	5-6
8(4)	Failure to comply on grant of licence with court order to make alterations etc.	5-6
31(6)	Failure to comply with court order to restore premises as far as possible to original condition	5-6

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41(2)	Selling intoxicating liquor etc., otherwise than during permitted hours	5-6
55(2)	Selling liquor etc. other than of certain kind	5-6
57A(5)	Contravention of regulations as to irresponsible drinks promotions	5-6
57B(2)	Contravention of regulations as to pricing of intoxicating liquor	5-6
60(6)	Selling of intoxicating liquor etc. to person under 18 in contravention of Article 60(1)	5-6
67(3)	Supplying etc. intoxicating liquor at any entertainment	5-6
68(3)	Supplying etc. intoxicating liquor in premises used by a club	5-6
69B(6)	Permitting premises to be open in contravention of closure order under Article 69B	5-6
69F(5)	Permitting premises to be open etc. in contravention of court's decision about closure order	5-6"

SCHEDULE 2

Section 8(4).

SCHEDULE TO BE SUBSTITUTED IN REGISTRATION OF CLUBS ORDER FOR SCHEDULE 6

Commencement Information

I4 [Sch. 2](#) in operation at 1.5.2012 for specified purposes by [S.R. 2012/48](#), art. 2, [Sch.](#)

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- I5** Sch. 2 in operation at 10.12.2012 for specified purposes by S.R. 2012/420, art. 2, Sch.
I6 Sch. 2 in operation at 1.1.2013 for specified purposes by S.R. 2012/405, art. 2, Sch.

“SCHEDULE 6

TABLE OF OFFENCES WITH PENALTY POINTS

PART 1

OFFENCES PUNISHABLE WITH LEVEL
3 FINE ON THE STANDARD SCALE

Article of Order	General nature of offences	Penalty points
31(1)	Misconduct of club	3-4
34A(4)	Failure to display notice relating to age	3-4
40(2A)	Contravention of regulations concerning accounts	3-4
41A(4)	Keeping premises open after order made under Article 41A	3-4

PART 2

OFFENCES PUNISHABLE WITH LEVEL
4 FINE ON THE STANDARD SCALE

Article of Order	General nature of offences	Penalty points
29(2)	Permitting unauthorised persons to be on premises	4-5
30(3)	Holding an unauthorised function on the premises	4-5
31(3)	Contravention of provisions of Schedule 1 which are included in the club's rules	4-5

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32(10)	Allowing person under 18 to be in club premises, or bar of club premises etc.	4-5
35(2)	Permitting drunkenness etc.	4-5
38(1)(a) and (b)	Failure to comply with restrictions on advertisements relating to functions in registered clubs	4-5
42(2)	Failure to admit constable or produce books and records, etc.	4-5
42(6)	Failure to comply with written notice to produce books, etc.	4-5

PART 3

OFFENCES PUNISHABLE WITH LEVEL 5 FINE ON THE STANDARD SCALE

Article of Order	General nature of offences	Penalty points
22(2)	Supply etc. of intoxicating liquor outside permitted hours	5-6
23(2)	Failure to keep bar closed outside permitted hours	5-6
28(2)	Supply of intoxicating liquor to persons other than permitted persons	5-6
31A(4)	Contravention of regulations as to irresponsible drinks promotions	5-6
31B(2)	Contravention of regulations as to pricing of intoxicating liquor	5-6

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34(2)	Supply etc. of intoxicating liquor to person under 18	5-6
40(2)	Failure to comply with requirement to—	
	(1) keep proper vouchers	5-6
	(2) establish and maintain a system of control	5-6
	(3) prepare annual accounts	5-6
	(4) have accounts audited or examined	5-6
	(5) produce required records etc. to auditor or independent examiner	5-6
	(6) provide summary of accounts to district commander	5-6
	(7) provide summary of accounts to members	5-6
	(8) display accounts for 4 weeks	5-6
	(9) retain records for 6 years	5-6
41B(6)	Permitting premises to be kept open after closure order under Article 41B	5-6
41F(5)	Permitting premises to be kept open etc. in	5-6”

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contravention of court's
decision about closure
order

SCHEDULE 3

Section 17(1).

AMENDMENTS

Commencement Information

I7 Sch. 3 in operation at 1.5.2012 by [S.R. 2012/48](#), [art. 2](#), [Sch.](#)

The Licensing (Northern Ireland) Order 1996 (NI 22)

1 In Article 2(2) (interpretation)—

- (a) in the definition of “licence”, after the word “Articles” insert “ 57A, 57B, ”;
- (b) in the definition of “licensed premises”, after “55,” insert “ 57A, 57B, ”.

Commencement Information

I8 Sch. 3 para. 1 in operation at 1.5.2012 by [S.R. 2012/48](#), [art. 2](#), [Sch.](#)

2 In Article 34(1) (register of licences), after sub-paragraph (h) insert—

- “(ha) particulars of any conviction of the licence holder of any offence under this Order and of any penalty points endorsed on the licence or any suspension order made in consequence of the conviction;”.

Commencement Information

I9 Sch. 3 para. 2 in operation at 1.5.2012 by [S.R. 2012/48](#), [art. 2](#), [Sch.](#)

3 In Article 58(11) (young persons prohibited from certain premises), for “(7)” substitute “ (8) ”.

Commencement Information

I10 Sch. 3 para. 3 in operation at 1.5.2012 by [S.R. 2012/48](#), [art. 2](#), [Sch.](#)

4 For Article 76(2) (appeals against suspension of licence, etc.) substitute—

- “(2) When on conviction of an offence a licence is suspended the suspension shall not take effect—

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- (a) until the expiry of the time for bringing an appeal against the conviction or against the suspension; and
- (b) if such an appeal is brought, until the appeal has been determined or abandoned.”.

Commencement Information

I11 Sch. 3 para. 4 in operation at 1.5.2012 by [S.R. 2012/48](#), [art. 2](#), [Sch.](#)

The Registration of Clubs (Northern Ireland) Order 1996 (NI 23)

5 In Article 2(2) (interpretation) in the definition of “regulations” after “subject” insert “ (except as otherwise provided in this Order) ”.

Commencement Information

I12 Sch. 3 para. 5 in operation at 1.5.2012 by [S.R. 2012/48](#), [art. 2](#), [Sch.](#)

6 In Article 3(2)(b) (restriction on supply etc. of intoxicating liquor on the premises of a club), after head (i) insert—

- (ia) the suspension of the registration; or”.

Commencement Information

I13 Sch. 3 para. 6 in operation at 1.5.2012 by [S.R. 2012/48](#), [art. 2](#), [Sch.](#)

7 In Article 16 (register of clubs) in paragraph (2)(e) for “or any disqualification order” substitute “ or any suspension or disqualification order ”.

Commencement Information

I14 Sch. 3 para. 7 in operation at 1.5.2012 by [S.R. 2012/48](#), [art. 2](#), [Sch.](#)

8 In Article 49 (procedure in connection with cancellation and disqualification)

- (a) for the heading substitute “ **Procedure in connection with suspension, cancellation and disqualification** ”;
- (b) in paragraph (1) for “A court which cancels” substitute “ A court which suspends or cancels ”;
- (c) in paragraph (3)—
 - (i) for “cancels” substitute “ suspends or cancels ”;
 - (ii) after “send notice of the” insert “ suspension, ”.

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Commencement Information

I15 Sch. 3 para. 8 in operation at 1.5.2012 by [S.R. 2012/48](#), [art. 2](#), [Sch.](#)

SCHEDULE 4

Section 17(2).

REPEALS

Commencement Information

I16 [Sch. 4](#) in operation at 1.5.2012 by [S.R. 2012/48](#), [art. 2](#), [Sch.](#)

Short Title	Extent of repeal
The Licensing (Northern Ireland) Order 1996 (NI 22).	<p>Article 49.</p> <p>In Article 73, paragraph (1)(a), in paragraph (2)(a)(i) the words from “other than an offence” to “that sub-paragraph,”, and paragraph (3).</p> <p>Article 74(b) and the word “or” immediately preceding it.</p> <p>In Article 75, in paragraph (2) the words “or makes an order under Article 73(3)”, in paragraph (3)(b) the words “subject to paragraph (4)”, and paragraph (4).</p>
The Registration of Clubs (Northern Ireland) Order 1996 (NI 23).	<p>In Article 15(1)(b), the words “or 45(1)”.</p> <p>In Article 40(1)(b), the word “prescribed”.</p> <p>In Article 40(1), sub-paragraphs (f) and (j).</p> <p>In Article 44(1), sub-paragraph (b) and the word “and” immediately preceding it.</p>

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