
STATUTORY INSTRUMENTS

1996 No. 3158

The Licensing (Northern Ireland) Order 1996

PART II

THE GENERAL LICENSING SYSTEM

Grant of licences

Duration of new licences

13.—(1) Subject to the succeeding provisions of this Article, a licence shall, unless suspended, remain in force from the date on which it is granted until—

- (a) the expiration of—
 - (i) the then current licensing period, or
 - (ii) such lesser period ending on 30th September as the court shall determine, or
- (b) if it is granted within the 3 months immediately preceding the expiration of the then current licensing period, the expiration of—
 - (i) the next following licensing period, or
 - (ii) such lesser period ending on 30th September as the court shall determine.

(2) Where, at the hearing of an application for the grant of a licence, any person appears before the court and opposes the grant, but the court grants the licence,—

- (a) until the expiry of the time for bringing an appeal against the grant and, if an appeal is brought, until the grant is confirmed or the appeal is abandoned—
 - (i) the licence granted shall not come into force, and
 - (ii) the licence, if any, which has been surrendered shall not cease to be in force;
- (b) if on appeal the grant is confirmed or if the appeal is abandoned, for the purpose of determining the period for which the licence is to be in force, the date when the appeal is disposed of shall be substituted for the date on which the licence was granted or for any other date earlier than the first-mentioned date on which the licence is expressed under Article 12(2) to come into force, and the chief clerk shall (if necessary) amend the licence accordingly;
- (c) if on appeal the grant is not confirmed, the licence, if any, which has been surrendered shall, unless suspended, continue in force until the expiration of a period of 8 weeks after the appeal is determined, if it would have earlier ceased to be in force but for the provisions of this sub-paragraph.

(3) Where a licence granted provisionally is at any time declared final, paragraphs (1) and (2) shall apply as if the licence were granted at that time.

(4) Paragraph (1) shall not prejudice the operation of paragraph (2)(c) and Articles 20, 25(b), 26(7) and 28, under which a licence may, or may be deemed to, continue in force after the time when it would otherwise expire.

(5) Where, on granting a licence, a county court gives a direction under Article 7(13) and the holder of the licence appeals against that direction, the direction shall not take effect until the appeal is determined or abandoned.