
STATUTORY INSTRUMENTS

1996 No. 3158

The Licensing (Northern Ireland) Order 1996

PART III

PERMITTED HOURS

Extension licences

Suitability of certain premises for functions

48.—(1) In respect of premises to which this Article applies,—

- (a) a county court which grants a licence or declares a licence provisionally granted to be final, on the application of the person applying for the grant or declaration, or
- (b) a court of summary jurisdiction, at any time, upon the application of the holder of the licence for those premises made in compliance with the procedure set out in Schedule 9,

may, by order, specify any part of the premises as being suitable for functions such as are mentioned in Article 47(5).

(2) A court shall not make an order under paragraph (1) unless it is satisfied—

- (a) that the part of the premises specified in the order is suitable for functions; and
- (b) that—
 - (i) that part of the premises is structurally adapted and used or intended to be used for the purpose of providing for the accommodation of persons frequenting it substantial refreshment to which the sale of intoxicating liquor is ancillary; and
 - (ii) suitable means of access to that part of the premises, otherwise than through any other part of the premises which is used for the sale of intoxicating liquor, are available for customers.

(3) An order under paragraph (1) may be revoked by a court of summary jurisdiction—

- (a) on the application of the holder of the licence; or
 - (b) where, on complaint made under Part VIII of the Magistrates' Courts (Northern Ireland) Order 1981 the court is not satisfied that the requirements of paragraph (2)(a) and
- (b) have continued to be complied with.

(4) The premises to which this Article applies are—

- (a) an hotel;
- (b) a restaurant;
- (c) a conference centre;
- (d) a higher education institution;

- (e) any part of premises of a kind mentioned in Article 5(1)(a) which are structurally adapted and used, or intended to be used, for the purpose of providing persons frequenting the premises with a main table meal at midday or in the evening, or both.