

Changes to legislation: *The Licensing (Northern Ireland) Order 1996, SCHEDULE 12 is up to date with all changes known to be in force on or before 22 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

SCHEDULES

SCHEDULE 12

Article 85(3).

TRANSITIONAL PROVISIONS AND SAVINGS

1.—(1) Where, immediately before 15th June 1990, the authority conferred by a licence was limited to the sale of intoxicating liquor of a particular kind or kinds, and that licence was, by virtue of paragraph 1(1) of Schedule 12 to the Licensing (Northern Ireland) Order 1990 on and after that date, authority for the sale of intoxicating liquor of any kind, then, notwithstanding the repeal of that paragraph 1(1) by Article 85(4) and Schedule 13, that licence shall continue to be authority for the sale of intoxicating liquor of any kind.

(2) Where, immediately before 15th June 1990, more than one licence limited as mentioned in sub-paragraph (1) was in force for any premises, and those licences were, by virtue of paragraph 1(2) of Schedule 12 to the Order of 1990 on and after that date, deemed to be a single licence, then, notwithstanding the repeal of that paragraph 1(2) by Article 85(4) and Schedule 13, those licences shall continue to be deemed to be a single licence.

2.—(1) Where, notwithstanding sections 23 and 24 of the Licensing Act (Northern Ireland) 1971 or Articles 28 and 29 of the Licensing (Northern Ireland) Order 1990, during the period from 3rd May 1971 until 15th July 1992, 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 15th July 1992, in connection with any licence,—

- (a) notwithstanding sections 23 and 24 of the Licensing Act (Northern Ireland) 1971 or Articles 28 and 29 of the Licensing (Northern Ireland) Order 1990, 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.

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3. The provisions in this Schedule shall have effect without prejudice to section 29 of the Interpretation Act (Northern Ireland) 1954.

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Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- [art. 57B inserted by 2011 c. 18 \(N.I.\) s. 5](#)