

## **EXPLANATORY MEMORANDUM TO**

### **The Licensing (Irresponsible Drinks Promotions) Regulations (Northern Ireland) 2012**

**SR 2012 No. 435**

#### **1. Introduction**

- 1.1. This Explanatory Memorandum has been prepared by the Department for Social Development to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.
- 1.2. The Statutory Rule is made under The Licensing (Northern Ireland) Order 1996 (the Order) and is subject to the draft affirmative resolution procedure.

#### **2. Purpose**

- 2.1. The Statutory Rule will prohibit a licensed premises from carrying out any drinks promotions which involve the supply of unlimited amounts of intoxicating liquor for a fixed charge (including any charge for entry to the premises) on or in connection with the licensed premises.

#### **3. Background**

- 3.1. There has been much public concern about irresponsible drinks promotions for some time and in particular the impact they have on the behaviour and health of young people. The Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2011 gives the Department the powers to ban certain irresponsible drinks promotions. It is believed that the introduction of the Licensing (Irresponsible Drinks Promotions) Regulations (Northern Ireland) 2012 will ban pricing promotions such as, "all you can drink for £20" from all licensed premises and will help put an end to irresponsible drinks promotions.

#### **4. Consultation**

- 4.1. During the passage of the Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2011 a commitment was given that the detail of regulations to tackle irresponsible drinks promotions would be subject to public consultation. The proposed Statutory Rule was consulted on during an 8 week period from 12 March 2012 to 7 May 2012. The key findings of the consultation on the proposed Statutory Rule indicated strong agreement for the proposed restriction on promotions that involve the supply of unlimited amounts of intoxicating liquor for a fixed charge, e.g. "all you can drink for £20".

#### **5. Equality Impact**

- 5.1. In accordance with its duty under Section 75 of the Northern Ireland Act 1998 the Department has conducted a screening exercise on the legislative proposals for these Regulations. The Department has concluded that the proposals would not have significant implications for equality of opportunity and therefore considered an Equality Impact Assessment was

not necessary. Views and comments were sought on any relevant equality issues during the 8 week consultation on the Statutory Rule from 12 March 2012 to 7 May 2012. There were no equality issues raised.

## **6. Regulatory Impact**

6.1. These Regulations do not require a Regulatory Impact Assessment as they have only a negligible impact on costs for licensed premises to sell intoxicating liquor to its customers. The Department considered the potential regulatory impacts as part of the consultation on the Statutory Rule from 12 March 2012 to 7 May 2012. There were no regulatory impact issues raised.

## **7. Financial Implications**

7.1. No financial implications.

## **8. Section 24 of the Northern Ireland Act 1998**

8.1. The Department has considered section 24 of the Northern Ireland Act 1998 and is satisfied that the Statutory Rule is not incompatible with the convention rights, is not incompatible with community law, does not discriminate against a person or class of person on the grounds of religious belief or political opinion and does not modify an enactment in breach of section 7 of the Northern Ireland Act 1998.

## **9. EU Implications**

9.1. Not applicable.

## **10. Parity or Replicatory Measure**

10.1. The Scottish Parliament introduced a similar regulation in Scotland in October 2011. Although no similar regulations exist in England and Wales the UK Coalition Government have recently launched their new Alcohol Strategy which aims to reduce binge-drinking in a bid to drive down crime and tackle health related issues in England and Wales.

## **11. Additional Information**

11.1. Not applicable.