

EXPLANATORY MEMORANDUM TO

The Licensing (Notice Relating to Local Producer's Premises - Authorisation for On-Sales) Regulations (Northern Ireland) 2022

SR 2022 No. 154

1. Introduction

- 1.1. This Explanatory Memorandum has been prepared by the Department for Communities to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.
- 1.2. The Statutory Rule is made under Article 52F(9) of the Licensing (Northern Ireland) Order 1996 ("the 1996 Order") and is subject to the negative resolution procedure.

2. Purpose

- 2.1. The Statutory Rule prescribes the notice that producers of intoxicating liquor must display when selling intoxicating liquor which has been produced in their premises, in those premises, for consumption in the premises, and the information the notice must contain.

3. Background

- 3.1. Under the 1996 Order certain kinds of premises may be granted a licence to sell intoxicating liquor to the public. The Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 ("the Act") amends the 1996 Order to add the premises in which intoxicating liquor is produced to the kinds of premises which may be granted a liquor licence.
- 3.2. A licence holder is only authorised to sell their intoxicating liquor for consumption off the production premises unless a suitability order under Article 52E of the Order (inserted by section 11 of the Act) has been granted, and an authorisation for specific dates has been granted under Article 52F.
- 3.3. The permitted hours for an Article 52F authorisation are between the hours of 4pm and 10pm and an authorisation cannot authorise the sale of intoxicating liquor on Christmas Day. An exception in Article 46 of the 1996 Order allows for consumption up to 60 minutes after the end of the permitted hours.

4. Consultation

- 4.1. The Department did not consider it necessary to consult on the Statutory Rule.

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 they would not have significant implications for equality of opportunity and considers that an Equality Impact Assessment is not necessary.

6. Regulatory Impact

- 6.1. No Regulatory Impact Assessment is required as the proposals will have no or negligible costs or savings for any business, charity or voluntary group.

7. Financial Implications

- 7.1. None for the Department.

8. Section 24 of the Northern Ireland Act 1998

- 8.1. The Department considers that the Statutory Rule is compatible with section 24 of the Northern Ireland Act 1998.

9. EU Implications

- 9.1. Not applicable.

10. Parity or Replicatory Measure

- 10.1. The Statutory Rule does not replicate any corresponding legislation in Great Britain where local authorities are responsible for liquor licensing.

11. Additional Information

- 11.1. Not applicable.