
STATUTORY INSTRUMENTS

1990 No. 594

The Licensing (Northern Ireland) Order 1990

PART IV

CONDUCT OF LICENSED PREMISES, ETC.

Miscellaneous

Provision for inspection and rights of entry

75.—(1) A constable may, at any reasonable time,—

(a) for the purpose of inspecting the suitability of—

- (i) premises in respect of which a notice of application has been served under paragraph 1(c) of Schedule 1 for the grant of a licence under this Order, or
- (ii) licensed premises in respect of which a notice of application has been served under paragraph 3 of Schedule 4 for the renewal of a licence under this Order and in which since the last previous renewal of the licence (or, where the renewal to be applied for is the first renewal of the licence, since the licence was granted), alterations have been made,

enter and inspect the premises or, as the case may be, the licensed premises;

(b) for the purpose of ascertaining whether a contravention of this Order is being or has been committed or whether any conditions which are applicable under this Order are being or have been complied with, enter and inspect—

- (i) licensed premises; or
- (ii) premises which adjoin or are near licensed premises and which belong to the holder of the licence or are under his control or used by his permission.

(2) If any person—

- (a) fails or delays without reasonable excuse to admit a constable who demands admission to the premises under paragraph (1), or
- (b) on being required by a constable to do so, fails without reasonable excuse to permit the constable to inspect the premises,

he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 4 on the standard scale.

(3) If, on complaint on oath, a justice of the peace is satisfied that there are reasonable grounds for suspecting that an offence under this Order is being, has been or is about to be committed at any place, he may issue a warrant in writing authorising any constable to enter that place, if necessary by force, and to search that place.

(4) Any constable who enters any place under the authority of a warrant issued under paragraph (3) may—

- (a) seize and remove any intoxicating liquor and its containers found in that place which he has reasonable cause to believe may be required as evidence for the purposes of proceedings in respect of an offence under this Order; and
 - (b) search any person found at that place whom he has reasonable cause to believe to be committing or to have committed any such offence.
- (5) In paragraphs (3) and (4) “place” includes “premises”.

Persons found on unlicensed premises, etc.

76.—(1) Where on any premises or in any place any liquor is sold or made available for purchase or permitted to be consumed in contravention of Article 57, 59 or 60, any person found there shall, unless he proves that he is there for a lawful purpose, be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 4 on the standard scale.

(2) Where, on being asked by a constable for his name and address, a person found as mentioned in paragraph (1)—

- (a) refuses to give them; or
- (b) gives a false name or address; or
- (c) refuses to answer satisfactorily any question put to him to ascertain the correctness of the name or address given,

he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

Production of licence

77. The holder of a licence or protection order shall at the request of a constable produce it within 7 days of the request to, or in accordance with the directions of, the constable for examination, and if it is not so produced he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.