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STATUTORY INSTRUMENTS

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**1996 No. 3159**

**The Registration of Clubs (Northern Ireland) Order 1996**

**PART III**

**PERMITTED HOURS**

*Prohibition of supply, etc., of intoxicating liquor outside permitted hours*

**Prohibition of supply, etc., of intoxicating liquor outside permitted hours**

**22.**—(1) Except as permitted by or under this Order, intoxicating liquor shall not be supplied, obtained or consumed in the premises of a registered club except during the permitted hours.

(2) If paragraph (1) is contravened—

- (a) the registered club; and
- (b) the person supplying, obtaining or consuming the intoxicating liquor; and
- (c) any other person permitting that person to supply, obtain or consume the intoxicating liquor;

shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.

**Closing of bar outside permitted hours**

**23.**—(1) Any bar on the premises of a registered club shall be kept closed except during the permitted hours.

(2) If paragraph (1) is contravened the registered club shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.

**General permitted hours**

**24.**—(1) Subject to the succeeding provisions of this Part, the permitted hours in a registered club other than a nightworkers club are the hours—

- (a) on week-days, other than <sup>F1</sup>... Christmas Day, from half past 11 in the morning to 11 in the evening; and
- [<sup>F2</sup>(aa) on Sundays other than Christmas Day, from half past 12 in the afternoon to 11 in the evening; and]
- <sup>F3</sup>(b) .....
- (c) on <sup>F4</sup>... Christmas Day from half past 12 in the afternoon to 10 in the evening.

(2) The hours for the supply of intoxicating liquor in a nightworkers club shall be fixed by the county court on the application for the grant of registration and may be varied by a court of summary jurisdiction on renewal of the registration and the hours so fixed or varied shall—

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- (a) not exceed the total of—
  - (i) on week days, other than <sup>F5</sup>... Christmas Day, 11½;
  - <sup>F6</sup>(ii) .....
  - (iii) on Sunday and Christmas Day, 9½; and
- <sup>F7</sup>(b) .....
- (c) not include any period between 1 in the morning and 6 in the morning of any day.

<b>F1</b>	Words in art. 24(1)(a) repealed (1.10.2021) by <a href="#">Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), ss. 30(1)(a), 47(2), Sch. 2; S.R. 2021/247, art. 2, Sch.</a>
<b>F2</b>	Art. 24(1)(aa) inserted (1.10.2021) by <a href="#">Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), ss. 31(1)(a), 47(2); S.R. 2021/247, art. 2, Sch.</a>
<b>F3</b>	Art. 24(1)(b) and word repealed (1.10.2021) by <a href="#">Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), ss. 30(1)(b), 47(2), Sch. 2; S.R. 2021/247, art. 2, Sch.</a>
<b>F4</b>	Words in art. 24(1)(c) repealed (1.10.2021) by <a href="#">Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), ss. 31(1)(b), 47(2), Sch. 2; S.R. 2021/247, art. 2, Sch.</a>
<b>F5</b>	Words in art. 24(2)(a)(i) repealed (1.10.2021) by <a href="#">Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), ss. 30(2)(a), 47(2), Sch. 2; S.R. 2021/247, art. 2, Sch.</a>
<b>F6</b>	Art. 24(2)(a)(ii) repealed (1.10.2021) by <a href="#">Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), ss. 30(2)(b), 47(2), Sch. 2; S.R. 2021/247, art. 2, Sch.</a>
<b>F7</b>	Art. 24(2)(b) and word repealed (1.10.2021) by <a href="#">Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), ss. 30(2)(c), 47(2), Sch. 2; S.R. 2021/247, art. 2, Sch.</a>

*Exception*

**Consumption after permitted hours of liquor supplied during those hours**

25.—<sup>F8</sup>(1) Where intoxicating liquor is supplied in the premises of a registered club during the permitted hours, Article 22 shall not prohibit—

- (a) during the first <sup>F9</sup>[60 minutes] after the conclusion of the permitted hours, <sup>F10</sup>...
- <sup>F10</sup>(b) .....

the consumption or permitting consumption of the liquor in those premises.

<sup>F11</sup>(2) Regulations may modify paragraph (1)(a) so as to substitute “30 minutes” for “60 minutes”.

(3) Regulations may not be made under paragraph (2) unless a draft of the regulations has been laid before, and approved by a resolution of, the Assembly.]

<b>F8</b>	Art. 25(1): art. 25 renumbered as art. 25(1) (1.10.2021) by <a href="#">Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), ss. 32(1), 47(2); S.R. 2021/247, art. 2, Sch.</a>
<b>F9</b>	Words in art. 25(1)(a) substituted (1.10.2021) by <a href="#">Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), ss. 32(1), 47(2); S.R. 2021/247, art. 2, Sch.</a>
<b>F10</b>	Art. 25(b) and word repealed (1.10.2021) by <a href="#">Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), ss. 30(3), 47(2), Sch. 2; S.R. 2021/247, art. 2, Sch.</a>
<b>F11</b>	Art. 25(2)(3) inserted (1.10.2021) by <a href="#">Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), ss. 32(2), 47(2); S.R. 2021/247, art. 2, Sch.</a>

### *Special occasion authorisations*

#### **Authorisations for special occasions**

**26.**—(1) On the application of a registered club, not less than 7 days before the [<sup>F12</sup>first] occasion to which the application relates, the sub-divisional commander for the police sub-division in which the premises are situated may, in writing, authorise the club to supply intoxicating liquor to members of the club and to guests of members of the club—

- (a) except in the case of a nightworkers club, during the hours—
  - (i) on week-days from 11 in the evening to 1 in the morning of the day next following, or
  - [<sup>F13</sup>(ii) on Sundays, from 11 in the evening to 1 in the morning of the day next following,] or
- (b) in a nightworkers club on any day, during the 2 hours following the end of the permitted hours,

in addition to the hours mentioned in Article 24, [<sup>F14</sup>on such occasions specified in the authorisation as the commander thinks fit], and any additional hours authorised under this Article shall be included in the permitted hours for the registered club.

(2) Not more than [<sup>F15</sup>104] authorisations shall be granted under this Article to any club in any year.

[<sup>F16</sup>(2A) Regulations may modify paragraph (2) so as to substitute a different number of authorisations for the number for the time being specified there.

(2B) Regulations may not be made under paragraph (2A) unless a draft of the regulations has been laid before, and approved by a resolution of, the Assembly.]

(3) Nothing in this Article shall permit an authorisation under paragraph (1) to authorise the supply of intoxicating liquor on Christmas Day<sup>F17</sup>....

(4) Where an authorisation under paragraph (1) is in force in the case of a nightworkers club, the rules of the club or Article 5(8)(b) shall not prohibit the admission of guests of members to, or their presence in, the premises of the club during any additional hours authorised under this Article.

[<sup>F18</sup>(5) A person who intends to make an application under this Article shall—

- (a) during the 3 weeks before the first occasion to which the application relates, cause notice of the application to be displayed on or near the premises of the club;
- (b) not less than 3 weeks before that time, serve a copy of the notice of the application on the district council for the district in which the premises of the club are situated.

(6) The notice under paragraph (5) must contain such information as may be prescribed by magistrates' courts rules.

(7) The following provisions of this Article apply where a complaint is made to a court of summary jurisdiction under Part 8 of the Magistrates' Courts (Northern Ireland) Order 1981 on the grounds—

- (a) that the business carried on in the premises of the club is being conducted during the hours mentioned in paragraph (1) or any period immediately following their termination in such a manner as to cause undue inconvenience to persons residing in the vicinity of the premises; or
- (b) that such hours are causing undue inconvenience to persons residing in the vicinity of the premises.

(8) Where the court is satisfied that the grounds of the complaint are made out, it may—

- (a) revoke the authorisation; or

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- (b) modify the authorisation or, in relation to the authorisation, the hours mentioned in paragraph (1); or
- (c) make the continuance of the authorisation subject to such terms and conditions as the court thinks fit.

(9) The terms and conditions which may be imposed under paragraph (8)(c) include those requested by the district commander of the police district in which the premises of the club are situated.]

- F12** Word in art. 26(1) inserted (1.3.2012) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2011 \(c. 18\), ss. 13\(2\)\(a\)](#), 18; S.R. 2012/9, art. 2
- F13** Art. 26(1)(a)(ii) substituted for art. 26(1)(a)(ii)(iii) (1.10.2021) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2021 \(c. 7\), ss. 31\(2\)](#), 47(2); S.R. 2021/247, art. 2, Sch.
- F14** Words in art. 26(1) substituted (1.3.2012) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2011 \(c. 18\), ss. 13\(2\)\(b\)](#), 18; S.R. 2012/9, art. 2
- F15** Word in art. 26(2) substituted (1.10.2021) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2021 \(c. 7\), ss. 33\(1\)](#), 47(2); S.R. 2021/247, art. 2, Sch.
- F16** Art. 26(2A)(2B) inserted (1.10.2021) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2021 \(c. 7\), ss. 33\(2\)](#), 47(2); S.R. 2021/247, art. 2, Sch.
- F17** Words in art. 26(3) repealed (1.10.2021) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2021 \(c. 7\), ss. 30\(4\)](#), 47(2), [Sch. 2](#); S.R. 2021/247, art. 2, Sch.
- F18** Art. 26(5)-(9) inserted (1.10.2021) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2021 \(c. 7\), ss. 33\(3\)](#), 47(2); S.R. 2021/247, art. 2, Sch.

### *<sup>F19</sup>Major event orders*

- F19** [Art. 26A](#) and cross-heading inserted (6.4.2022) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2021 \(c. 7\), ss. 34\(1\)](#), 47(2); S.R. 2022/63, art. 2, Sch.

### **Extension of permitted hours for major events**

**26A.—(1)** Where the Department considers that an event which is to take place in Northern Ireland will attract significant public interest (whether throughout Northern Ireland or in certain areas only), it may make an order (a “major event order”) which—

- (a) designates the event as a major event, and
- (b) provides that, during the period specified in the order, the permitted hours for registered clubs to which the order applies are the hours specified in the order.

(2) A major event order may apply to all registered clubs in Northern Ireland as a whole or in the area or areas specified.

(3) In specifying an area for the purposes of paragraph (2), a major event order may in particular do so by reference to the place or premises at which the event is to take place or the area in the vicinity of the place or premises.

(4) A major event order may impose conditions.

(5) The Department may vary or revoke a major event order; and the circumstances in which it may revoke an order include, in a case where the period specified under paragraph (1)(b) includes two or more days, circumstances in which it considers it necessary to do so because of disorder, or expected disorder, at or in the vicinity of the place or premises at which the event is taking place.

(6) The period specified in a major event order may not include Christmas Day.

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(7) The hours specified in a major event order have effect in addition to the hours permitted by any authorisation under Article 26 which applies to a registered club to which the major event order applies.

(8) A major event order may make consequential, incidental or supplementary provision (including provision which modifies provisions of this Order for the purpose of giving effect to the major event order).

(9) Before making a major event order, the Department must consult such persons as it considers appropriate.

(10) Any person acting in contravention of a condition imposed by a major event order is guilty of an offence and is liable on summary conviction to a fine not exceeding level 3 on the standard scale.]

### *Miscellaneous*

#### **Defence in respect of consumption of intoxicating liquor by certain persons outside permitted hours**

27. In any proceedings under Article 22 for an offence of consuming, or permitting the consumption of, intoxicating liquor in the premises of a registered club outside the permitted hours or a period authorised under Article 26, it shall be a defence for the club or person charged to prove that such liquor was supplied by a person residing on those premises for consumption by him or his guests bona fide entertained by him at his own expense and that it was consumed by such persons in a part of those premises reserved for the use of the person residing on the premises.

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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. 31B inserted by 2011 c. 18 \(N.I.\) s. 11](#)