



Northern Ireland
Assembly

Licensing and Registration of Clubs (Amendment) Bill
Notice of Amendments tabled on
16 June 2021 for Further Consideration Stage

Clause 3, Page 3, Line 28

At end insert -

- ‘(c) the holder of a licence for those premises, to which order under this Article applies, will—
- (i) provide contracts which afford those staff employed in the premises additional pay, amounting to their hourly rate plus half of that, during the further additional hours permitted; and
 - (ii) pay such travelling expenses incurred by employees to get home at the end of the additional hours worked.’

Mr Gerry Carroll

Clause 3, Page 4, Line 39

At end insert -

- ‘(d) the holder of a licence for those premises, to which order under this Article applies, failed to—
- (i) provide those staff employed in the premises additional pay, amounting to their hourly rate plus half of that, during the further additional hours permitted; and
 - (ii) pay such travelling expenses incurred by employees to get home at the end of the additional hours worked.’

Mr Gerry Carroll

Clause 5, Page 6, Line 43

At end insert -

- ‘(c) provide contracts which afford those staff employed in the premises additional pay, amounting to their hourly rate plus half of that, during the further additional hours permitted; and
- (d) pay such travelling expenses incurred by employees to get home at the end of the additional hours worked.’

Mr Gerry Carroll

Clause 5, Page 7, Line 14

At end insert -

- ‘(c) that the holder of a licence for those premises, to which authorisation under this Article applies, failed to—
 - (i) provide those staff employed in the premises additional pay, amounting to their hourly rate plus half of that, during the further additional hours permitted; and
 - (ii) pay such travelling expenses incurred by employees to get home at the end of the additional hours worked.’

Mr Gerry Carroll

Clause 34, Page 35, Line 22

At end insert -

- ‘(c) provide contracts which afford those staff employed in the premises additional pay, amounting to their hourly rate plus half of that, during the further additional hours permitted; and
- (d) pay such travelling expenses incurred by employees to get home at the end of the additional hours worked.’

Mr Gerry Carroll

Clause 34, Page 35, Line 34

At end insert -

- ‘(c) that the holder of a licence for those premises, to which authorisation under this Article applies, failed to—
 - (i) provide those staff employed in the premises additional pay, amounting to their hourly rate plus half of that, during the further additional hours permitted; and
 - (ii) pay such travelling expenses incurred by employees to get home at the end of the additional hours worked.’

Mr Gerry Carroll

Clause 9, Page 10, Line 6

Leave out ‘for a film exhibition’ and insert ‘as a cinema’

Minister for Communities

Clause 9, Page 10

Leave out lines 8 to 10 and insert -

““cinema” means any place which is used primarily and ordinarily for a film exhibition within the meaning of Article 2 of the Cinemas (Northern Ireland) Order 1991 and the use of which for such exhibitions is licensed under Article 3 of that Order;”.’

Minister for Communities

Clause 9, Page 10, Line 11

Leave out from ‘after’ to end of line 12 and insert ‘before “a theatre” insert “a cinema,”.’

Minister for Communities

Clause 10, Page 10, Line 29

After ‘premises’ insert ‘, except in so far as that is permitted by Articles 52E and 52F’

Minister for Communities

Clause 11, Page 16, Line 34

At end insert -

‘(1A) In Article 30 of the Licensing Order (occasional licences), after paragraph (1) insert—
“(1A) An occasional licence may not be granted for any part of premises of a kind mentioned in Article 5(1)(m) to which an order under Article 52E applies.”.’

Minister for Communities

Clause 11, Page 16, Line 38

Leave out from second ‘(3)’ to ‘(4)’ in line 39 and insert -

‘(5) (inserted by section 8(2)) insert—
“(6)”’

Minister for Communities

Clause 11, Page 17, Line 7

At end insert -

‘(5A) In Article 56 of the Licensing Order (penalty for permitting consumption of intoxicating liquor in unlicensed part of premises), after paragraph (1) insert—

“(1A) The exception in paragraph (1) for premises of a kind mentioned in Article 5(1)(m) does not apply to premises of that kind to which an order under Article 52E applies during the period for which an authorisation under Article 52F has effect.”.

(5B) In Article 58 of the Licensing Order (young persons prohibited from certain premises), in paragraph (5), before “if” insert “, or who is in licensed premises of a kind mentioned in Article 5(1)(m) to which an order under Article 52E applies at a time when an authorisation under Article 52F has effect,”.

Minister for Communities

Clause 11, Page 17, Line 8

Leave out subsections (6) and (7) and insert -

‘(6) In Schedule 9 to the Licensing Order (procedure on certain applications)—

(a) in the title, after “48” insert “, 52E”,

(b) in paragraph 1, after “48” insert “, 52E”, and

(c) in paragraph 4, after paragraph (c) insert—

“(ca) in the case of an application under Article 52E, on the ground mentioned in Article 52E(2);”.

(7) In Schedule 10 to the Licensing Order (applications for extension licences)—

(a) after paragraph 1 insert—

“1A. In this Schedule “authorisation” means an authorisation under Article 52F.”,

(b) in paragraph 2, after “the grant of a licence” insert “or authorisation”, and

(c) in paragraph 4, after “the granting of the licence” insert “or authorisation”.’

Minister for Communities

Clause 12, Page 17

Leave out clause 12

Minister for Communities

Clause 15, Page 21, Line 38

Leave out subsections (4) and (5) and insert -

‘(4) In Schedule 9 to the Licensing Order (applications to court)—

(a) in the title, after “52E” (inserted by section 11(6)(a)) insert “or 58A”,

(b) in paragraph 1, after “52E” (inserted by section 11(6)(b)) insert “or 58A”, and

(c) in paragraph 4, after paragraph (ca) (inserted by section 11(6)(c)) insert—

“(cb) in the case of an application under Article 58A, on any ground mentioned in Article 58A(3);”.

(5) In Schedule 10 to the Licensing Order (applications for extensions and authorisations), in paragraph 1A (inserted by section 11(7)(a)), after “52F” insert “or 58B”.’

Minister for Communities

Clause 20, Page 25, Line 20

Leave out ‘licensed’

Minister for Communities

Leave out clause 22 and insert -

‘Minimum price for alcohol

22.—(1) The Department of Health must, before the third anniversary of the whole of this Act coming into operation—

- (a) bring forward to the Assembly legislation to set a minimum price for the sale or supply of intoxicating liquor in Northern Ireland and to prohibit its sale or supply in Northern Ireland below that price, or
 - (b) if it is not reasonably practicable for the Department to comply with paragraph (a), make a statement to the Assembly on why it is not reasonably practicable to do so.
- (2) In this section, “intoxicating liquor” has the same meaning as in the Licensing Order.’

Minister for Communities

Clause 23, Page 26, Line 36

Leave out ‘as the court thinks fit’

Minister for Communities

Leave out clause 24 and insert -

‘Independent review of licensing system including surrender principle

24.—(1) The Department for Communities must, before the first anniversary of this Act receiving Royal Assent, appoint an independent person (“the reviewer”) to conduct a review of the system in Northern Ireland for authorising the sale by retail of intoxicating liquor (“the licensing system”).

(2) The review must include the following—

- (a) an assessment of the operation of the surrender principle, an examination of options for reforming it and an assessment of the implications of those options for licence holders;
- (b) an analysis of the geographical distribution of licensed premises in Northern Ireland;
- (c) an analysis of the economic and social impact of the licensing system and the impact of the licensing system on personal and public health;
- (d) an assessment of the extent to which the licensing system meets consumer demand and local community needs, when set alongside the impact it has on personal and public health and on public order;
- (e) whatever recommendations for improving the licensing system that the reviewer considers appropriate.

(3) The reviewer must complete the review within two years of the appointment being made.

(4) The reviewer, having completed the review, must provide a report to the Department; and the Department, having received the report, must—

- (a) lay the report before the Assembly, and

(b) arrange for it to be published.

(5) The Department must, within six months of the publication of the report, publish a plan setting out how it proposes to respond to the report.

(6) The Minister for Communities must, within six months of the publication of the report, make an oral statement to the Assembly about the plan published under subsection (5).

(7) The Department for Communities may by regulations modify subsection (3), or modify subsection (6), so as to substitute a different period for the period for the time being specified there.

(8) Regulations may not be made under subsection (7) unless a draft of the regulations has been laid before, and approved by a resolution of, the Assembly.

(9) In this section—

(a) the reference to an independent person includes a reference to a group of independent persons, an independent organisation or a group of independent organisations,

(b) the references to intoxicating liquor, licences and licensed premises are to be construed in accordance with the Licensing Order, and

(c) the reference to the surrender principle is a reference to the part of the procedure for granting a licence that is provided for in Article 7(4)(e) of the Licensing Order.’

Minister for Communities

Leave out clause 25 and insert -

‘Annual publication of the number of licences

25.—(1) The Department for Communities must, as soon as reasonably practicable after the beginning of each year, publish a statement of each of the following as at 31st December in the previous year—

(a) the number of licences in force for premises of a kind mentioned in Article 5(1)(a) of the Licensing Order;

(b) the number of licences in force for premises of a kind mentioned in Article 5(1)(b) of the Licensing Order;

(c) the number of premises of a kind mentioned in Article 5(1)(a) of the Licensing Order in each district electoral area or, if the Department considers that it is feasible to reckon the number of such premises by reference to smaller areas, in each of those areas;

(d) the trends which may be observed from the numbers referred to in paragraphs (a) to (c).

(2) In subsection (1), “licences” and “premises” each have the same meaning as in the Licensing Order.’

Minister for Communities

Clause 26, Page 29, Line 18

Leave out ‘insert’ and insert ‘(but before the following “or”) insert “or”’

Minister for Communities

Clause 34, Page 35, Line 13

At end insert -

‘(1A) After paragraph (2) of that Article insert—

“(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.”.’

Minister for Communities

Clause 37, Page 39, Line 23

Leave out ‘that Order’ and insert ‘the Registration of Clubs Order 1996’

Minister for Communities

Clause 48, Page 45, Line 2

Leave out ‘7(1) and (3), 11’ and insert ‘1, 7(1) and (3), 11, 14’

Minister for Communities

Schedule 1, Page 46, Line 22

Leave out paragraph 3 and insert -

‘3. In Article 5 (premises for which a licence may be granted), in paragraph (3)—

(a) for “Article 51(1)(b)” substitute “Articles 48B(2) to (6), 51(1)(b) and 52C(1)”,

(b) for “(l)” substitute “(m)”, and

(c) in sub-paragraph (b), at the beginning insert “except in the case of premises of a kind mentioned in Article 5(1)(m).”.’

Minister for Communities