EXPLANATORY MEMORANDUM TO

THE LICENSING ACT 2003 (FIFA WORLD CUP LICENSING HOURS) (AMENDMENT) (NO. 2) ORDER 2026

2026 No. 792

1. Introduction

1.1 This Explanatory Memorandum has been prepared by the Home Office and is laid before Parliament by Command of His Majesty.

1.2 This memorandum contains information for the Joint Committee on Statutory Instruments.

2. Declaration

2.1 Mike Tapp, Minister for Migration and Citizenship, at the Home Office confirms that this Explanatory Memorandum meets the required standard.

2.2 Marcus Starling, Deputy Director for the Drugs and Alcohol Unit, at the Home Office confirms that this Explanatory Memorandum meets the required standard.

3. Contact

3.1 Olivia Nuttall at the Home Office can be contacted by email at the following address with any queries regarding the instrument: Olivia.Nuttall@homeoffice.gov.uk

Part One: Explanation, and context, of the Instrument

4. Overview of the Instrument

What does the legislation do?

4.1 The FIFA Men's Football World Cup 2026 ('World Cup 2026') began on 11 June 2026 and is scheduled to end on 19 July 2026. This instrument amends the Licensing Act 2003 (FIFA World Cup Licensing Hours) Order 2026 ("the 2026 Order") in relation to all remaining relevant fixtures involving England covered by that Order from Saturday 11 July 2026 onwards. This includes the fixture scheduled to take place on Saturday 11 July 2026. The amendment provides for a flexible extension to licensing hours for eligible venues where the kick-off or progress of a relevant match is delayed.

Where does the legislation extend to, and apply?

4.2 The extent of this instrument (that is, the jurisdiction(s) which the instrument forms part of the law of) is England and Wales.

4.3 The territorial application of this instrument (that is, where the instrument produces a practical effect) is England and Wales.

5. Policy Context

What is being done and why?

5.1 This Order makes a targeted amendment to the licensing hours provision for the FIFA Men's World Cup 2026. It does not replace the existing fixed extensions already provided for relevant fixtures. Instead, it adds a flexible extension for remaining relevant fixtures involving England from Saturday 11 July 2026 onwards, including the

fixture scheduled to kick off at 10pm on Saturday 11 July 2026 for which eligible licensed premises are currently able to remain open from 11pm until 2am.

5.2 The effect of the amendment is that, where the kick-off or progress of a relevant match is delayed and the match would otherwise conclude after the existing fixed extension has ended, eligible on-trade licensed premises that choose to remain open may continue to do so until 30 minutes after the match has concluded. Where there is no such delay, the existing fixed extension will continue to apply in the usual way. The amendment is intended to allow supporters to come together safely to enjoy matches of exceptional national interest, while avoiding the risk that premises would otherwise be required to close and disperse customers before the match has concluded.

5.3 The Secretary of State has previously considered the knockout stages of the round of 32, round of 16, quarter-finals, semi-finals, third-place play-off (bronze final) and final of the FIFA Men's World Cup 2026 (29 June–19 July 2026) to be a "celebration period" for the purposes of section 172(1) of the Licensing Act 2003 ("the 2003 Act"). The Home Office has already legislated in relation to specified matches within that period. This Order does not create a new celebration period; rather, it amends the existing licensing hours extensions for the remaining relevant fixtures involving England with a more flexible regime that accommodates delays, overruns, postponements and resumed play.

5.4 This Order therefore amends the existing licensing hours extensions rather than creating a wholly new extension or replacing the extensions already in place. The existing fixed extensions will continue to apply in the normal way. The additional flexible extension will only take effect where the kick-off or progress of a relevant match is delayed and that delay means the match would otherwise conclude after the existing extension has ended. In those circumstances, eligible licensed premises in England and Wales may continue selling alcohol for consumption on the premises until 30 minutes after the match has concluded. Up to midday on the following day, the flexible extension is not subject to any excluded times. This reflects the policy objective that supporters should not be required to leave licensed premises before the match has concluded.

5.5 If a match is postponed and rescheduled to kick off between midday and 5pm the following day, no further licensing hours extension will apply, on the basis that a wide range of daytime hospitality venues will be open for customers to watch the match. Where a match is rescheduled to kick off at 5pm or later the following day, the relevant fixed extension and flexible extension would apply for that evening. Where that rescheduled fixture takes place on a Sunday, the licensing extension will begin at 10pm, rather than 11pm, and continue until the specified end time under the existing World Cup Order.

5.6 The policy objective is to support public enjoyment of occasions of exceptional national significance, while helping to manage associated risks to the licensing objectives under the Licensing Act 2003. In particular, the Government considers that requiring licensed premises to close and disperse customers before a match has concluded could increase the risk of crime and disorder, as large numbers of supporters may be displaced into public spaces while seeking to continue watching the fixture elsewhere. The Order is therefore intended to support the prevention of crime and disorder, public safety and the prevention of public nuisance, while preserving existing licence conditions and safeguards.

5.7 The extension applies only to premises that meet the criteria in the 2026 Order, as amended, and remains subject to existing licence conditions. It permits the sale and supply of alcohol for consumption on the premises. Where a premises that is licensed

for the sale of alcohol also serves food, it may continue to serve food during the extended hours and may continue to provide late-night refreshment, provided it is also authorised at those times to sell or supply alcohol for consumption on the premises. Premises are not required to make use of the full extension and may close earlier if they choose, including where no match is being shown still.

5.8 The Order does not apply to the off-sale of alcohol, meaning alcohol sold for consumption away from the premises. Licensed premises will not need to pay a fee to benefit from the amended extension, as the Order will automatically apply to premises that meet the relevant criteria. Unlicensed premises will not benefit from a relaxation in licensing hours and would have needed to submit a TEN in advance of the fixture to undertake licensable activities. As set out in the 2003 Act, knowingly allowing or carrying on unauthorised licensable activities carries a maximum penalty of six months' imprisonment, a fine, or both.

What was the previous policy, how is this different?

5.9 The 2026 Order made provision for licensing hours extensions for specified World Cup 2026 knockout-stage matches, including an extension from 11pm until 2am for the England fixture scheduled to kick off at 10pm on Saturday 11 July 2026. This Order retains those existing fixed extensions and adds an additional flexible extension for all remaining relevant fixtures involving England from Saturday 11 July 2026 onwards. The additional flexible extension will only apply where a delay to the kick-off or progress of the match means that the match would otherwise conclude after the existing extension has ended. The underlying safeguards in the licensing regime, and the existing criteria for premises to benefit from the extension, are otherwise unchanged.

6. Legislative and Legal Context

How has the law changed?

6.1 The 2003 Act provides that premises can be authorised to be used for certain activities (referred to as "licensable activities"), including the sale of alcohol by retail (for consumption on the premises) and the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club.

6.2 The authorisation by a licensing authority for the sale of alcohol must be made without impeding on the four licensing objectives under the 2003 Act: the prevention of crime and disorder, the prevention of public nuisance, public safety and the protection of children from harm. Indefinite authorisation for a premises is given by means of a premises licence or club premises certificate (for members' clubs), and this authorisation sets out which licensable activities may be carried on, during which hours and subject to what conditions.

6.3 Section 172 of the 2003 Act gives the Secretary of State the power to extend licensing hours by means of a Licensing Hours Order (LHO) if they consider that a period (the "celebration period") marks an occasion of exceptional international, national or local significance. This power has been exercised in recent years to mark major football tournaments, including the 2014 FIFA World Cup, the UEFA Euro 2020 final (2021), the UEFA Euro 2024 semi-final and final and the UEFA Women's Euro 2025 semi-final and final.

6.4 A LHO can be used to relax licensing hours in licensed premises in England and Wales during a period not exceeding four days, as per section 172(5)(a) of the 2003 Act. A LHO may be applied to all licensed premises in England and Wales.

6.5 The exercise of the power in section 172 is subject to a condition that the Secretary of State must consult such persons as s/he considers appropriate. Following the Licensing Hours Extensions Act 2026 coming into force in February 2026, the 2003 Act now specifies that the parliamentary process for an order is the negative resolution procedure.

Why was this approach taken to change the law?

6.6 It is possible to make use of the TENs process, whereby individual businesses would have had to apply and pay for an extension to their licensing hours should they wish to do so. However, the timing of a potential delay means the TENs process would not provide a practical route for many premises. A TEN would only authorise licensable activities for the period specified in that notice, and would not provide the same flexibility as this Order if a relevant match were delayed beyond those hours. A LHO therefore provides a clearer and more consistent route for eligible premises, reducing burdens for licensed premises and local authorities, supporting celebration in moments of national importance, and helping to avoid the potential crime and disorder risks associated with dispersing supporters before a match has concluded.

7. Consultation

Summary of consultation outcome and methodology

7.1 The Home Office conducted a rapid consultation with the National Police Chiefs' Council (NPCC) via the Lead for Alcohol Licensing and Harm Reduction, who also reflected the views of the NPCC Lead for Football Policing. The police supported an approach that avoids licensed premises having to close while a match is still in progress, recognising the risk that dispersing supporters mid-match could increase the potential for crime and disorder. NPCC wished to note that the licensing regime is devolved to enable local decision-making based on local understanding of risks and that excessive use of national licensing extensions could undermine the regime.

7.2 Whilst no direct consultation was conducted with the hospitality sector, we are aware through continued engagement that there is clear support from a number of businesses in that sector for licensing hours extensions for major national sporting events. NPCC leads have previously raised concerns about the risk of increased crime and public disorder and resulting demands on policing where licensing hours are extended.

7.3 Police deployments and resourcing are operational matters. The Government recognises that very late changes to licensing hours create operational challenges for police forces, including where the flexible extension could operate into the early morning. However, the amendment is intended to reduce the risk that supporters are required to leave licensed premises while a match is still taking place, which could itself increase the risk of disorder if large numbers of people are dispersed into public spaces during the fixture. During previous tournaments where licensing hours have been extended, police have put in place appropriate local plans to minimise and mitigate any increased risk of alcohol-fuelled disorder, and no significant large-scale disorder incidents have occurred during recent licensing extensions.

7.4 Overall, the amendment is considered appropriate on the basis that it supports communities to come together to watch and celebrate a moment of exceptional national significance, while helping to minimise risks to the prevention of crime and disorder licensing objective that could arise if premises were required to close before the match had finished.

7.5 Clear communications will be required so that licensed premises, enforcement partners and the public understand the effect of the amended Order, including the retention of the existing Saturday evening extension and the operation of the flexible extension if necessary due to delays. Communications activity will be handled through the usual Home Office channels.

8. Applicable Guidance

8.1 The Government is not issuing guidance in relation to this Order. This is because this power has been previously used on several occasions to mark other occasions of exceptional national significance. Premises may wish to refer to the Section 182 Guidance which accompanies the 2003 Act and is published on GOV.UK for further information.[1]

Part Two: Impact and the Better Regulation Framework

9. Impact Assessment

9.1 A full Impact Assessment has not been prepared for this instrument because it makes a limited amendment to the existing licensing hours extensions provided by the Licensing Act 2003 (FIFA World Cup Licensing Hours) Order 2026 (as amended). The expected impacts are likely to be similar to those previously assessed[2], although of a smaller magnitude given the limited number of matches that this measure covers.

9.2 Based on the previous Economic Note, the only monetised costs would be the familiarisation costs to publicans who are notified of this change in legislation. In the analysis of the wider World Cup licensing extension, these were estimated to be in the range of £600 to £24,500, with a central estimate of £6,500. The impacts of the previous Home Office legislation remain assessed separately; this instrument addresses only the additional, targeted amendment to existing extensions in response to the likelihood of a delay. In circumstances where there is no delay to the match, there is no additional impact.

Impact on businesses, charities and voluntary bodies

9.3 The main impact on businesses, charities or voluntary bodies is that premises already licensed to sell alcohol for consumption on the premises and already within scope of the relevant extensions will be able to remain open until 30 minutes after the match has concluded where there are delays to the kick-off or progress of a match. There is no impact on businesses, charities or voluntary bodies that do not hold a premises licence or club premises certificate to sell alcohol on the premises or provide regulated entertainment. There will be a small familiarisation cost as businesses will have to educate their staff on the legislation change.

9.4 The legislation does not negatively impact small or micro businesses as it should save them time and costs from not having to apply for a TEN in response to a potential delay. It also provides greater certainty for premises that wish to show relevant fixtures that they will not be required to cease licensable activities before a match has concluded solely because of delays. Premises may choose not to use the full extension where there is no continuing demand or no match still being shown.

[1] https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003
[2] https://www.legislation.gov.uk/uksi/2026/520/impacts

9.5 Some stakeholders have suggested that licensing extensions may lead to an increase in alcohol-related crime and disorder, but there is an absence of reliable data to determine whether there is an impact on crime when relaxing licensing hours for nationally significant events. While tournament football, and specifically England matches, are linked to higher numbers of crimes and ASB incidents, there is no evidence specifically linking licensing extensions to these increases. Thus, it has not been possible to state what the potential impact might be or to monetise any potential additional policing costs associated with managing this crime and disorder.

9.6 In this case, the amendment is also intended to mitigate the risk of disorder that could arise if supporters were required to leave licensed premises before a match had finished, and has been developed in light of police support for avoiding closure during the match.

10. Monitoring and review

What is the approach to monitoring and reviewing this legislation?

10.1 There are no plans to review this instrument. The Order will only apply to the specified match days and only for the purposes set out in the Order, including any flexible extension until 30 minutes after the match has concluded where a relevant match is delayed. A review is not required by the Small Business, Enterprise and Employment Act 2015 as the provisions will cease to have effect before the end of the period of five years beginning with the commencement date.

Part Three: Statements and Matters of Particular Interest to Parliament

11. Matters of special interest to Parliament

11.1 This Order came into force before it was laid before Parliament and does not therefore comply with the convention that at least 21 days should ordinarily elapse between the laying of an instrument subject to the negative procedure and its coming into force. The Department recognises that this is an exceptional course and regrets that it has been necessary. The need for the amendment emerged at short notice following recent delays affecting World Cup fixtures and forecasts indicating a credible risk of further weather-related disruption to forthcoming England matches. The purpose of the amendment is not to create a new licensing hours extension, but to ensure that the extensions already in force remain effective where a match is delayed or postponed. Without the amendment, licensed premises could be required to close before a match has concluded, with the associated public safety and public order risks that could arise if supporters were dispersed while play remained in progress.

11.2 The Order was required urgently if it was to have practical effect for the fixture scheduled for 11 July 2026 and any subsequent fixtures involving England. The amendment required legally and operationally complex drafting to provide for a range of contingencies, including delayed kick-offs, interrupted matches, resumed play, and postponed fixtures taking place on a different day. Given the potential impact on licensing permissions, the Department considered it important that sufficient time was available to complete the necessary policy, legal and drafting scrutiny before the Order was made. The limited time available before the fixture meant it was not possible both to complete those checks and lay the instrument before commencement. Alternative mechanisms, including Temporary Event Notices, were not capable of providing a practical or comprehensive solution within the time available. The Government therefore concluded that urgent commencement was necessary to provide legal certainty and to ensure that the amended arrangements would be available should

disruption occur. Recognising the exceptional commencement arrangements, the Department supported the Order through comprehensive communications to ensure that licensed premises, enforcement partners, and the public were aware of the changes and understood how the amended licensing extensions operated. It also wrote to the Speaker of the House of Commons and Lord Speaker at the earliest opportunity after the Order came into force. In these exceptional circumstances, the Department considers that commencement before laying was justified.

12. European Convention on Human Rights

12.1 As the instrument is subject to negative procedure and does not amend primary legislation, no statement is required.

13. The Relevant European Union Acts

13.1 This instrument is not made under the European Union (Withdrawal) Act 2018, the European Union (Future Relationship) Act 2020 or the Retained EU Law (Revocation and Reform) Act 2023 ("relevant European Union Acts").