EXPLANATORY MEMORANDUM TO

THE LICENSING ACT 2003 (FIFA WORLD CUP LICENSING HOURS) (AMENDMENT) ORDER 2026

2026 No. 742

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 Sarah Jones, Minister for Policing and Crime, 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 Toby Pinnock at the Home Office can be contacted by email at the following address with any queries regarding the instrument: Toby.Pinnock@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 will end on 19 July 2026. This instrument amends the Licensing Act 2003 (FIFA World Cup Licensing Hours) Order 2026 ("the 2026 Order) to provide venues in England and Wales with the option to extend licensing hours until 5am for the England fixture scheduled to kick off at 1am on Monday 6 July 2026. It also amends the criteria for the contingent extension for the final so that licensed premises already authorised to sell alcohol for consumption on the premises until 10pm, rather than 11pm, will be able to make use of the existing extension should England reach the final, allowing them to remain open until 1am.

4.2 This follows previous work undertaken by the Home Office to make provision for licensing hours extensions for specified World Cup 2026 knockout-stage matches. Those earlier arrangements remain in place (save as amended by this Order).

Where does the legislation extend to, and apply?

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

4.4 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 two distinct changes to the licensing hours provision for the FIFA Men's World Cup 2026. First, it creates a new licensing hours extension for the England fixture scheduled to kick off at 1am on Monday 6 July 2026. Secondly, it amends the existing contingent provision for the final on 19 July 2026.

5.2 The effect of these changes is that fans will be able to watch England play Mexico on 6 July in an eligible on-trade licensed venue that chooses to open for that purpose. Additionally, for both the round of 16 match on 6 July and the World Cup final on 19 July, the licensing hours extension will be available to premises that are already licensed until 10pm or later for the sale of alcohol for consumption on the premises. This is intended to reflect the fact that both matches fall on Sundays, when some pubs and other licensed premises may ordinarily close earlier than 11pm. It means that premises licensed only until 10pm will not be excluded from the relevant extension, reducing the need for individual TEN applications and making it easier for fans to watch and celebrate the matches together in licensed premises, including in the event that England progress to the final.

5.3 The first change relates to the round of 16 fixture on 6 July 2026. Although provision was made earlier in the competition for other stages of the tournament, that provision did not cover this fixture in the way now required. The Government has therefore decided to make further provision in light of the exceptional public interest surrounding England's participation and the unusual timing of the match.

5.4 The Secretary of State has previously considered the knockout stages of the round of 32, round of 16, quarter-finals, semi-finals, 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, and that earlier provision remains in place subject to the amendment to the final described below.

5.5 For the 6 July fixture, this Order is a further, related use of the section 172 power. It makes specific provision for licensed premises in England and Wales to remain open for the sale of alcohol for consumption on the premises from 10pm on Sunday 5 July until 5am on Monday 6 July 2026, provided they meet the criteria in the Order.

5.6 The second change relates to the final on 19 July 2026. The earlier licensing hours provision for the final continues to operate according to its own terms, but this Order amends one criterion for that contingent extension: premises already licensed until 10pm, rather than 11pm, for the sale of alcohol for consumption on the premises will be able to make use of the extension if England reaches the final.

5.7 For both changes, the extension applies only to premises that meet the criteria in the Order 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.

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 extend their licensing hours, as the Order will automatically apply to premises that meet the relevant criteria. The timing of England's progression and the confirmation of the 1am fixture on Monday 6 July 2026 meant that, by the time businesses knew the

extension would be relevant, it was no longer possible for premises that had not already applied to submit a TEN in accordance with the statutory timescales. Without this Order, those premises would therefore have been unable to extend their hours for the fixture through the TENs process. 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, and that Order remains in place. This Order amends the 2026 Order in two respects. First, it makes specific provision for licensed premises in England and Wales to remain open for the sale of alcohol for consumption on the premises for the England fixture scheduled to kick off at 1am on Monday 6 July 2026, from 10pm on 5 July until 5am on 6 July. Secondly, it changes the specified time applicable to the final match of the tournament, scheduled to take place at 8pm on 19 July 2026, so that the contingent licensing hours extension begins at 10pm rather than 11pm.

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, in this case, the short window between England winning its previous match and confirmation of the fixture scheduled to kick off at 1am on Monday 6 July 2026 meant there was not sufficient time for some premises to submit a TEN in accordance with the statutory timescales. Without this Order, some hospitality venues would therefore have missed the opportunity to host the match and benefit from the associated trade. A LHO reduces burdens for licensed premises and local authorities and allows for celebration in a moment of national importance.

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 and the Lead for Football Policing.

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. NPCC leads opposed the extension to licensing hours on the grounds of a risk of increased crime and public disorder and resulting demands on policing.

7.3 Police deployments and resourcing are operational matters. 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. We acknowledge the policing view that the limited notice period for this extension leaves only a short time for operational adjustments to policing plans. The time for which the extension may last, a period of seven hours, is taking a proportionate approach to mark these events.

7.4 Overall, the extension is considered appropriate on the basis that, it brings together communities to celebrate a moment of exceptional national significance. This Order will also support the hospitality sector.

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. An Economic Note will be prepared and published on the legislation.gov.uk website by Friday 10th July alongside the instrument. The only monetised costs are the familiarisation costs to publicans who are notified of this change in legislation. In the previous legislation for

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

the wider World Cup licensing, 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 the additional, specific provision for the 6 July fixture and potential extension to the 19 July fixture, should England progress to the final.

Impact on businesses, charities and voluntary bodies

9.2 The main impact on businesses, charities or voluntary bodies is that premises already licensed to sell alcohol for consumption on the premises that wish to remain open for the 1am fixture on 6 July 2026 and did not apply for a TEN will be able to extend their trading hours for this fixture, subject to the criteria in the Order being met. 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.

9.3 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 addition, the Order amends the criterion for the contingent extension for the final so that premises that are already licensed until 10pm, rather than 11pm, for the sale of alcohol for consumption on the premises will be able to make use of that extension should England make it to the final, subject to the other criteria in the Order being met. This reflects the position being taken for the 6 July fixture and ensures that premises with a normal closing time of 10pm are not excluded from the relevant extension.

9.4 Whilst some stakeholders have suggested that the licensing extension may lead to an increase in alcohol-related crime and disorder, there is an absence of reliable data to determine whether there is an impact on crime when relaxing licensing hours for nationally significant events. 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. However, there is no evidence that past extensions have led to a significant increase.

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 on the specified day(s). 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 does not 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 the importance of this convention and the certainty it provides to Parliament and those affected by the legislation. However, the decision to extend to include this fixture was only taken once it became clear that England would play in a round of 16 match scheduled to kick off at 1am on 6 July 2026. The decision also reflects the exceptional public interest in the fixture and public support for enabling licensed premises to remain open for its duration.

11.2 The Order must come into force before the evening of 5 July 2026 so that licensed premises and qualifying clubs can benefit from the additional licensing hours extension for that fixture. Delaying commencement in order to comply with the convention would mean that the extension could not apply to the match, preventing the Order from delivering its intended effect. In these exception circumstances, the Department considers that there are compelling reasons to depart from the convention and that urgent commencement is 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").