**EXPLANATORY MEMORANDUM TO**

**The Licensing (City of Derry Airport) Order (Northern Ireland) 2026**

**S.R. 2026 No. 70**

## 1. Introduction

1.1. This Explanatory Memorandum has been prepared by the Department for Communities to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.

1.2. The Statutory Rule is made under Article 53 of the Licensing (Northern Ireland) Order 1996 ("the 1996 Order") and is not subject to any formal procedure by the Assembly.

## 2. Purpose

2.1. The Statutory Rule specifies the City of Derry Airport as an international airport for the purposes of liquor licensing.

## 3. Background

3.1. Article 41 of the 1996 Order prohibits the sale, purchase, consumption or taking away of intoxicating liquor outside normal permitted hours. That prohibition does not apply to licensed premises within an examination station (approved under section 22 of the Customs and Excise Management Act 1979) at an airport specified as an international airport under Article 53 of the 1996 Order. This area is essentially the part of the airport beyond security check in. In effect, the licensed premises may trade whenever the airport is in operation.

3.2. Article 53 of the 1996 Order allows the Department for Communities to specify an airport as an international airport if it is satisfied that there appears to be a substantial amount of international passenger traffic at the airport, and that reasonable facilities have been provided in the licensed premises located within the examination station to obtain non-alcoholic hot and cold drinks for consumption on the premises.

## 4. Consultation

4.1. There is no requirement for the Department to consult on this statutory rule.

## 5. Equality Impact

5.1. The Statutory Rule has been screened for any possible impact on equality of opportunity affecting the groups listed in section 75 of the Northern Ireland Act 1998 and no adverse or differential aspects were identified.

## 6. Regulatory Impact

6.1. No Regulatory Impact Assessment is required as the proposal will result in no or negligible costs or savings for any business, charity or voluntary group.

## 7. Financial Implications

7.1. None for the Department.

## 8. Section 24 of the Northern Ireland Act 1998

8.1. The Department considers that the Statutory Rule is compatible with section 24 of the Northern Ireland Act 1998.

## 9. EU Implications

9.1. Not applicable.

## 10. Parity or Replicatory Measure

10.1. Similar provision exists in the rest of Great Britain whereby an airport can be designated as an international airport if there appears to be a substantial amount of international traffic. In England and Wales this designation is made by the Secretary of State and in Scotland by Scottish Ministers.

## 11. Additional Information

11.1. Not applicable.