EXPLANATORY MEMORANDUM TO

The Licensing (Notice relating to Age) Regulations (Northern Ireland) 2012

SR No. 24

1. Introduction

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

1.2. The Statutory Rule is made under the Licensing (Northern Ireland) Order 1996 (the Order) and is subject to the negative resolution procedure.

2. Purpose

2.1. The Statutory Rule prescribes the form of age notice that licensed premises must display in those areas where intoxicating liquor is sold; the information to be contained in the notice in relation to offences concerning the supply to or purchase of intoxicating liquor by persons under 18 years of age; and the list of acceptable proof-of-age documents where there is doubt as to whether a person is aged 18 years or over.

3. Background

3.1. The Licensing and Registration of Clubs (Amendment) (Northern Ireland) Act 2011 amends the Order by introducing a statutory proof-of-age scheme and a duty for licensed premises to display age related notices. The Order provides that the information contained in the notice in relation to offences concerning the sale to or purchase by persons under 18 years of age of intoxicating liquor will be prescribed in regulations. The Order also provides that the notice must contain a description of the documents as detailed in the Order, that are acceptable proof-of-age documents where there is doubt as to whether a person is aged 18 years or over.

4. Consultation

4.1. There was overwhelming support for the inclusion of provisions in the Order which would introduce a proof-of-age scheme and impose a duty on licence holders to display age related notices in their premises. Therefore, further consultation on the contents of these short regulations was not considered necessary.

5. Equality Impact

5.1. In accordance with its duty under Section 75 of the Northern Ireland Act 1998 the Department has conducted a screening exercise on the legislative proposals for these Regulations. The Department has concluded that the proposals would not have significant implications for equality of opportunity and therfore considered an quality Impact Assessment was not necessary.

6. Regulatory Impact

6.1. These Regulations do not require a Regulatory Impact Assessment as they have only a negligible impact on costs for premises licensed to sell intoxicating liquor to the public.

7. Financial Implications

7.1. No financial implications.

8. Section 24 of the Northern Ireland Act 1998

8.1. The Department has considered section 24 of the Northern Ireland Act 1998 and is satisfied that the Statutory Rule is not incompatable with the convention rights, is not incompatable with community law, does not discriminate against a person or class of person on the grounds of religious belief or political opinion and does not modify an enactment in breach of section 7 of the Northern Ireland Act 1998.

9. EU Implications

9.1. Not applicable.

10. Parity or Replicatory Measure

10.1. Proof-of-age schemes operate in Great Britain however, unlike Scotland, the scheme in England and Wales does not specifically require premises to display age related notices.

11. Additional Information

11.1. Not applicable.