*Draft Order in Council laid before Parliament under paragraph 2(1)(a) of the Schedule to the Northern Ireland Act 2000, for approval by resolution of each House of Parliament*

DRAFT STATUTORY INSTRUMENTS

# 2004 No. (N.I. )

# NORTHERN IRELAND

## The Licensing (Indoor Arenas) (Northern Ireland) Order 2004

*Made - - - - 2004*

*Coming into operation in accordance with Article 1(2)*

At the Court at Buckingham Palace, the ** day of ** 2004

Present,

The Queen's Most Excellent Majesty in Council

Whereas a draft of this Order in Council has been approved by resolution of each House of Parliament:

Now, therefore, Her Majesty, in exercise of the powers conferred by paragraph 1(1) of the Schedule to the Northern Ireland Act 2000 (c. 1) and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

**Title and commencement**

**1.**—(1) This Order may be cited as the Licensing (Indoor Arenas) (Northern Ireland) Order 2004.

(2) This Article and Article 2 shall come into operation on the expiration of 7 days from the day on which this Order is made.

(3) The other provisions of this Order shall come into operation on such day as the Department may by order appoint.

**Interpretation**

**2.**—(1) The Interpretation Act (Northern Ireland) 1954 (c. 33) applies to this Order as it applies to an Act of the Assembly.

(2) In this Order—

"the Department" means the Department for Social Development;

"the principal Order" means the Licensing (Northern Ireland) Order 1996 (NI 22).

**Meaning of "indoor arena"**

**3.**—(1) Article 2 of the principal Order (interpretation) shall be amended in accordance with paragraphs (2) and (3).

(2) In paragraph (2), after the definition of "housing authority" there shall be inserted—

'"indoor arena" has the meaning given in Article 2A;'.

(3) In paragraph (4) for "(j)" there shall be substituted "(k)".

(4) After that Article there shall be inserted—

"**Meaning of "indoor arena"**

**2A.**—(1) In this Order "indoor arena" means any premises—

(a) which are structurally adapted and used, or intended to be used, for the purpose of providing a venue for a variety of indoor events and activities; and

(b) which consist of—

(i) an area where the events and activities take place; and

(ii) accommodation which is capable of seating the prescribed number of persons or more on permanent seats and wholly or substantially surrounds the area where the events and activities take place.

(2) For the purposes of paragraph (1)(b)—

(a) the prescribed number of persons is 5000 or such other number as the Department may prescribe by regulations; and

(b) "permanent seats" means seats that are permanently attached to a part of the building or to a structure that is permanently so attached.".

**Licences for indoor arenas**

**4.**—(1) Article 5 of the principal Order (premises for which licences may be granted) shall be amended in accordance with paragraphs (2) and (3).

(2) In paragraph (1), after sub-paragraph (j) there shall be inserted—

"(k) an indoor arena.".

(3) In paragraphs (3) and (6), for "(j)" there shall be substituted "(k)".

(4) In Article 22 of the principal Order (transfer of licences), in paragraph (6)(c)(ii) for "(j)" there shall be substituted "(k)".

**Attachment of conditions to licences**

**5.**—(1) In Article 7 of the principal Order (grant of licences), in paragraph (12) after the word "entertainment" there shall be inserted "or an indoor arena".

(2) In Article 15 of the principal Order (renewal of licences by a court)—

(a) in paragraph (2)(e)(ii), for "(j)" there shall be substituted "(k)";

(b) in paragraph (2)(f), for the words "or a place of public entertainment" there shall be substituted ", a place of public entertainment or an indoor arena"; and

(c) after paragraph (6) there shall be inserted—

"(6A) A court which renews a licence for an indoor arena may attach to the licence such conditions as it thinks fit.".