



Isle of Man
Government

Reiltys Ellan Vannin



Consultation on
Liquor Licensing (Occasional Licences)
(Temporary Modification) Order 2019

Department of Home Affairs
Rheynn Cooishyn Sthie

September 2019

1. Introduction

This paper is issued by the Department of Home Affairs for the purpose of obtaining views on the proposed amendments, by Order, to the [Licensing Act 1995](#) (the Act).

The purpose of the Order is to temporarily modify section 14 of the Act (occasional licences) so as to enable an occasional licence to be granted for a period of a maximum of 21 days in total from Wednesday 27 May 2020 to Tuesday 16 June 2020, being the TT qualification and race period and adjoining days.

2. Submissions

The deadline for responses is 5pm on 01 November 2019.

Responses must be made in writing and sent by email or post to:

GeneralEnquiries.DHA@gov.im

Legislation and Policy Office
Department of Home Affairs
First Floor, Headquarters Building
Tromode Road, Douglas,
Isle of Man, IM2 5PA

3. Order

The draft Liquor Licensing (Occasional Licences) (Temporary Modification) Order 2019 has been prepared and is included at Appendix 1.

A summary of the proposed amendment and the underlying rationale is included below:

Background

Section 77 of the Licensing Act 1995 gives the Department the power to make an Order that will temporarily modify the Act in such a way as to provide that, during such period or periods (not exceeding 4 weeks in the aggregate) as are specified in the Order, the Act shall have effect subject to such modifications as are so specified by that Order.

The Department engages with the licensed trade on a regular basis through the Licensing Forum (which consists of representatives of the various bodies of which licensees in the Island are members). It is recognised the TT period is very important to the trade and so, working with the Department for Enterprise, it is desired to explore ways to enable some of the infrastructure and entertainment associated with it to be enjoyed by visitors and locals alike over a longer period. For this reason the Department proposes through the draft Order to provide, for a *trial period* in 2020, that the standard maximum occasional license period of 14 days be extended to 21 days to include the days immediately adjoining the TT qualifying and race period.

The purpose of this short consultation document is to gather the views of those who may be impacted by the proposed trial, and any other views from members of the public in general.

Liquor Licensing (Occasional Licences) (Temporary Modification) Order 2019

The draft Order temporarily modifies section 14 of the Licensing Act 1995 (occasional licences) so as to enable an occasional licence to be granted for a period of 21 days from the Wednesday 27 May 2020 to Tuesday 16 June 2020, being the TT qualification and race period and adjoining days.

What this means in effect is that the short term licence to serve alcohol in a temporary venue i.e. a "beer tent", "pop-up bar" or similar, that is granted to a licensee around the TT 2020 period when entertainment venues are located in alternative places than a pub/bar; that temporary venue will be able to open for up to a total of 21 days, dates as outlined above, rather than the present allowance of a total of 14 days.

4. Next steps

Following this consultation exercise, any comments arising in response to the proposed changes will be considered by the Department, in conjunction with the Department for Enterprise and members of the Licensing Forum. Depending on the nature of the responses, the draft Order will either be amended and submitted to a subsequent sitting of Tynwald, or withdrawn. This all depends on the views expressed.

Statutory Document No. 2019/XXXX

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Licensing Act 1995

LIQUOR LICENSING (OCCASIONAL LICENCES) (TEMPORARY MODIFICATION) ORDER 2019

Approved by Tynwald: XXXX
Coming into Operation: XXXX

The Department of Home Affairs makes the following Order under section 77 of the Licensing Act 1995.

1 Title

This Order is the Liquor Licensing (Occasional Licences) (Temporary Modification) Order 2019.

2 Commencement

If approved by Tynwald, this Order comes into operation on 1 January 2020.¹

3 Temporary modification of Licensing Act 1995

In respect of a licence sought for a period between Wednesday 27 May 2020 and 16 June 2020, in section 14(1)(b) of the Licensing Act 1995 (occasional licences), for “14” substitute **21**.

MADE

W M MALARKEY
Minister for Home Affairs

¹ Tynwald approval is required further to section 81 of the Licensing Act 1995.

EXPLANATORY NOTE***(This note is not part of the Order)***

This Order temporarily modifies section 14 of the Licensing Act 1995 (occasional licences) so as to enable an occasional licence to be granted for a period of 21 days from Wednesday 27 May 2020 to Tuesday 16 June 2020, being the TT qualification and race period and adjoining days.



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