

LICENSING (AMENDMENT) BILL 2020

Explanatory Memorandum

1. This Bill is promoted by the Hon. Graham Cregeen, MHK.
2. *Clause 1* of the Bill provides for the short title of the resulting Act.
3. *Clause 2* provides for the commencement of the resulting Act.
4. *Clause 3* amends section 4 of the Licensing Act 1995 which deals with sittings of the court and provides that the licensing court shall hold a sitting before the 31st March in every third year (a triennial session). *Clause 3* inserts a new subsection (5) into section 7 which provides that where a triennial sitting of the court is due to take place before 31 March 2021, that sitting shall instead be required to take place before 31 March 2022.
5. *Clause 4* amends section 7 of the Music and Dancing Act 1961 which deals with the terms of licence and provides in paragraph (c) that a licence expires on the date specified in it or, where no such date is specified, on 1 April in the year following a triennial session of the licensing court. *Clause 4* amends section 7(c) to provide that where a licence is due to expire on a specified day in the year 2021, that licence shall instead expire on the corresponding day in the year 2022.
6. *Clause 5* enables the Department of Home Affairs, by regulations, to make such provision as it considers necessary or expedient for the purposes of, in consequence of or for giving full effect to, any provision of this Act. Such regulations may make supplementary, incidental, consequential, transitory, transitional or saving provision.
7. *Clause 6* repeals the Act on 1 April 2022.
8. The resulting Act will cause a proportional reduction in the Music and Dancing and Licensed Premises licence fees charged in 2022. The resulting Act is not expected to have any human resource implications.
9. In the opinion of the member moving the Bill its provisions are compatible with the Convention rights within the meaning of the Human Rights Act 2001.



Ellan Vannin

LICENSING (AMENDMENT) BILL 2020

- 1 **A BILL** to amend the Licensing Act 1995 and to amend the Music and Dancing
2 Act 1961; and for connected purposes

BE IT ENACTED by the Queen’s Most Excellent Majesty, by and with the advice and consent of the Council and Keys in Tynwald assembled, and by the authority of the same, as follows:—

3 **1 Short title**

4 The short title of this Act is the Licensing (Amendment) Act 2020.

5 **2 Commencement**

- 6 (1) This Act, apart from section 1 and this section, comes into operation on
7 such day or days as the Department of Home Affairs may by order
8 appoint.
9 (2) An order under subsection (1) may include such supplemental,
10 incidental, consequential and transitional provisions as appear to the
11 Department of Home Affairs to be necessary or expedient.

12 **3 Amendment of the Licensing Act 1995**

- 13 (1) The *Licensing Act 1995* is amended as follows.
14 (2) In section 4 (sittings of the court), after subsection (4) there is inserted—
15 “(5) Notwithstanding subsection (1), where a triennial sitting of the
16 court is due to be held before 31st March 2021, that sitting shall
17 instead be held before 31st March 2022.”.

18 **4 Amendment of the Music and Dancing Act 1961**

- 19 (1) The *Music and Dancing Act 1961* is amended as follows.
20 (2) In section 7 (terms of licence), at the end of paragraph (c) add “, save that
21 where a licence is due to expire on a specified day in the year 2021 or on
22 1st April 2021, that licence shall instead expire on the corresponding day
23 in the year 2022”.

1 **5 Regulations**

2 (1) The Department of Home Affairs may by regulations make such
3 provision as it considers necessary or expedient for the purposes of, in
4 consequence of, or for giving full effect to, any provision of this Act.

5 (2) Such regulations may make—

6 (a) supplementary, incidental or consequential provision;

7 (b) transitory, transitional or saving provision.

8 Tynwald procedure — approval required.

9 **6 Repeal**

10 This Act ceases to have effect on 1st April 2022.

IN THE KEYS

LICENSING (AMENDMENT) BILL 2020

A BILL to amend the Licensing Act 1995 and to amend the Music and Dancing Act 1961; and for connected purposes

Leave to introduce given by the Council on 23 June 2020.

MR CREGEEN

30 JUNE 2020