



Cheers! Four changes publicans need to know as Ireland plans to overhaul outdated licensing laws

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Opening hours for pubs in Ireland will be standardised across the week, and applications will be cheaper, if a proposed overhaul of the system of licencing laws by the Irish Government is passed.

The proposed changes were announced on 25 October 2022 with the new laws expected to be enacted by next year if accepted. They modernise an outdated system of licencing laws, some of which predate the 1800s.

Pubs will have the option of opening from 10.30am to 12.30am, seven days a week. Sunday sales in pubs are currently limited from 12.30pm to 11pm, while opening times from Monday to Thursday are generally from 10.30am to 11.30pm.

The announcement sees the roll out of The General Scheme of the Sale of Alcohol Bill (the Bill), which is a project implemented by the Night-Time Economy Taskforce established by Minister Catherine Martin.

If enacted, the proposed legislation will bring about the following changes:

Opening Times

The holder of a Publican's Licence will be permitted to remain open until 12:30am seven nights a week. Currently premises with a Publican's Licence can stay open to 11.00pm on a Sunday, 11.30pm Monday to Thursday and 12.30am Friday and Saturday night.

Nightclubs

Holders of a Nightclub Permit will be permitted to stay open until 6am and these permits will be renewed annually. The proofs required to renew the Nightclub Permit will likely be similar to what is required to renew a Dance Licence currently, including the requirement to have CCTV and security on the premises. Holders of Publican's Licences or Hotel Licences can apply for a Nightclub Permit.

Late Bar Permit

The holder of a Publican's Licence or Hotel Licence may make an application for the grant of a Late Bar Permit. This permit will permit the licence holder to remain open every night until 2.30am.

To apply for a Late Bar Permit, the premises will need to have security and a CCTV system in place, and the permit must be renewed annually. Under the current licensing system, licence holders must apply to the District Court once a month for a Special Exemption Order for each night that they intend to stay open late, paying stamp duty of €205 per night listed (previously €410 per night).

The Late Bar Permit is a welcome addition to the licensing law regime in Ireland. If by effect it removes the requirement for Special Exemption Orders, it will save publican's thousands annually in both stamp duty and legal fees.

Cultural Amenity Licence

A new "Cultural Amenity Licence" for galleries, theatres, museums and other cultural venues that the Minister deems a Cultural Amenity will permit the sale of alcohol at these premises to persons attending cultural activities between 10.30am and 12.30am the following morning. The sale of alcohol will only be permitted when persons are attending cultural activities or attending a function on the premises.

*Note: the current general system of licensing will remain in place

A notable point for publicans is that the current general system of licensing will remain in place - with licences only being granted by the Court and objections being permitted from fire authorities, the HSE, An Garda Síochána and local communities. On a positive note, some of these applications will move from being heard before the Circuit Court to the District Court, which should provide some level of reduction in costs for publicans.

Overall the Bill is a welcome addition to the current licencing regime. Minister for Justice Ms Helen McEntee said: "It's really about how do we consolidate what is a lot of complex laws and outdated laws, but also to make it easier for people to get into the industry, to make it easier for newcomers, young people, and to just create a better environment for our artists and our venues as well."

If you have any queries as to how the new Bill may affect your business, feel free to contact Maria Edgeworth or Ultán Anderson, who specialise in this area and can advise you on the matter.

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