
INTOXICATING LIQUOR (BREWERIES AND DISTILLERIES) BILL 2016

CONTENTS

Section

1. Licence for sale of intoxicating liquor at breweries, distilleries, etc.
2. Restriction of certain provisions of Licensing Acts
3. Short title, construction and collective citation

ACTS REFERRED TO

Intoxicating Liquor Act 1927 (No. 15)

Intoxicating Liquor Act 1962 (No. 21)

Licensing Acts 1833 to 2011

INTOXICATING LIQUOR (BREWERIES AND DISTILLERIES) BILL 2016

BILL

entitled

An Act to provide for the grant of a licence authorising the sale of intoxicating liquor to visitors at breweries and distilleries and similar premises, and to provide for related matters.

Be it enacted by the Oireachtas as follows:

Licence for sale of intoxicating liquor at brewery, distillery, etc.

1. (1) Notwithstanding anything in the Licensing Acts 1833 to 2011, where –

- (a) beer is brewed under a Brewer of Beer for Sale’s Licence,
- (b) spirits are distilled under a Spirit Distiller’s Licence, or
- (c) cider or perry is made under a Maker of Cider or Perry for Sale’s licence,

on premises to which visitors are admitted on guided tours, the Revenue Commissioners shall, on application to them by the licence holder concerned, grant to the licence holder, or a person nominated by him or her, a licence under this section.

- (2) A licence under this section authorises, between the hours of 10 a.m. and 6 p.m. each day other than Good Friday or Christmas Day, but during no other period, the sale to such visitors of beer brewed, spirits distilled or cider or perry made on those premises, but no other intoxicating liquor, for consumption on or off those premises.
- (3) Where a licence is granted under this section, a person who sells intoxicating liquor at the premises concerned otherwise than in accordance with that licence is guilty of an offence and is liable on summary conviction to a Class A fine.
- (4) Upon the grant of a licence under this section, any other licence under the Licensing Acts 1833 to 2011 relating to the premises concerned ceases to have effect.

Restriction of certain provisions of Licensing Acts

2. Sections 4 and 5 and Part III of the Intoxicating Liquor Act 1927 and section 11 of the Intoxicating Liquor Act 1962 do not apply in relation to the premises licenced under section 2.

Short title, construction and collective citation

3. (1) This Act may be cited as the Intoxicating Liquor (Breweries and Distilleries) Act, 2016.

- (2) The Licensing Acts 1833 to 2011 and this Act may be cited together as the Licensing Acts 1833 to 2016, and shall be construed together as one Act.

INTOXICATING LIQUOR (BREWERIES AND DISTILLERIES) BILL 2016

EXPLANATORY MEMORANDUM

Purpose of Bill

Many distilleries and breweries, including micro-breweries, are tourist attractions and welcome visitors on guided tours. Under the Licencing Acts, however, unless the owners acquire a pub licence or an off-licence, it is not possible to sell those visitors the product that is made on the premises.

The purpose of this short Bill is to rectify that situation by permitting the sale by distilleries and breweries of their own product to tourists and other visitors. The Bill also covers the making of cider and perry.

Provisions of Bill

Section 1 provides that, where beer is brewed, spirits are distilled or cider or perry is made, in accordance with the appropriate licence, on premises to which visitors are admitted on guided tours, the Revenue Commissioners shall, on application grant a licence under this section.

Such a licence authorises the sale to such visitors of the beer brewed, spirits distilled or the cider or perry made on those premises, but no other intoxicating liquor, for consumption on or off those premises. Sales may take place only between the hours of 10 a.m. and 6 p.m. on any day other than Good Friday or Christmas Day.

A licence holder who sells intoxicating liquor at the premises concerned otherwise than in accordance with that licence is guilty of an offence and is liable on summary conviction to a Class A fine.

A licence granted under this section revokes any existing licence granted under the Licensing Acts relating to the premises, e.g., a publican's licence or an off-licence.

Section 2 provides that certain provisions of the Licencing Acts relating to exemption orders, occasional licences and other non-applicable provisions do not apply to licences under this section.

Section 3 provides in standard form for the short title and the collective citation and construction of the Act.

Alan Kelly TD
November, 2016