
STATUTORY INSTRUMENTS

1996 No. 3159

The Registration of Clubs (Northern Ireland) Order 1996

PART IV

CONDUCT OF REGISTERED CLUBS

Special provisions with respect to young persons

Young persons prohibited from bars

32.—(1) During the permitted hours a person under the age of 18 shall not be in any part of the premises of a registered club which—

- (a) contains a bar; or
- (b) is used exclusively or mainly for the supply, consumption or storage of intoxicating liquor.

(2) A registered club shall not allow a person under the age of 18 to be in any part of the club premises as mentioned in paragraph (1) during the permitted hours.

(3) A person shall not cause or procure any person under the age of 18 to go into, or to be in, any part of the club premises as mentioned in paragraph (1) during the permitted hours.

[^{F1}(3A) Paragraphs (1) and (2) shall not apply with respect to a person under the age of 18 who is in a part of club premises as mentioned in paragraph (1) in the evening at any time after 9 if—

- (a) a private function is being held in that part of the club premises (and, accordingly, other members or guests of other members do not have access to that part of the premises while the function is being held);
- (b) the person under 18 is attending the function in the company either of a parent of that person or of a parent of another person who is under 18 and attending the function;
- (c) a meal consisting of at least a main course is being served at the function; and
- (d) the person under 18 does not consume any part of the meal at a counter or structure which is being used wholly or mainly as a bar.

(3B) In its application to a sporting club, paragraph (3A) has effect as if the reference to any time after 9 were a reference to any time after 10.

(3C) In paragraph (3A), “parent”, in relation to a person under the age of 18, includes any individual who—

- (a) has parental responsibility for that person (within the meaning of the Children (Northern Ireland) Order 1995), or
- (b) has care for that person.]

(4) Paragraphs (1), (2) and (3) shall not apply with respect to a person under the age of 18 who is in a part of club premises [^{F2}as mentioned in paragraph (1)] if—

- (a) the person under 18 is in the company of a person who is 18 or over; and

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- ^{F3}(b)
- (c) where the premises contain a bar, the person under the age of 18 is seated at a table away from the bar; ^{F4}and
- (ca) the person under the age of 18 is in the premises at a time when meals, and beverages suitable for persons under that age (including drinking water), are also available for consumption on the premises;]and
- (d) ^{F5}the person under the age of 18 is not in the premises in the evening at any time after 9] or paragraph (5) applies.
- (5) This paragraph applies where—
 - (a) the person under the age of 18, or a person in whose company he is, is consuming a meal ^{F6}consisting of at least a main course and] purchased ^{F7}before 9 in the evening] , and
 - ^{F8}(b) the person under the age of 18 is not in the premises in the evening at any time after half past 9.]

- ^{F9}(6)
- ^{F10}(7)
- ^{F11}(8)

- (9) Any person acting in contravention of paragraph (1) ^{F12}or (3)] shall be guilty of an offence and shall be liable on summary conviction—
 - (a) for a contravention of paragraph (1) ^{F13}..., to a fine not exceeding level 3 on the standard scale;
 - (b) for a contravention of paragraph (3) ^{F14}..., to a fine not exceeding level 4 on the standard scale.
- (10) If paragraph (2) ^{F15}... is contravened—
 - (a) the registered club; and
 - (b) every official of the club at the time of the contravention; and
 - (c) the person allowing the person under the age of 18 to be on the part of the club premises mentioned in paragraph (1);

shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 4 on the standard scale.

- (11) In any proceedings for an offence by reason of a contravention of paragraph (2) ^{F16}... it shall be a defence for a person to prove—
 - (a) that he exercised all due diligence to avoid the commission of such an offence; or
 - (b) that he had no reason to suspect that the person under the age of 18 had not attained that age.

^{F17}(11A) Without prejudice to any other means of proving the exercise of all due diligence, for the purposes of paragraph (11) the person is to be treated as having exercised all due diligence to avoid the commission of an offence if—

- (a) the person was shown any of the documents specified in paragraph (11B); and
- (b) that document would have convinced a reasonable person.
- (11B) The documents referred to in paragraph (11A)(a) are any document purporting to be—
 - (a) a passport;
 - (b) a photocard driving licence;

- (c) an electoral identity card;
- (d) a photographic identity card of a type approved by the British Retail Consortium for the purposes of its Proof of Age Scheme; or
- (e) such other document, or a document of such other description, as may be prescribed.]

(12) Where a person under the age of 18 represents himself to be the age of 18 or over for the purpose of being in any part of club premises as mentioned in paragraph (1) during the permitted hours, he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(13) Nothing in this Article shall apply with respect to a person under the age of 18 who is—

- (a) in a part of sporting club premises as mentioned in paragraph (1) [^{F18}—
 - (i) on a day in the period that begins on and includes 1 May and ends on and includes 30 September, during the permitted hours or, if by virtue of Article 26 the permitted hours continue after 11 in the evening, during the part of the permitted hours before that time;
 - (ii) on a day not in the period mentioned in paragraph (i) if solely for the purpose of attending a prize-giving ceremony, during the permitted hours or, if by virtue of Article 26 the permitted hours continue after 11 in the evening, during the part of the permitted hours before that time;
 - (iii) on any other day to which neither paragraph (i) nor paragraph (ii) applies, during the part of the permitted hours before 10 in the evening;]or
- (b) a person who has attained the age which is the upper limit of compulsory school age and is—
 - (i) employed by the registered club under a contract in writing; or
 - (ii) receiving training under a scheme approved by the Department of Economic Development; or
 - (iii) engaged in a placement scheme as part of a further or higher education course;in a part of sporting club premises as mentioned in paragraph (1) during the part of the permitted hours after [^{F19}the time in the evening provided for under sub-paragraph (a)] ; or
- (c) in a part of club premises as mentioned in paragraph (1) solely for the purposes of passing to or from some other part of the premises which is not a part as aforesaid and to or from which there is no other convenient means of access[^{F20}; or
- (d) in a part of club premises for which an authorisation under Article 32A is in force or during the first 30 minutes after the authorisation has ceased to be in force.]

[^{F21}(13A) In the case of a sporting club at which more than one prize-giving ceremony is held in a calendar year, paragraph (13)(a)(ii) has effect only for the purpose of allowing persons under the age of 18 to attend up to three such ceremonies in the club premises in that calendar year in reliance on that provision.]

(14) Where a person under the age of 18 who is found in any part of sporting club premises as mentioned in paragraph (1) after [^{F22}the time in the evening provided for under paragraph (13)(a)] is employed by, or in training or placement with, the registered club, that person or the secretary of the club shall, at the request of a constable, produce the written contract or other proof of training or placement within 7 days of the request to, or in accordance with the reasonable directions of, the constable for examination, and if it is not so produced that person or, as the case may be, the registered club shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

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[^{F23}(15) Regulations may modify paragraph (13)(a)(i) so as to substitute a different period for the period for the time being specified there.

(16) Regulations may modify paragraph (13A) so as to substitute a different number of prize-giving ceremonies for the number for the time being specified there.

(17) Regulations may not be made under paragraph (15) or (16) unless a draft of the regulations has been laid before, and approved by a resolution of, the Assembly.]

- F1** Art. 32(3A)-(3C) inserted (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), **ss. 37**, 47(2); S.R. 2022/63, art. 2, Sch.
- F2** Words in art. 32(4) inserted (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), **ss. 35(2)(a)**, 47(2); S.R. 2022/63, art. 2, Sch.
- F3** Art. 32(4)(b) and word repealed (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), **ss. 35(2)(b)**, 47(2), **Sch. 2**; S.R. 2022/63, art. 2, Sch.
- F4** Art. 32(4)(ca) and word inserted (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), **ss. 35(2)(c)**, 47(2); S.R. 2022/63, art. 2, Sch.
- F5** Words in art. 32(4)(d) substituted (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), **ss. 35(2)(d)**, 47(2); S.R. 2022/63, art. 2, Sch.
- F6** Words in art. 32(5)(a) inserted (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), s. 47(2), **Sch. 1 para. 17**; S.R. 2022/63, art. 2, Sch.
- F7** Words in art. 32(5)(a) substituted (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), **ss. 35(3)(a)**, 47(2); S.R. 2022/63, art. 2, Sch.
- F8** Art. 32(5)(b) substituted (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), **ss. 35(3)(b)**, 47(2); S.R. 2022/63, art. 2, Sch.
- F9** Art. 32(6) repealed (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), **ss. 35(4)**, 47(2), **Sch. 2**; S.R. 2022/63, art. 2, Sch.
- F10** Art. 32(7) repealed (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), **ss. 35(4)**, 47(2), **Sch. 2**; S.R. 2022/63, art. 2, Sch.
- F11** Art. 32(8) repealed (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), **ss. 35(4)**, 47(2), **Sch. 2**; S.R. 2022/63, art. 2, Sch.
- F12** Words in art. 32(9) substituted (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), **ss. 35(5)(a)**, 47(2); S.R. 2022/63, art. 2, Sch.
- F13** Words in art. 32(9)(a) repealed (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), **ss. 35(5)(b)**, 47(2), **Sch. 2**; S.R. 2022/63, art. 2, Sch.
- F14** Words in art. 32(9)(b) repealed (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), **ss. 35(5)(c)**, 47(2), **Sch. 2**; S.R. 2022/63, art. 2, Sch.
- F15** Words in art. 32(10) repealed (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), **ss. 35(6)**, 47(2), **Sch. 2**; S.R. 2022/63, art. 2, Sch.
- F16** Words in art. 32(11) repealed (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), **ss. 35(6)**, 47(2), **Sch. 2**; S.R. 2022/63, art. 2, Sch.
- F17** Art. 32(11A)(11B) inserted (1.5.2012) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2011 (c. 18), **ss. 9(1)**, 18; S.R. 2012/28, art. 2, Sch.
- F18** Art. 32(13)(a)(i)-(iii) substituted for words (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), **ss. 38(1)**, 47(2); S.R. 2022/63, art. 2, Sch.
- F19** Words in art. 32(13)(b) substituted (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), **ss. 38(2)**, 47(2); S.R. 2022/63, art. 2, Sch.
- F20** Art. 32(13)(d) and word inserted (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), **ss. 36(2)**, 47(2); S.R. 2022/63, art. 2, Sch.
- F21** Art. 32(13A) inserted (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), **ss. 38(3)**, 47(2); S.R. 2022/63, art. 2, Sch.
- F22** Words in art. 32(14) substituted (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), **ss. 38(4)**, 47(2); S.R. 2022/63, art. 2, Sch.

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F23 Art. 32(15)-(17) inserted (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), ss. 38(5), 47(2); S.R. 2022/63, art. 2, Sch.

[^{F24}Authorisation for underage functions

32A.—(1) On the application of the secretary of a registered club, the district commander for the police district in which the club is situated may, in writing, grant an authorisation under this Article.

(2) An authorisation under this Article may authorise the club to hold an underage function—

- (a) in such part of the club premises as is specified in the authorisation, and
- (b) on the day so specified during such hours as are so specified ending no later than 1 in the morning of the next day.

(3) In this Article, “underage function” means a function which is designed to appeal to persons under the age of 18 in particular.

(4) A district commander must not grant an authorisation under this Article unless the district commander is satisfied that suitable arrangements are in place for securing that persons under the age of 18 attending the function do not have access to any part of the premises which is used for the supply, consumption or storage of intoxicating liquor.

(5) It is a condition of an authorisation under this Article that, during the period for which the authorisation is in force—

- (a) each dispenser of intoxicating liquor at a bar in the part of the club premises for which the authorisation is in force must be incapable of operation, and
- (b) access to any other container of intoxicating liquor in that part must be prevented.

(6) If the condition in paragraph (5) is contravened, the registered club and every official of the club at the time of the contravention are each guilty of an offence and each liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(7) A registered club must not, during the period for which an authorisation under this Article is in force—

- (a) supply intoxicating liquor to a person aged 18 or over in the part of the premises in which the authorisation is in force; or
- (b) permit a person aged 18 or over to consume intoxicating liquor in the part of the premises in which the authorisation is in force.

(8) If paragraph (7) is contravened—

- (a) the registered club;
- (b) every official of the club at the time of the contravention; and
- (c) the person supplying the intoxicating liquor or, as the case may be, permitting the consumption of the intoxicating liquor,

are each guilty of an offence and each liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(9) A person aged 18 or over who consumes intoxicating liquor in a part of club premises for which an authorisation under this Article is in force is guilty of an offence and is liable on summary conviction to a fine not exceeding level 3 on the standard scale.]

F24 Art. 32A inserted (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), ss. 36(1), 47(2); S.R. 2022/63, art. 2, Sch.

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Children's certificates

^{F25}33.

F25 Art. 33 repealed (6.4.2022) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2021 \(c. 7\)](#), ss. 35(1), 47(2), **Sch. 2**; S.R. 2022/63, art. 2, Sch.

Supply, etc., of intoxicating liquor to young persons

34.—(1) A registered club shall not—

- (a) supply intoxicating liquor to a person under the age of 18; or
- (b) supply intoxicating liquor to any person for consumption by a person under the age of 18 in the premises of the club; or
- (c) permit any person under the age of 18 to consume intoxicating liquor in any part of the premises of the club.

(2) If paragraph (1) is contravened—

- (a) the registered club; and
- (b) every official of the club at the time of the contravention; and
- (c) the person supplying the intoxicating liquor or, as the case may be, permitting the consumption of the intoxicating liquor;

shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale or to imprisonment for a term not exceeding 6 months or to both.

(3) In any proceedings for an offence by reason of a contravention of paragraph (1) it shall be a defence for a person to prove—

- (a) that he exercised all due diligence to avoid the commission of such an offence; or
- (b) that he had no reason to suspect that the person under the age of 18 had not attained that age.

[^{F26}(4) Without prejudice to any other means of proving the exercise of all due diligence, for the purposes of paragraph (3) the person is to be treated as having exercised all due diligence to avoid the commission of an offence if—

- (a) the person was shown any of the documents specified in paragraph (5); and
- (b) that document would have convinced a reasonable person.

(5) The documents referred to in paragraph (4)(a) are any document purporting to be—

- (a) a passport;
- (b) a photocard driving licence;
- (c) an electoral identity card;
- (d) a photographic identity card of a type approved by the British Retail Consortium for the purposes of its Proof of Age Scheme; or
- (e) such other document, or a document of such other description, as may be prescribed.]

F26 Art. 34(4)(5) added (1.5.2012) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2011 \(c. 18\)](#), ss. 9(2), 18; S.R. 2012/28, art. 2, Sch.

[^{F27}**Duty to display notice relating to age**

34A.—(1) A registered club must at all times display the notice specified in paragraph (2)—

- (a) at each place in the premises of the club where intoxicating liquor is supplied; and
- (b) in a position where it is readily visible to any person seeking to be supplied with intoxicating liquor.

(2) The notice referred to in paragraph (1) must contain such information and be in such form and of such dimensions as are prescribed.

(3) Without prejudice to the generality of paragraph (2), the notice must contain—

- (a) such information as may be prescribed in relation to offences concerning the supply to or purchase by persons under the age of 18 of intoxicating liquor [^{F28}or in relation to offences concerning the presence of such persons in club premises] ; and
- (b) a description of the documents specified in Articles 32(11B) and 34(5).

(4) Where this Article, or any provision made under this Article, is contravened—

- (a) the registered club, and
- (b) every official of the club at the time of the contravention,

shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.]

F27 Art. 34A inserted (1.5.2012) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2011 \(c. 18\)](#), **ss. 9(3)**, 18; S.R. 2012/28, art. 2, Sch.

F28 Words in art. 34A(3)(a) inserted (6.4.2022) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2021 \(c. 7\)](#), **ss. 35(7)**, 47(2); S.R. 2022/63, art. 2, Sch.

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Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- [art. 31B inserted by 2011 c. 18 \(N.I.\) s. 11](#)