
STATUTORY INSTRUMENTS

1987 No. 1278

The Registration of Clubs (Northern Ireland) Order 1987

PART II

REGISTRATION OF CLUBS

Grant of registration

Applications for the grant of registration

6.—(1) An application for the grant of registration of a club may be made by the secretary of the club and shall be made to a county court.

(2) The procedure for applications for the grant of registration is set out in Schedule 2.

(3) On an application for the grant of registration of a club, the court shall hear the objections, if any, made under Schedule 2.

(4) On the hearing of an application for the grant of registration of a club, the court may, before granting or refusing to grant the application,—

- (a) require the production of further information, particulars or documents such as are mentioned in paragraph 2(2) of Schedule 2 for the period from the date of the information, particulars or documents, as the case may require, which are attached to the notice served upon the chief clerk under paragraph 1(1)(c) of Schedule 2 until such date as the court may specify; or
- (b) require the club to amend its rules so as to bring them into conformity with Article 4 and Schedule 1 and—
 - (i) in the case of a nightworkers club, Article 5;
 - (ii) in the case of a sporting club, Article 23;

and paragraphs 1(1)(c), 3 and 4 of Schedule 2 shall apply for the purposes of such further information, particulars, documents or amended rules as if they were notice of the application, subject to the modification that in paragraph 1(1)(c) for the reference to 4 weeks before the opening of the court sitting there shall be substituted a reference to 2 weeks before the time fixed by the court for the hearing of the application to be resumed.

(5) A court shall refuse an application for the grant of registration of a club unless it is satisfied—

- (a) that the procedure relating to the application set out in Schedule 2 has been complied with; and
- (b) that the premises of the club are not premises in respect of which a disqualification order under Article 13 or 38 or an order under section 15(1) or 31(2) of the Registration of Clubs Act (Northern Ireland) 1967 is in force; and
- (c) that the premises of the club are in all respects (including location, accommodation, facilities and amenities) suitable and proper having regard to the objects of the club and to the estimated maximum number of members of the club; and

- (d) that there are not sufficient registered clubs providing club accommodation of a similar character already in existence in the vicinity of the premises of the club; and
 - (e) either—
 - (i) that there is in force planning permission to use the premises as the premises of a club for the period during which the certificate of registration would be in force; or
 - (ii) that the premises may be used as such a club for that period without such permission; and
 - (f) that the rules of the club are in conformity with the provisions of this Order; and
 - (g) that the club has been conducted in good faith as a club for not less than 2 years; and
 - (h) that the provisions of the rules of the club and of this Order will be complied with.
- (6) A court may refuse an application for the grant of registration of a club if it is satisfied—
- (a) that the club has less than 25 members having voting rights in relation to the affairs of the club; or
 - (b) that, in respect of the premises, a licence for the sale of intoxicating liquor has been suspended, or an application for the renewal of any such licence has been refused, under the Licensing Act (Northern Ireland) 1971 within the preceding 5 years; or
 - (c) that the club is kept or habitually used for an unlawful purpose, or as a resort of persons of known bad character; or
 - (d) that the club is conducted in such a manner as to cause disorder or disturbance; or
 - (e) that intoxicating liquor has been sold, supplied or consumed on the premises of the club in contravention of this Order or the Licensing Act (Northern Ireland) 1971; or
 - (f) that the supply of intoxicating liquor to the club will not be under the control of the members having voting rights in relation to the affairs of the club or of the committee of management or governing body of the club;
 - (g) that, having regard to his character and reputation, the chairman or secretary or any officer or member of the committee of management or governing body is not a fit person to hold an office of the club; or
 - (h) that the club has been convicted of an offence under this Order or the Registration of Clubs Act (Northern Ireland) 1967.
- (7) Where the court refuses an application for the grant of registration of a club it shall specify in its order the reasons for its refusal.

Issue and duration of certificates of registration

7.—(1) Where a county court grants an application for the registration of a club the court shall issue a certificate of registration which shall be in such form as may be prescribed by regulations and shall specify—

- (a) the name of the club;
- (b) the address of the premises of the club;
- (c) the name and address of the owner of the premises of the club;
- (d) in the case of a nightworkers club—
 - (i) the following statement:—

“The above club is a nightworkers club to which Article 5 of the Registration of Clubs (Northern Ireland) Order 1987 applies.”; and
 - (ii) the hours fixed by the court under Article 5(2);

- (e) in the case of a sporting club, the hours fixed by the court under Article 23;
 - (f) such other matters as may be prescribed by regulations.
- (2) Subject to the succeeding provisions of this Article, a certificate of registration, unless registration is cancelled or a disqualification order under Article 13 or 38 applies to the premises of the registered club, shall remain in force from the date on which it is issued until—
- (a) where it is issued in the first 10 months of any year, 31st January in the next following year; or
 - (b) where it is issued in the last 2 months of any year, 31st January in the next following year but one.
- (3) Where, at the hearing of an application for the grant of registration of a club, any person appears before the court and opposes the registration, but the court registers the club—
- (a) until the expiry of the time for bringing an appeal against the registration and, if an appeal is brought, until the registration is confirmed or the appeal is abandoned the certificate of registration shall not come into force;
 - (b) if on appeal the registration is confirmed or if the appeal is abandoned, for the purpose of determining the period for which the certificate of registration is to be in force, the date when the appeal is disposed of shall be substituted for the date on which the certificate of registration was issued and the chief clerk shall (if necessary) amend the certificate accordingly.
- (4) Paragraph (2) shall not prejudice the operation of Articles 8(9), 9 and 12 under which a certificate of registration may continue in force after the time when it would otherwise expire.