
STATUTORY INSTRUMENTS

1987 No. 1278

The Registration of Clubs (Northern Ireland) Order 1987

PART II

REGISTRATION OF CLUBS

Renewal of registration

Applications for the renewal of registration

8.—(1) An application for the renewal of registration of a club may be made by the secretary of the club and shall be made to a court of summary jurisdiction.

(2) The procedure for applications for the renewal of registration of a club is set out in Schedule 3.

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

(4) On the hearing of an application for the renewal 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 3 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 clerk of petty sessions under paragraph 1(b) of Schedule 3 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(b), 3 and 4 of Schedule 3 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(b) for the reference to 4 weeks before the renewal date 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 renewal of registration of a club unless it is satisfied—

(a) that the procedure relating to the application set out in Schedule 3 has been complied with; and

(b) that the rules of the club are in conformity with the provisions of this Order; and

(c) that, having regard to the manner in which the club has been conducted since the last previous renewal of the registration of the club (or where the renewal applied for is the first renewal of registration, since registration was granted),—

- (i) the club is conducted in good faith as a club and not mainly for the supply of intoxicating liquor; and
 - (ii) the provisions of the rules of the club and of this Order are, and will be, complied with.
- (6) A court may refuse an application for the renewal 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, having regard to any change in the accommodation, facilities and amenities of the premises of the club since the last previous renewal of the registration of the club (or, where the renewal applied for is the first renewal of registration, since registration was granted), the premises of the club are not in all respects suitable and proper having regard to the objects of the club and to the estimated maximum number of members of the club; or
 - (c) that, since the last previous renewal of the registration of the club (or, where the renewal applied for is the first renewal of registration, since registration was granted), the club has been kept or habitually used for an unlawful purpose or as a resort of persons of known bad character; or
 - (d) that there is frequent drunkenness on the premises, or that persons in a state of intoxication are frequently seen to leave the premises of the club; or
 - (e) that the club is conducted in such a manner as to cause disorder or disturbance; or
 - (f) 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
 - (g) that persons who are not members are habitually admitted to the club merely for the purpose of obtaining intoxicating liquor; or
 - (h) that the supply of intoxicating liquor to the club is not 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; or
 - (i) that any of the rules of the club are habitually broken; or
 - (j) 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
 - (k) that the club has been convicted of an offence under this Order or the Registration of Clubs Act (Northern Ireland) 1967.

(7) Where the registration of a club is renewed, the clerk of petty sessions shall note the renewal on the certificate of registration and where, in the case of a nightworkers club or a sporting club, a court of summary jurisdiction under Article 5(2) or 23 fixes or varies the hours for the supply of intoxicating liquor the clerk shall note the hours or, as the case may be, the variation on the certificate of registration.

(8) Where the court refuses an application for the renewal of registration of a club it shall specify in its order the reasons for its refusal.

(9) A certificate of registration issued to a registered club which is required, on application for renewal of registration, to produce to the court further information, particulars, documents or amended rules under paragraph (4) shall, unless registration is cancelled or a disqualification order under Article 13 or 38 applies to the premises of the registered club, continue in force when it would otherwise expire until the application for renewal is determined.

Continuance of registration pending determination of appeal

9. Where a court refuses an application for the renewal of the registration of a club and the applicant for the renewal appeals, the registration of the club shall, unless it is cancelled or a disqualification order under Article 13 or 38 applies to the premises of the registered club, continue in force until the appeal is determined or abandoned.

Duration of renewed certificates of registration

10.—(1) Subject to paragraph (2), on the renewal of registration of a club, the 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 until—

- (a) where registration is renewed in the first 10 months of any year, 31st January in the next following year; or
- (b) where registration is renewed in the last 2 months of any year, 31st January in the next following year but one.

(2) Paragraph (1) 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.