
STATUTORY INSTRUMENTS

1987 No. 1278

The Registration of Clubs (Northern Ireland) Order 1987

PART IV

CONDUCT OF REGISTERED CLUBS

Miscellaneous

Provision for inspection and rights of entry

37.—(1) A constable may, at any reasonable time,—

- (a) for the purpose of inspecting the accommodation, facilities and amenities of—
 - (i) the premises of a club which has served a notice of application under paragraph 1(1)(c) of Schedule 2 for the grant of registration under this Order;
 - (ii) the premises of a registered club which has served a notice of application under paragraph 1(b) of Schedule 3 for the renewal of registration under this Order and which has since the last previous renewal of the registration of the club (or, where the renewal to be applied for is the first renewal of registration, since registration was granted), changed the accommodation, facilities and amenities of the premises; enter and inspect the premises of the club or, as the case may be, registered club;
- (b) for the purpose of ascertaining whether a contravention of this Order is being or has been committed or whether any conditions which are applicable under this Order are being or have been complied with, enter the premises of a registered club and—
 - (i) inspect the premises;
 - (ii) inspect any book or document which relates to the club found on the premises;
 - (iii) upon production of a receipt, remove any such book or document for the purpose of having copies of it made or extracts taken from it;
 - (iv) ask of any person found on the premises such reasonable questions in relation to the registered club as he thinks proper.

(2) If any person—

- (a) fails or delays without reasonable excuse to admit a constable who demands admission to the premises of the club under paragraph (1); or
- (b) on being required by a constable to do so, fails without reasonable excuse to permit the constable to inspect the premises; or
- (c) on being required by a constable to produce any book or document in his possession or under his control which relates to the club and which the constable reasonably requires to inspect, fails without reasonable excuse to produce it to the constable and to permit the constable to remove the book or document for the purpose of taking copies of it or of any entry in it; or

(d) fails or refuses to answer to the best of his knowledge and ability any questions asked of him by a constable in exercise of the power conferred by paragraph (1)(b)(iv) or gives an answer to any such question which is to his knowledge false or misleading; every person entered in the register of clubs as an official or member of the committee of management or governing body of the club at the time of the contravention and, in the case of a contravention such as is mentioned in sub-paragraph (c) or (d), the registered club shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 4 on the standard scale.

(3) If, on complaint on oath, a justice of the peace is satisfied that there are reasonable grounds for suspecting that an offence under this Order is being, has been or is about to be committed on any premises, he may issue a warrant in writing authorising any constable to enter the premises, if necessary by force, at any time within 14 days from the time of the issue of the warrant and to search the premises.

(4) Any constable who enters any premises under the authority of a warrant issued under paragraph (3) may—

- (a) seize and remove any document, money or valuable thing, instrument or other thing whatsoever found on the premises which he has reasonable cause to believe may be required as evidence for the purposes of proceedings in respect of an offence under this Order, and
- (b) arrest and search any person found on the premises whom he has reasonable cause to believe to be committing or to have committed any such offence.

(5) Without prejudice to paragraph (1) or (3), the sub-divisional commander of the police sub-division in which the premises of a club are situated may at any time serve on the secretary of the club a notice requiring him, in such manner and within such reasonable time as may be specified in the notice, to produce for inspection by that commander books or documents relating to that club of any description specified in the notice which that commander reasonably requires to inspect for the purpose specified in paragraph (1)(b).

(6) If without reasonable excuse the requirement imposed by a notice under paragraph (5) is not complied with—

- (a) every person entered in the register of clubs as an official or member of the committee of management or governing body of the club at the time of the contravention; and
- (b) the registered club; shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 4 on the standard scale.

(7) A constable may arrest without warrant any person who does in his presence any act the doing of which is declared by this Article to be an offence and who refuses to give his name and address.

Disqualification of premises on conviction of offence

38.—(1) Where a registered club is convicted of an offence under this Order, the court convicting the club may make a disqualification order prohibiting the premises occupied by the club being used for the purposes of any registered club during such period not exceeding 5 years from the date on which the order takes effect, as may be specified in the order.

(2) Where a disqualification order under paragraph (1) is made, the registration of the club obtained before the order is made or before it takes effect shall by virtue of the order be void as from the time when the order takes effect.

(3) A disqualification order under paragraph (1) shall not take effect—

- (a) until the expiry of the time for bringing an appeal against the conviction or against the making of the order, and
- (b) if such an appeal is brought, until the appeal has been determined or abandoned.