
STATUTORY INSTRUMENTS

1996 No. 3159

The Registration of Clubs (Northern Ireland) Order 1996

PART I

INTRODUCTORY

Title and commencement

1.—(1) This Order may be cited as the Registration of Clubs (Northern Ireland) Order 1996.

(2) This Order shall come into operation on the expiration of 2 months from the day on which it is made.

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954 shall apply to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

(2) In this Order—

“appeal”, except in Article 48(1), includes an appeal by way of case stated;

“bar” means an open bar;

“certificate of registration” means a certificate of registration issued under Article 6(1);

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...

“the Department” means the Department of Health and Social Services;

“intoxicating liquor” has the same meaning as in the Licensing (Northern Ireland) Order 1996.

“modify” means making additions, omissions, amendments or substitutions;

“notice” means notice in writing;

“official” means—

(a) in relation to a registered club, a person entered in the register of clubs as an officer or member of the committee of management or governing body of the club; and

(b) in relation to a club which has served a notice under paragraph 1(1)(a) of Schedule 2, an officer or member of the committee of management or governing body of the club;

“owner”, in relation to premises, means the person for the time being receiving the rack rent of the premises, whether on his own account or as personal representative, trustee, assignee, committee, liquidator, receiver or guardian, or who would so receive the same if the premises were let at a rack rent;

“permitted hours”, subject to [F2 Articles 26 and 26A] , means the hours specified in Article 24;

“planning permission” has the same meaning as in [F3 the Planning Act (Northern Ireland) 2011] ;

“police sub-division”, in relation to a sub-divisional commander, means the sub-division for which that commander acts;

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“prescribed” means prescribed by regulations;

“registered club” means a club registered under this Order;

“registration period” means a period of 5 years beginning on 1st April 1998 or any quinquennial of that date;

“regulations” means regulations made by the Department subject [^{F4}(except as otherwise provided in this Order)] to negative resolution;

“renewal date” means 1st March;

“secretary” includes any officer of a club or other person performing the duties of secretary;

“sporting club” means a club occupying a hereditament to which Article 31 of the Rates (Northern Ireland) Order 1977 applies (rates relief) being a hereditament which is used solely or mainly for the purposes of physical recreation [^{F5}and, in the case of a sporting club in respect of which an authorisation under Article 15A has effect, a reference to the premises of the club is to be construed in accordance with paragraph (8) of that Article] ;

“statutory provision” has the meaning assigned to it by section 1(f) of the Interpretation Act (Northern Ireland) 1954;

“sub-divisional commander” means a sub-divisional commander of the Royal Ulster Constabulary.

(3) In this Order any reference, in relation to a club, to the register of clubs is a reference to the part of the register which relates to that club.

(4) In this Order any reference to a sub-divisional commander of a police sub-division includes a reference to any other member of the Royal Ulster Constabulary nominated by him.

[^{F6}(5) In this Order (other than Part 4A) any reference to a district commander for a police district includes a reference to any other member of the Police Service of Northern Ireland nominated by the district commander.]

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| F1 | Words in art. 2(2) repealed (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), s. 47(2), Sch. 1 para. 15(2), Sch. 2 ; S.R. 2022/63, art. 2, Sch. |
| F2 | Words in art. 2(2) substituted (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), ss. 34(2), 47(2) ; S.R. 2022/63, art. 2, Sch. |
| F3 | Words in art. 2(2) substituted (13.2.2015 for specified purposes, 1.4.2015 in so far as not already in operation) by Planning Act (Northern Ireland) 2011 (c. 25), s. 254(1)(2), Sch. 6 para. 83 (with s. 211) ; S.R. 2015/49, arts. 2, 3, Sch. 1 (with Sch. 2 (as amended (16.3.2016) by S.R. 2016/159, art. 2)) |
| F4 | Words in art. 2(2) inserted (1.5.2012) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2011 (c. 18), s. 18, Sch. 3 para. 5 ; S.R. 2012/48, art. 2, Sch. |
| F5 | Words in art. 2(2) inserted (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), ss. 28(2), 47(2) ; S.R. 2022/63, art. 2, Sch. |
| F6 | Art. 2(5) inserted (1.10.2021) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), s. 47(2), Sch. 1 para. 15(3) ; S.R. 2021/247, art. 2, Sch. |

PART II

REGISTRATION OF CLUBS

Restriction on supply, etc., of intoxicating liquor on the premises of a club

3.—(1) It shall be unlawful—

- (a) to supply, consume or keep for supply or consumption intoxicating liquor on the premises of a club;
- (b) to bring intoxicating liquor on the premises of a club for the purposes of the consumption of the liquor;

unless the club is registered in respect of those premises [^{F7}or unless the supply or consumption is authorised in accordance with Article 15A] .

(2) If intoxicating liquor is supplied, consumed, kept for supply or consumption or brought for the purposes of the consumption on—

- (a) the premises of a club which has served a notice of application under paragraph 1(1)(a) of Schedule 2 for the grant of registration under this Order; or
- (b) any premises used by a club which has ceased to be a registered club by reason of—
 - (i) the expiration of the registration within the preceding 3 years; or
 - [^{F8}(ia) the suspension of the registration; or]
 - (ii) the cancellation of the registration; or
- (c) any premises in respect of which a disqualification order under this Article or under Article 15 or 46 or under Article 13 or 38 of the Registration of Clubs (Northern Ireland) Order 1987 is in force;

every person who supplies, obtains, consumes, keeps for supply or consumption or permits the consumption of the intoxicating liquor, or who brings the intoxicating liquor on the premises and, in the case of the premises of a club, every officer and member of the club 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 addition to any penalty it imposes under paragraph (2) on a person convicted of an offence under that paragraph, the court shall make a disqualification order prohibiting the premises on which the offence was committed being used for the purposes of any registered club during—

- (a) in the case of premises mentioned in sub-paragraph (2)(a) or (b), the period of 5 years from the date on which the order takes effect; or
- (b) in the case of premises mentioned in sub-paragraph (2)(c), the period of 5 years from the date on which the disqualification order which is in force with respect to the premises expires.

(4) In any proceedings for an offence by reason of a contravention of paragraph (2) it shall be a defence for a person to prove that he exercised all due diligence to avoid the commission of such an offence.

(5) Where a disqualification order under paragraph (3) 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.

(6) A disqualification order under paragraph (3) 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.

(7) Nothing in this Article shall apply to anything done at a function held in premises in connection with which an occasional licence has been granted under Article 30 of the Licensing (Northern Ireland) Order 1996.

F7 Words in art. 3(1) inserted (6.4.2022) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2021 \(c. 7\), ss. 28\(3\), 47\(2\)](#); S.R. 2022/63, art. 2, Sch.

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F8 Art. 3(2)(b)(ia) inserted (1.5.2012) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2011 \(c. 18\)](#), s. 18, **Sch. 3 para. 6**; S.R. 2012/48, art. 2, Sch.

Clubs which may be registered

- 4.—(1) Subject to paragraph (2), a club may be registered if—
- (a) on the date of the service of the notice of application under paragraph 1(1)(a) of Schedule 2 for the grant of registration under this Order the rules of the club contain the provisions specified in paragraphs 1 to 13 and 19 of Schedule 1; and
 - (b) the rules do not contravene the provisions of this Order.
- (2) A club which occupies premises for which there is in force a disqualification order under Article 3, 15 or 46 or under Article 13 or 38 of the Registration of Clubs (Northern Ireland) Order 1987 shall not be registered under this Order.
- (3) In determining whether a club is conducted in good faith as a club a court shall have regard—
- (a) to the past conduct of the club; and
 - (b) to any arrangement restricting the club's freedom of purchase of intoxicating liquor; and
 - (c) to any provision in the rules, or arrangement, under which money or property of the club, or any gain arising from the carrying on of the club is or may be applied otherwise than for the benefit of the club as a whole or for charitable or benevolent purposes; and
 - (d) to the financial arrangements in relation to the club; and
 - (e) to whether the club has fewer than 25 members having voting rights in relation to the affairs of the club; and
 - (f) to whether the supply of intoxicating liquor is ancillary to the objects of the club.
- (4) Any certificate of registration purporting to be held by a club in respect of premises mentioned in paragraph (2) is void.

Grant of registration

Grant of registration

- 5.—(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, 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; and paragraphs 1(1)(c), 3 and 4 of Schedule 2 shall apply for the purposes of such further information, particulars or documents 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 were 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) subject to paragraph (7), 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 3, 15 or 46 or under Article 13 or 38 of the Registration of Clubs (Northern Ireland) Order 1987 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 contain the provisions specified in Schedule 1 and do not contravene the provisions of this Order; and
 - (g) that the club has been conducted in good faith as a club for not less than 1 year; and
 - (h) that the provisions of the rules of the club and of this Order are, and will be, complied with; and
 - (i) that none of the officials of the club has an unspent conviction under the Rehabilitation of Offenders (Northern Ireland) Order 1978 for an offence of violence or an offence involving dishonesty^{F9}; and
 - (j) that each of the officials of the club is aware of the responsibilities under any code of practice which the Department has approved under Article 41K (and from which it has not withdrawn its approval).]
- (6) A court may refuse an application for the grant of registration of a club if it is satisfied—
- (a) that, in respect of the premises of the club, 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 (Northern Ireland) Order 1996 or the Licensing (Northern Ireland) Order 1990 within the preceding 5 years; or
 - (b) that the club is kept or habitually used for an unlawful purpose; or
 - (c) that intoxicating liquor has been sold, supplied or consumed on the premises of the club in contravention of this Order or the Licensing (Northern Ireland) Order 1996; or
 - (d) that the supply of intoxicating liquor to the club will not be under the control of an official of the club or the members having voting rights in relation to the affairs of the club; or
 - (e) that, having regard to his character and reputation, an official of the club is not a fit person to hold an office of the club; or
 - (f) that the club has been convicted of an offence under this Order or the Registration of Clubs (Northern Ireland) Order 1987.
- (7) A court may grant the registration of a club notwithstanding that the procedure relating to the application set out in Schedule 2 has not been complied with if, having regard to the circumstances, it is reasonable to do so.
- (8) Where a notice under Schedule 2 states that the club in respect of which an application is to be made is a nightworkers club and on the hearing of the application the county court is satisfied that—

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- (a) the members of the club are persons who by reason of the times during which they are normally employed would be unable to take advantage of facilities provided by clubs to which Article 24(1) applies, and
 - (b) the rules of the club prohibit the admission of guests of members to, or their presence in, the club premises between the hours of midnight and 10 in the morning next following,
- the court shall direct that Article 24(2) shall have effect in relation to the club.
- (9) 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.

F9 Art. 5(5)(j) and word inserted (1.10.2022) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2021 \(c. 7\)](#), **ss. 41(2)**, 47(2); S.R. 2022/180, arts. 1(2), 2, Sch.

Issue and duration of certificates of registration

6.—(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 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) that the club is a nightworkers club to which Article 5(8) of the Registration of Clubs (Northern Ireland) Order 1996 applies; and
 - (ii) the hours fixed by the court under Article 24(2);
- (e) such other matters as may be prescribed.

(2) Subject to the succeeding provisions of this Article, a certificate of registration, unless registration is cancelled or a disqualification order under Article 15 or 46 applies to the premises of the registered club, shall remain in force from the date on which it is issued until—

- (a) the expiration of—
 - (i) the then current registration period, or
 - (ii) such lesser period ending on 31st March as the court shall determine; or
- (b) if it is issued within the 3 months immediately preceding the expiration of the then current registration period, the expiration of—
 - (i) the next following registration period, or
 - (ii) such lesser period ending on 31st March as the court shall determine.

(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(8), 10 and 14 under which a certificate of registration may continue in force after the time when it would otherwise expire.

Renewal of registration

Renewal of registration

7.—(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 except where the registration is renewed by the clerk of petty sessions under this Article.

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

(3) Subject to paragraph (4), where notice of application for the renewal of the registration of a club otherwise than under Article 9 has been served upon the clerk of petty sessions, he may renew the registration as if the application had been made to him and may do so in the absence of the applicant.

(4) Where—

- (a) a notice of application is in respect of the renewal of the registration of a club which has been in force for a period determined by the court under Article 6(2)(a)(ii) or (b)(ii) or Article 11(1)(b)(ii) or (c)(ii), or
- (b) a notice of objection has been served on the clerk and has not been withdrawn, [^{F10}or
- (ba) the clerk is not satisfied that the applicant has been complying with any code of practice which the Department has approved under Article 41K (and from which it has not withdrawn its approval),] or
- (c) the clerk is of the opinion, for any other reason, that an application for the renewal of the registration of a club should be made to a court;

the clerk shall require the application to be made to the court and shall notify the applicant and the objectors, if any, of the requirement and of the time and place of the hearing.

(5) Where the registration of a club is renewed, the clerk of petty sessions shall note the renewal on the certificate of registration.

F10 Art. 7(4)(ba) and word inserted (1.10.2022) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2021 \(c. 7\)](#), ss. **41(3)**, 47(2); S.R. 2022/180, arts. 1(2), 2, Sch.

Renewal of registration by a court

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

(2) 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, require the production of further information, particulars or documents such as are mentioned in paragraph 4(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 3(b) of Schedule 3 until such date as the court may specify; and paragraphs 3(b), 5 and 6 of Schedule 3 shall apply for the purposes of such further information, particulars or documents as if they were notice of the application, subject to the modification that in paragraph 3(b) for the reference to 4 weeks before the renewal date there were substituted a reference to 2 weeks before the time fixed by the court for the hearing of the application to be resumed.

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

- (a) subject to paragraph (5), that the procedure relating to the application set out in Part I of Schedule 3 has been complied with; and
- (b) that the rules of the club contain the provisions specified in Schedule 1 and do not contravene the provisions of this Order; and
- (c) that, having regard to the manner in which the club has been conducted during the preceding 6 years (or where the club has not been registered during all of that period, during the period from the date of the service of the notice of application under paragraph 1(1)(a) of Schedule 2 for the grant of registration),—
 - (i) the club is conducted in good faith as a club; and
 - (ii) the provisions of the rules of the club and of this Order are, and will be, complied with; and
- (d) that none of the officials of the club has an unspent conviction under the Rehabilitation of Offenders (Northern Ireland) Order 1978 for an offence of violence or an offence involving dishonesty^{F11}; and
- (e) that each of the officials of the club is aware of the responsibilities under, and has been complying with, any code of practice which the Department has approved under Article 41K (and from which it has not withdrawn its approval).]

(4) A court may refuse an application for the renewal of registration of a club if it is satisfied—

- (a) 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
- (b) 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
- (c) that intoxicating liquor has been sold, supplied or consumed on the premises of the club in contravention of this Order or the Licensing (Northern Ireland) Order 1996; or
- (d) that the supply of intoxicating liquor to the club is not under the control of an official of the club or the members having voting rights in relation to the affairs of the club; or
- (e) that, having regard to his character and reputation, an official of the club is not a fit person to hold an office of the club; or
- (f) that the club has been convicted of an offence under this Order or the Registration of Clubs (Northern Ireland) Order 1987.

(5) A court may renew the registration of a club notwithstanding that the procedure relating to the application set out in Part I of Schedule 3 has not been complied with if, having regard to all the circumstances, it is reasonable to do so.

(6) Where, in the case of a nightworkers club, a court of summary jurisdiction under Article 24(2) varies the hours for the supply of intoxicating liquor the clerk shall note the variation on the certificate of registration.

(7) 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.

(8) 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 or documents under paragraph (2) shall, unless registration is cancelled or a disqualification order under Article 15 or

46 applies to the premises of the registered club, continue in force when it would otherwise expire until the application for renewal is determined.

F11 Art. 8(3)(e) and word inserted (1.10.2022) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2021 \(c. 7\)](#), ss. **41(4)**, 47(2); S.R. 2022/180, arts. 1(2), 2, Sch.

Power to renew registration out of time

9. Where the secretary of a club the registration of which falls to expire on the 31st March fails to serve due notice of an application for its renewal before the renewal date, a court of summary jurisdiction, upon application made in compliance with the procedure set out in Part I of Schedule 3 as modified by Part II of that Schedule not later than the end of the period of 12 months from the date on which the registration expires, may renew the registration of the club—

- (a) if it is satisfied that there was good reason for the failure; or
- (b) upon the payment of such additional fee as may be fixed by order under section 116 of the Judicature (Northern Ireland) Act 1978 for each month or part of a month between the renewal date and the time when the application is made under this Article for the renewal of the registration.

Continuance of registration pending determination of appeal

10. Where a court refuses an application for the renewal of the registration of a club and the secretary of the club appeals, the registration of the club shall, unless it is cancelled or a disqualification order under Article 15 or 46 applies to the premises of the registered club, continue in force until the appeal is determined or abandoned.

Duration of renewed certificates of registration

11.—(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 15 or 46 applies to the premises of the registered club, shall remain in force until—

- (a) if it is renewed by the clerk of petty sessions during the month of March immediately preceding the expiration of the then current registration period, the expiration of the next following registration period; or
- (b) if it is renewed by a court within the 3 months immediately preceding the expiration of the then current registration period, the expiration of—
 - (i) the next following registration period, or
 - (ii) such lesser period ending on 31st March as the court shall determine; or
- (c) if it is renewed by a court in any other case, the expiration of—
 - (i) the then current registration period; or
 - (ii) such lesser period ending on 31st March as the court shall determine.

(2) Paragraph (1) shall not prejudice the operation of Articles 8(8), 10 and 14 under which a certificate of registration may continue in force after the time when it would otherwise expire.

Continuance of club in temporary premises

Continuance of club in temporary premises

12.—(1) Where the premises of a registered club—

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- (a) have, by reason of fire, tempest, or other unforeseen and unavoidable calamity, become incapable of being used as the premises of the club; or
- (b) have been, or are likely to be, acquired or demolished, either wholly or to a substantial extent, under any statutory provision; or
- (c) have been, or are likely to be, extended to include premises which are, or are to be constructed so as to be, contiguous to them; or
- (d) are, or are to be, used for the purpose of the registered club in conjunction with additional premises which are or are to be constructed adjacent to it; or
- (e) have been, or are to be, wholly or substantially demolished and new premises have been or are to be constructed wholly or partly within its curtilage;

and the registered club is unable to use the premises (in this Article referred to as “the original premises”), a court of summary jurisdiction may, on an application made by the secretary of the club in compliance with the procedure set out in Schedule 4, make an order authorising the registered club to use—

- (i) temporary premises erected, or to be erected, wholly or partly within the curtilage of the site of the original premises; or
- (ii) other premises in the vicinity of the original premises or their site,

for such period, not exceeding 6 months, as the court thinks fit.

(2) A court shall not make an order under paragraph (1) unless it is satisfied—

- (a) that the premises which the club proposes to use are adequate for the conduct of the club and will continue to be adequate during the period of the order; and
- (b) that the premises are not premises in respect of which a disqualification order under Article 3, 15 or 46 or under Article 13 or 38 of the Registration of Clubs (Northern Ireland) Order 1987 is in force; and
- (c) that the registered club either—
 - (i) proposes to resume occupation of the original premises within a reasonable period; or
 - (ii) has made an application for registration for those or other premises, or proposes to do so within a reasonable period.

^{F12}(3)

(4) Where an order has been made under paragraph (1), a court of summary jurisdiction may, on the application of the secretary of the registered club, make such further order or orders under that paragraph as the court thinks fit.

(5) The continuance of the registered club in temporary premises under this Article shall cease—

- (a) at the end of the period specified in an order or a further order made under paragraph (1), or
- (b) when the registered club resumes occupation of the original premises or of premises in respect of which the club is registered,

whichever first occurs.

(6) Where under this Article a court authorises the continuance of a club in any temporary premises, those premises shall be deemed to be the premises in respect of which the club is registered.

F12 Art. 12(3) repealed (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 111(1), Sch. 9 Pt. 1 (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k)(m) (with art. 3)

F13 Alterations to club premises

F13 Art. 12A and cross-heading inserted (1.10.2022) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2021 \(c. 7\), ss. 29\(1\), 47\(2\); S.R. 2022/180, arts. 1\(2\), 2, Sch.](#)

Consent required for certain alterations to premises

12A.—(1) An alteration shall not, subject to paragraph (2), be made to the premises of a registered club if the alteration—

- (a) gives increased facilities for drinking in any part of the premises which contains a bar; or
- (b) adds to any part of the premises which contains a bar or substitutes one such part of the premises for another; or
- (c) conceals from observation a part of the premises in which intoxicating liquor is supplied; or
- (d) affects the means of passage between a part of the premises which contains a bar and the remainder of the premises or any road or other public place.

(2) An alteration such as is mentioned in paragraph (1) may be made if—

- (a) an application under this Article has been made by the secretary of the club to a county court and the court has made an order consenting to the alteration; or
- (b) the alteration is required by order of some lawful authority and, before the alteration is made, notice of the requirement is served by the secretary of the club on the clerk of petty sessions.

(3) The procedure for applications under paragraph (2)(a) is set out in Part 1 of Schedule 4A, and Part 2 of that Schedule has effect in relation to notices under paragraph (2)(b).

(4) If an alteration such as is mentioned in paragraph (1) is made to premises otherwise than in accordance with an order of the county court or an order of some lawful authority, a court of summary jurisdiction may order the registered club to restore, as far as is practicable, the premises to their original condition within a period fixed by the order.

(5) The period fixed by an order under paragraph (4) may be extended by order of a court of summary jurisdiction on the application of the secretary of the club.

(6) If paragraph (2)(b) is not complied with, the registered club and every official of the club are each guilty of an offence and each liable on summary conviction to a fine not exceeding level 2 on the standard scale.

(7) If the registered club makes default in complying with an order under paragraph (4), the club and every official of the club are each guilty of an offence and each 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.

(8) This Article does not apply to an extension such as requires authorisation under Article 15A.]

Cancellation of registration

Cancellation of registration

13.—(1) An application for the cancellation of registration of a registered club may be made by the sub-divisional commander of the police sub-division in which the premises of the club are situated, the district council for the district in which the premises of the club are situated or any person owning, or residing or carrying on business in, premises in the vicinity of the premises of the

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club to a court of summary jurisdiction on any of the grounds on which objection may be made to an application for renewal of the registration of the club.

(2) On an application for the cancellation of registration of a registered club a court shall hear representations, if any, from the applicant and the secretary of the club.

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

(4) A certificate of registration purporting to be in respect of the registration of a club shall, where that registration has been cancelled, be void.

Continuance of registration pending determination of appeal against cancellation

14. Where a court cancels the registration of a club and the secretary of the club appeals, the registration shall continue in force until the appeal is determined or abandoned.

Disqualification of premises on refusal of renewal or cancellation of registration

15.—(1) Where a court of summary jurisdiction—

- (a) refuses an application by a registered club for the renewal of its registration; or
- (b) cancels the registration of a club under Article 13(1) ^{F14} ...;

the court shall make a disqualification order prohibiting the premises occupied by the club being used for the purposes of any registered club during a period of 2 years from the date on which the order takes effect or, if the court thinks fit, such greater period not exceeding 5 years 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 refusal to renew the registration, the cancellation of the registration or against the making of the order as the case may require, and
- (b) if such an appeal is brought, until the appeal has been determined or abandoned.

F14 Words in art. 15(1)(b) repealed (1.5.2012) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2011 \(c. 18\)](#), s. 18, [Sch. 4](#); S.R. 2012/48, art. 2, Sch.

^{F15}Extension authorisations

F15 [Art. 15A](#) and cross-heading inserted (6.4.2022) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2021 \(c. 7\)](#), [ss. 28\(1\)](#), 47(2); S.R. 2022/63, art. 2, Sch.

Extension authorisations for sporting clubs

15A.—(1) On the application of the secretary of a sporting club, the district commander for the police district in which the premises of the club are situated may, in writing, authorise the extension of the area of the premises in respect of which the club is registered.

(2) An authorisation under this Article authorises the club to hold a function at which intoxicating liquor may be supplied in the area of the premises to which the authorisation applies to members

of the club, and guests of members of the club, who are present at the function (with Article 30 applying in relation to the function accordingly).

(3) An authorisation under this Article authorises the supply of intoxicating liquor during the permitted hours on the day or days specified in the authorisation; but the number of days so specified—

- (a) may exceed one only if the district commander is satisfied that there are exceptional circumstances which justify granting an authorisation for more than one day; and
- (b) in a case where the district commander is so satisfied, must not exceed 5.

(4) A district commander may refuse an application for the grant of an authorisation under this Article only if the district commander is satisfied that the function is likely to attract people in such numbers that it would not be practicable to accommodate them in the premises in respect of which the club is registered.

(5) An application for an authorisation under this Article must be accompanied by a plan showing the area of the proposed extension.

(6) Not more than 6 authorisations may be granted under this Article to any club in any year.

(7) Regulations may modify paragraph (6) so as to substitute a different number of authorisations for the number for the time being specified there.

(8) In the case of a sporting club in respect of which an authorisation under this Article has effect, a reference in this Order to the premises of the club includes, in relation to any time at which the authorisation has effect, a reference to the area to which the authorisation applies.

(9) Regulations may not be made under paragraph (7) unless a draft of the regulations has been laid before, and approved by a resolution of, the Assembly.]

Register and proof of certificate of registration

Register of clubs

16.—(1) [^{F16}The Department of Justice shall cause to be kept (whether by clerks of petty sessions or otherwise) a register of clubs] in respect of which a certificate of registration is issued under Article 6(1).

(2) [^{F17}There shall be recorded] in respect of each club entered in the register—

- (a) the matters which under Article 6(1) are required to be specified in the certificate of registration;
- (b) the names and addresses of the officials of the club;
- (c) particulars of any renewal of registration of the club;
- (d) particulars of any cancellation of registration of the club and of any disqualification order made in consequence of the cancellation;

[^{F18}(da) particulars of any order made under Article 12A(2)(a), (4) or (5) in respect of the premises of the club and of any requirement in respect of those premises notice of which is served under Article 12A(2)(b);]

- (e) particulars of any conviction of the club of any offence under this Order and of any penalty points endorsed on the certificate of registration [^{F19}or any suspension or disqualification order] made in consequence of the conviction;
- (f) such other matters as may be prescribed.

^{F20}(3)

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^{F20}(4)

(5) [^{F21}The [^{F22}Department of Justice] may cause such alterations to be made] in the register as are necessary to ensure that the matters recorded in the register in respect of the club are accurate.

- F16** Words in art. 16(1) substituted (31.10.2016) by [Justice Act \(Northern Ireland\) 2015 \(c. 9\), s. 106\(2\), Sch. 1 para. 111\(2\)\(a\)](#) (with [Sch. 8 para. 1](#)); S.R. 2016/387, art. 2(k) (with art. 3)
- F17** Words in art. 16(2) substituted (31.10.2016) by [Justice Act \(Northern Ireland\) 2015 \(c. 9\), s. 106\(2\), Sch. 1 para. 111\(2\)\(b\)](#) (with [Sch. 8 para. 1](#)); S.R. 2016/387, art. 2(k) (with art. 3)
- F18** Art. 16(2)(da) inserted (1.10.2022) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2021 \(c. 7\), ss. 29\(3\), 47\(2\)](#); S.R. 2022/180, arts. 1(2), 2, Sch.
- F19** Words in art. 16(2)(e) substituted (1.5.2012) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2011 \(c. 18\), s. 18, Sch. 3 para. 7](#); S.R. 2012/48, art. 2, Sch.
- F20** Art. 16(3)(4) repealed (31.10.2016) by [Justice Act \(Northern Ireland\) 2015 \(c. 9\), s. 106\(2\), Sch. 1 para. 111\(2\)\(c\), Sch. 9 Pt. 1](#) (with [Sch. 8 para. 1](#)); S.R. 2016/387, art. 2(k)(m) (with art. 3)
- F21** Words in art. 16(5) substituted (31.10.2016) by [Justice Act \(Northern Ireland\) 2015 \(c. 9\), s. 106\(2\), Sch. 1 para. 111\(2\)\(d\)](#) (with [Sch. 8 para. 1](#)); S.R. 2016/387, art. 2(k) (with art. 3)
- F22** Words in art. 16(5) substituted (27.8.2021) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2021 \(c. 7\), s. 47\(1\)\(d\), Sch. 1 para. 16](#)

Inspection of register

17. A register of clubs may be inspected and copies of all or any part of any entry in the register may be taken, at all reasonable hours.

Returns to Department

18. [^{F23}The Department of Justice shall, in respect of each such period as the Department may specify, arrange for a statement to be sent to the Department showing—

- (a) the number of clubs having a current certificate of registration;]
- (b) the number of voting and non-voting members of each club;

and containing such other information as the Department may require.

- F23** Words in art. 18 substituted (31.10.2016) by [Justice Act \(Northern Ireland\) 2015 \(c. 9\), s. 106\(2\), Sch. 1 para. 111\(3\)](#) (with [Sch. 8 para. 1](#)); S.R. 2016/387, art. 2(k) (with art. 3)

Register of clubs to be evidence

19.—(1) A register of clubs shall be received in evidence of the matters required by or under this Order to be recorded in it, and any document purporting to be certified by a clerk of petty sessions to be a true copy of an entry in the register of clubs ^{F24}... shall be received in evidence of any such matters contained in the entry.

(2) On an application for the grant, renewal or cancellation of the registration of a club under this Order the court shall have regard to the entries, if any, in the register of clubs relating to the person by whom, or the club premises in respect of which, the application is made.

- F24** Words in art. 19(1) repealed (31.10.2016) by [Justice Act \(Northern Ireland\) 2015 \(c. 9\), s. 106\(2\), Sch. 1 para. 111\(4\), Sch. 9 Pt. 1](#) (with [Sch. 8 para. 1](#)); S.R. 2016/387, art. 2(k)(m) (with art. 3)

Proof, etc., of certificates of registration

20.—(1) A document purporting to be a certificate of registration and to be signed by the clerk of the court by which the club was registered shall be received in evidence.

(2) A document which has been issued by [^{F25}a clerk of petty sessions] and certified by him to contain a true copy of the particulars recorded in the register of clubs in respect of that club shall be treated for the purposes of this Order as the certificate of registration.

(3) The clerk of petty sessions may issue a document under paragraph (2) where he is satisfied that the certificate of registration has been lost or destroyed.

F25 Words in art. 20(2) substituted (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 111(5) (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k) (with art. 3)

Effect of registration

21. The registration of a club under this Order shall not constitute the club premises licensed premises within the meaning of the Licensing (Northern Ireland) Order 1996 or authorise any sale of intoxicating liquor in the club which would otherwise be illegal but the supply, in accordance with the rules of the club and this Order, of intoxicating liquor by a registered club to a member of the club or to a guest of a member of the club shall not, for the purposes of any statutory provision prohibiting the sale of intoxicating liquor, be deemed to be an unlawful sale to that member or guest.

PART III

PERMITTED HOURS

Prohibition of supply, etc., of intoxicating liquor outside permitted hours

Prohibition of supply, etc., of intoxicating liquor outside permitted hours

22.—(1) Except as permitted by or under this Order, intoxicating liquor shall not be supplied, obtained or consumed in the premises of a registered club except during the permitted hours.

(2) If paragraph (1) is contravened—

- (a) the registered club; and
- (b) the person supplying, obtaining or consuming the intoxicating liquor; and
- (c) any other person permitting that person to supply, obtain or consume 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.

Closing of bar outside permitted hours

23.—(1) Any bar on the premises of a registered club shall be kept closed except during the permitted hours.

(2) If paragraph (1) is contravened the registered club shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.

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General permitted hours

24.—(1) Subject to the succeeding provisions of this Part, the permitted hours in a registered club other than a nightworkers club are the hours—

- (a) on week-days, other than ^{F26}... Christmas Day, from half past 11 in the morning to 11 in the evening; and
- [^{F27}(aa) on Sundays other than Christmas Day, from half past 12 in the afternoon to 11 in the evening; and]
- ^{F28}(b)
- (c) on ^{F29}... Christmas Day from half past 12 in the afternoon to 10 in the evening.

(2) The hours for the supply of intoxicating liquor in a nightworkers club shall be fixed by the county court on the application for the grant of registration and may be varied by a court of summary jurisdiction on renewal of the registration and the hours so fixed or varied shall—

- (a) not exceed the total of—
 - (i) on week days, other than ^{F30}... Christmas Day, 11½;
 - ^{F31}(ii)
 - (iii) on Sunday and Christmas Day, 9½; and
- ^{F32}(b)
- (c) not include any period between 1 in the morning and 6 in the morning of any day.

F26	Words in art. 24(1)(a) repealed (1.10.2021) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7) , ss. 30(1)(a), 47(2), Sch. 2 ; S.R. 2021/247, art. 2, Sch.
F27	Art. 24(1)(aa) inserted (1.10.2021) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7) , ss. 31(1)(a) , 47(2); S.R. 2021/247, art. 2, Sch.
F28	Art. 24(1)(b) and word repealed (1.10.2021) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7) , ss. 30(1)(b), 47(2), Sch. 2 ; S.R. 2021/247, art. 2, Sch.
F29	Words in art. 24(1)(c) repealed (1.10.2021) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7) , ss. 31(1)(b), 47(2), Sch. 2 ; S.R. 2021/247, art. 2, Sch.
F30	Words in art. 24(2)(a)(i) repealed (1.10.2021) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7) , ss. 30(2)(a), 47(2), Sch. 2 ; S.R. 2021/247, art. 2, Sch.
F31	Art. 24(2)(a)(ii) repealed (1.10.2021) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7) , ss. 30(2)(b), 47(2), Sch. 2 ; S.R. 2021/247, art. 2, Sch.
F32	Art. 24(2)(b) and word repealed (1.10.2021) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7) , ss. 30(2)(c), 47(2), Sch. 2 ; S.R. 2021/247, art. 2, Sch.

Exception

Consumption after permitted hours of liquor supplied during those hours

25.—[^{F33}(1)] Where intoxicating liquor is supplied in the premises of a registered club during the permitted hours, Article 22 shall not prohibit—

- (a) during the first [^{F34}60 minutes] after the conclusion of the permitted hours, ^{F35}...
- ^{F35}(b)

the consumption or permitting consumption of the liquor in those premises.

[^{F36}(2)] Regulations may modify paragraph (1)(a) so as to substitute “30 minutes” for “60 minutes”.

(3) Regulations may not be made under paragraph (2) unless a draft of the regulations has been laid before, and approved by a resolution of, the Assembly.]

- F33** Art. 25(1): art. 25 renumbered as art. 25(1) (1.10.2021) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2021 \(c. 7\), ss. 32\(1\), 47\(2\)](#); S.R. 2021/247, art. 2, Sch.
- F34** Words in art. 25(1)(a) substituted (1.10.2021) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2021 \(c. 7\), ss. 32\(1\), 47\(2\)](#); S.R. 2021/247, art. 2, Sch.
- F35** Art. 25(b) and word repealed (1.10.2021) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2021 \(c. 7\), ss. 30\(3\), 47\(2\), Sch. 2](#); S.R. 2021/247, art. 2, Sch.
- F36** Art. 25(2)(3) inserted (1.10.2021) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2021 \(c. 7\), ss. 32\(2\), 47\(2\)](#); S.R. 2021/247, art. 2, Sch.

Special occasion authorisations

Authorisations for special occasions

26.—(1) On the application of a registered club, not less than 7 days before the [^{F37}first] occasion to which the application relates, the sub-divisional commander for the police sub-division in which the premises are situated may, in writing, authorise the club to supply intoxicating liquor to members of the club and to guests of members of the club—

- (a) except in the case of a nightworkers club, during the hours—
- (i) on week-days from 11 in the evening to 1 in the morning of the day next following, or
- [^{F38}(ii) on Sundays, from 11 in the evening to 1 in the morning of the day next following,] or
- (b) in a nightworkers club on any day, during the 2 hours following the end of the permitted hours,

in addition to the hours mentioned in Article 24, [^{F39}on such occasions specified in the authorisation as the commander thinks fit], and any additional hours authorised under this Article shall be included in the permitted hours for the registered club.

(2) Not more than [^{F40}104] authorisations shall be granted under this Article to any club in any year.

[^{F41}(2A) Regulations may modify paragraph (2) so as to substitute a different number of authorisations for the number for the time being specified there.

(2B) Regulations may not be made under paragraph (2A) unless a draft of the regulations has been laid before, and approved by a resolution of, the Assembly.]

(3) Nothing in this Article shall permit an authorisation under paragraph (1) to authorise the supply of intoxicating liquor on Christmas Day^{F42}....

(4) Where an authorisation under paragraph (1) is in force in the case of a nightworkers club, the rules of the club or Article 5(8)(b) shall not prohibit the admission of guests of members to, or their presence in, the premises of the club during any additional hours authorised under this Article.

[^{F43}(5) A person who intends to make an application under this Article shall—

- (a) during the 3 weeks before the first occasion to which the application relates, cause notice of the application to be displayed on or near the premises of the club;
- (b) not less than 3 weeks before that time, serve a copy of the notice of the application on the district council for the district in which the premises of the club are situated.

(6) The notice under paragraph (5) must contain such information as may be prescribed by magistrates' courts rules.

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(7) The following provisions of this Article apply where a complaint is made to a court of summary jurisdiction under Part 8 of the Magistrates' Courts (Northern Ireland) Order 1981 on the grounds—

- (a) that the business carried on in the premises of the club is being conducted during the hours mentioned in paragraph (1) or any period immediately following their termination in such a manner as to cause undue inconvenience to persons residing in the vicinity of the premises; or
- (b) that such hours are causing undue inconvenience to persons residing in the vicinity of the premises.

(8) Where the court is satisfied that the grounds of the complaint are made out, it may—

- (a) revoke the authorisation; or
- (b) modify the authorisation or, in relation to the authorisation, the hours mentioned in paragraph (1); or
- (c) make the continuance of the authorisation subject to such terms and conditions as the court thinks fit.

(9) The terms and conditions which may be imposed under paragraph (8)(c) include those requested by the district commander of the police district in which the premises of the club are situated.]

- F37** Word in art. 26(1) inserted (1.3.2012) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2011 \(c. 18\), ss. 13\(2\)\(a\)](#), 18; S.R. 2012/9, art. 2
- F38** Art. 26(1)(a)(ii) substituted for art. 26(1)(a)(ii)(iii) (1.10.2021) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2021 \(c. 7\), ss. 31\(2\)](#), 47(2); S.R. 2021/247, art. 2, Sch.
- F39** Words in art. 26(1) substituted (1.3.2012) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2011 \(c. 18\), ss. 13\(2\)\(b\)](#), 18; S.R. 2012/9, art. 2
- F40** Word in art. 26(2) substituted (1.10.2021) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2021 \(c. 7\), ss. 33\(1\)](#), 47(2); S.R. 2021/247, art. 2, Sch.
- F41** Art. 26(2A)(2B) inserted (1.10.2021) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2021 \(c. 7\), ss. 33\(2\)](#), 47(2); S.R. 2021/247, art. 2, Sch.
- F42** Words in art. 26(3) repealed (1.10.2021) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2021 \(c. 7\), ss. 30\(4\)](#), 47(2), [Sch. 2](#); S.R. 2021/247, art. 2, Sch.
- F43** Art. 26(5)-(9) inserted (1.10.2021) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2021 \(c. 7\), ss. 33\(3\)](#), 47(2); S.R. 2021/247, art. 2, Sch.

^{F44}Major event orders

- F44** [Art. 26A](#) and cross-heading inserted (6.4.2022) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2021 \(c. 7\), ss. 34\(1\)](#), 47(2); S.R. 2022/63, art. 2, Sch.

Extension of permitted hours for major events

26A.—(1) Where the Department considers that an event which is to take place in Northern Ireland will attract significant public interest (whether throughout Northern Ireland or in certain areas only), it may make an order (a “major event order”) which—

- (a) designates the event as a major event, and
- (b) provides that, during the period specified in the order, the permitted hours for registered clubs to which the order applies are the hours specified in the order.

(2) A major event order may apply to all registered clubs in Northern Ireland as a whole or in the area or areas specified.

(3) In specifying an area for the purposes of paragraph (2), a major event order may in particular do so by reference to the place or premises at which the event is to take place or the area in the vicinity of the place or premises.

(4) A major event order may impose conditions.

(5) The Department may vary or revoke a major event order; and the circumstances in which it may revoke an order include, in a case where the period specified under paragraph (1)(b) includes two or more days, circumstances in which it considers it necessary to do so because of disorder, or expected disorder, at or in the vicinity of the place or premises at which the event is taking place.

(6) The period specified in a major event order may not include Christmas Day.

(7) The hours specified in a major event order have effect in addition to the hours permitted by any authorisation under Article 26 which applies to a registered club to which the major event order applies.

(8) A major event order may make consequential, incidental or supplementary provision (including provision which modifies provisions of this Order for the purpose of giving effect to the major event order).

(9) Before making a major event order, the Department must consult such persons as it considers appropriate.

(10) Any person acting in contravention of a condition imposed by a major event order is guilty of an offence and is liable on summary conviction to a fine not exceeding level 3 on the standard scale.]

Miscellaneous

Defence in respect of consumption of intoxicating liquor by certain persons outside permitted hours

27. In any proceedings under Article 22 for an offence of consuming, or permitting the consumption of, intoxicating liquor in the premises of a registered club outside the permitted hours or a period authorised under Article 26, it shall be a defence for the club or person charged to prove that such liquor was supplied by a person residing on those premises for consumption by him or his guests bona fide entertained by him at his own expense and that it was consumed by such persons in a part of those premises reserved for the use of the person residing on the premises.

PART IV

CONDUCT OF REGISTERED CLUBS

Unlawful supply and consumption, etc., in registered clubs

28.—(1) Intoxicating liquor shall not, in a registered club,—

- (a) be supplied to, or obtained or consumed by, any person other than a member or a guest of a member or an employee of the club; or
- (b) without prejudice to Article 34, be supplied to, or obtained or consumed by, any person in contravention of any provision of this Order or of the rules of the club.

(2) If paragraph (1) is contravened—

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- (a) the registered club; and
- (b) the person supplying, obtaining or consuming the intoxicating liquor; and
- (c) any other person permitting that person to supply, obtain or consume 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.

Unauthorised persons in certain parts of club premises

29.—(1) Every person, other than—

- (a) a member of the club;
- (b) a guest of a member of the club;
- (c) a person on the premises of the club for purposes connected with his trade, profession or employment (including employment by the club);

who is found in any part of the premises of a registered club in which intoxicating liquor is usually supplied, kept for supply or consumed shall, unless he proves that he is there for a lawful purpose, be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 4 on the standard scale.

(2) Every registered club authorising or permitting any person to be on any part of premises as mentioned in paragraph (1) and which does not prove that he is there for a lawful purpose shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 4 on the standard scale.

Functions in registered clubs

30.—(1) A registered club shall not hold, in the premises of the club, any function unless—

- (a) the function is for the benefit of the club as a whole;
- (b) the function is related to the objects of the club;
- (c) the function is organised by the club; and
- (d) only members of the club and their guests are present at the function.

(2) Paragraph (1) shall not apply to any function—

- (a) where the whole proceeds of the function, after deducting the expenses of the function, are devoted to charitable or benevolent purposes; or
- (b) which is organised by a registered club for a member and at which only the member and his guests are present.

(3) If paragraph (1) 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 4 on the standard scale.

(4) In any proceedings for an offence by reason of a contravention of paragraph (1) it shall be a defence for a person to prove that he exercised all due diligence to avoid the commission of such an offence.

(5) In this Article, “club” includes any separate branch or section of a club.

Misconduct of registered clubs

31.—(1) Where, because of the manner in which a registered club is being managed or carried on, registration of the club is cancelled on a ground mentioned in Article 8(3)(c)(i) or (4)(b) or (c), every official of the club shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(2) In any proceedings for an offence under paragraph (1) it shall be a defence for a person to prove that he exercised all due diligence to avoid the commission of such an offence.

(3) Where any of the provisions specified in Schedule 1 (other than paragraph 14) which are included in the rules of a registered club are 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 4 on the standard scale.

[^{F45}Irresponsible drinks promotions

31A.—(1) Regulations may prohibit or restrict a registered club from carrying on an irresponsible drinks promotion on or in connection with the premises of the club.

(2) A drinks promotion is irresponsible if it—

- (a) relates specifically to any intoxicating liquor likely to appeal largely to persons under the age of 18,
- (b) involves the supply of any intoxicating liquor free of charge or at a reduced price on the purchase of one or more drinks (whether or not intoxicating liquor),
- (c) involves the supply free of charge or at a reduced price of one or more extra measures of intoxicating liquor on the purchase of one or more measures of the liquor,
- (d) involves the supply of unlimited amounts of intoxicating liquor for a fixed charge (including any charge for entry to the premises),
- (e) encourages, or seeks to encourage, a person to obtain or consume a larger measure of intoxicating liquor than the person had otherwise intended to obtain or consume,
- (f) is based on the strength of any intoxicating liquor,
- (g) rewards or encourages, or seeks to reward or encourage, consuming intoxicating liquor quickly, or
- (h) offers intoxicating liquor as a reward or prize, unless the liquor is in a sealed container and consumed off the premises.

(3) Regulations may modify paragraph (2) so as to—

- (a) add further descriptions of drinks promotions,
- (b) modify any of the descriptions of drinks promotions for the time being listed in it, or
- (c) extend or restrict the application of any of those descriptions of drinks promotions.

(4) If any provision of regulations under this Article is contravened—

- (a) the registered club,
- (b) every official of the club at the time of the contravention, and
- (c) any other person permitting the contravention,

is guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.

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(5) Regulations shall not be made under this Article unless a draft of the regulations has been laid before, and approved by a resolution of, the Assembly.

(6) In this Article “drinks promotion” means, in relation to the premises of a registered club, any activity which promotes, or seeks to promote, the obtaining or consumption of any intoxicating liquor on the premises.]

F45 Art. 31A inserted (1.1.2013 for specified purposes) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2011 \(c. 18\)](#), ss. 10, 18; S.R. 2012/405, art. 2, Sch.

[^{F46}Self-service and vending machines

F46 Art. 31C and cross-heading inserted (1.10.2022) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2021 \(c. 7\)](#), ss. 39(1), 47(2); S.R. 2022/180, arts. 1(2), 2, Sch.

Prohibition on self-service and supply by vending machines

31C.—(1) A registered club must not supply intoxicating liquor for consumption in the club premises in a form which would enable the member or guest to whom it is supplied (or a member or guest that person is with) to operate the dispenser of the liquor.

(2) A registered club must not supply by means of a vending machine in the club premises intoxicating liquor for consumption in the premises.

(3) The activities prohibited by this Article include making intoxicating liquor available for consumption in the premises of a registered club which, in the absence of an official, manager or servant employed in the club, members or guests are trusted by the committee of management or governing body of the club—

- (a) to pay for by placing money in a container, or by some other process, which the club has provided for that purpose, or
- (b) to agree to pay for by recording by a process which the club has provided for that purpose the intoxicating liquor appropriated.

(4) If paragraph (1) or (2) is contravened the registered club is guilty of an offence and is liable on summary conviction to a fine not exceeding level 3 on the standard scale.]

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.

[^{F47}(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—

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- (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 [^{F48}as mentioned in paragraph (1)] if—

- (a) the person under 18 is in the company of a person who is 18 or over; and
- ^{F49}(b)
- (c) where the premises contain a bar, the person under the age of 18 is seated at a table away from the bar; [^{F50}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) [^{F51}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 [^{F52}consisting of at least a main course and] purchased [^{F53}before 9 in the evening] , and
- ^{F54}(b) the person under the age of 18 is not in the premises in the evening at any time after half past 9.]

^{F55}(6)

^{F56}(7)

^{F57}(8)

(9) Any person acting in contravention of paragraph (1) [^{F58}or (3)] shall be guilty of an offence and shall be liable on summary conviction—

- (a) for a contravention of paragraph (1) ^{F59}..., to a fine not exceeding level 3 on the standard scale;
- (b) for a contravention of paragraph (3) ^{F60}..., to a fine not exceeding level 4 on the standard scale.

(10) If paragraph (2) ^{F61}... is contravened—

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

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- (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) ^{F62}... 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.

^{F63}(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) ^{F64}—
 (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 ^{F65}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^{F66}; 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.]

^{F67}(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 ^{F68}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.

^{F69}(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.]

- F47** 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.
- F48** 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.
- F49** 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.
- F50** 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.
- F51** 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.
- F52** 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.
- F53** 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.
- F54** 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.
- F55** 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.
- F56** 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.
- F57** 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.

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- F58** 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.
- F59** 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.
- F60** 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.
- F61** 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.
- F62** 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.
- F63** 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.
- F64** 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.
- F65** 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.
- F66** 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.
- F67** 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.
- F68** 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.
- F69** 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.

[^{F70} **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—

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- (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.]

F70 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.

Children's certificates

F71 33.

F71 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.

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[^{F72}(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.]

F72 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.](#)

[^{F73}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 [^{F74}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.]

F73 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.](#)

F74 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.](#)

Preservation of order

Drunkenness in registered clubs

- 35.**—(1) A registered club shall not—

- (a) permit drunkenness or any disorderly conduct to take place on the premises of the club; or
 - (b) supply intoxicating liquor to a drunken person knowing him to be such.
- (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 permitting the drunkenness or disorderly conduct or, as the case may be, supplying the intoxicating liquor,

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) Where any person is found drunk on the premises of a registered club he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

(4) In any proceedings for an offence by reason of a contravention of paragraph (1) it shall be a defence for a person to prove that he exercised all due diligence to avoid the commission of such an offence.

(5) Where a person is charged under paragraph (2), with permitting drunkenness in contravention of paragraph (1)(a) and it is proved that any person was drunk on the premises of the registered club, the burden of proving that the defendant took all reasonable steps to prevent drunkenness in the club premises shall lie upon him.

Procuring drink for drunken person

36.—(1) If any person on the premises of a registered club procures intoxicating liquor for consumption by a drunken person he shall be guilty of an offence.

(2) If any person aids a drunken person in obtaining or consuming intoxicating liquor in premises as mentioned in paragraph (1) he shall be guilty of an offence.

(3) If any person without reasonable excuse brings a drunken person into premises of a registered club he shall be guilty of an offence.

(4) A person guilty of an offence under this Article shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(5) A person shall not be convicted of an offence under this Article unless the court is satisfied that he knew or ought to have known the condition of the person in connection with whom the charge is brought.

Power to exclude drunken persons, etc., from registered clubs

37.—(1) Without prejudice to any other right to refuse a person admission to premises or to expel a person from premises, a registered club may refuse to admit to, or may expel from, the premises of the club any person who is drunken, or is acting in a disorderly manner, or whose presence in the premises of the club would subject the club to a penalty under this Order or under any other statutory provision.

(2) If any person liable to be expelled from the club premises as mentioned in paragraph (1) fails to leave the premises on the request of the club or a constable, he 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) A constable shall, on the demand of a registered club, help to expel from the premises of the club any person liable to be expelled from those premises under this Article, and may use such force as may be required for the purpose.

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Miscellaneous

Restrictions on advertisements relating to functions in registered clubs

38.—(1) Except as provided by this Article, [^{F75}any advertisement drawing attention to any function to be held in the premises of a registered club must include a clear statement to the effect that the function may be attended only by members of the club and guests of members of the club;] and, subject to paragraph (3), if this paragraph is contravened—

- (a) the registered club; and
- (b) every official of the club at the time the advertisement is issued; and
- (c) any person who issued the advertisement or caused it to be issued;

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

[^{F76}(2) Paragraph (1) does not apply to an advertisement in so far as it relates to a function the whole proceeds of which are, after deduction of the expenses of the function, to be devoted to charitable or benevolent purposes.]

(3) In any proceedings for an offence under paragraph (1) it shall be a defence for—

- (a) a person mentioned in paragraph (1)(b) to prove that he exercised all due diligence to avoid the commission of such an offence; and
- (b) a person to prove that he is a person whose business it is to publish or arrange for the publication of advertisements and that he received the advertisement in question for publication in the ordinary course of business and did not know and had no reason to suspect that its publication would amount to an offence under paragraph (1).

(4) For the purposes of this Article an advertisement issued by displaying or exhibiting it shall be treated as issued on every day on which it is displayed or exhibited.

(5) In this Article “advertisement” includes every form of advertising, whether in a publication or by the display of notices or by means of circulars or other documents or by an exhibition of photographs or a cinematograph film, or by way of sound broadcasting or television or by inclusion in a cable programme service, and references to the issue of an advertisement shall be construed accordingly.

F75 Words in art. 38(1) substituted (6.4.2022) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2021 \(c. 7\), ss. 40\(1\)](#), 47(2); S.R. 2022/63, art. 2, Sch.

F76 Art. 38(2) substituted (6.4.2022) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2021 \(c. 7\), ss. 40\(2\)](#), 47(2); S.R. 2022/63, art. 2, Sch.

Admission of visiting teams, etc.

39.—(1) Notwithstanding paragraphs 12 and 14 of Schedule 1 or any rule required to be made by those paragraphs by a registered club, where a team or other body of persons who are, as members of another club (whether registered or not), society or organisation, visiting a registered club for the purpose of taking part in or in the organisation of or arrangements for, any pastime, sport, game or recreation at the registered club, an official of the club being visited may enter in the book required to be kept by that paragraph 12 the name of the club, society or organisation visiting that club and the number of such persons without specifying their names and addresses and intoxicating liquor may be supplied to such persons at the request and in the presence of an official of the registered club being visited on the occasion of that visit.

(2) The admission of persons to whom paragraph (1) applies shall be disregarded for the purposes of paragraph 11 of Schedule 1.

Accounts of registered clubs, etc.

40.—(1) Every registered club and every club which has served a notice under paragraph 1(1) (a) of Schedule 2 shall—

- (a) keep such vouchers with respect to its transactions and its assets and liabilities, and in such manner, as may be prescribed, and
- (b) establish and maintain a ^{F77}... system of control of its accounts, its cash holdings and all its receipts and remittances, and
- (c) prepare an annual statement of accounts [^{F78}within 3 months of the end of that club's financial year,] in such form and containing such particulars as may be prescribed, and
- ^{F79}(d) cause, within 3 months of the end of that club's financial year, those accounts to be audited by a person referred to in this Article as “the auditor” or examined by an independent examiner in such manner as may be prescribed, and
- (e) on being required by the auditor or independent examiner, produce any record or voucher and any other information or explanation which appears to the auditor or independent examiner to relate to those accounts and which the auditor or independent examiner requires to inspect, and]
- ^{F80}(f)
- (g) on the demand of any member of the club, send a summary of those accounts and the auditor's [^{F81}or independent examiner's] report thereon to that member, free of charge, as soon as they become available, and
- ^{F82}(ga) on the demand of the district commander of the police district in which the premises are situated, send a summary of those accounts and the auditor's or independent examiner's report thereon to that district commander, free of charge, as soon as they become available, and]
- (h) cause a summary of those accounts and auditor's [^{F83}or independent examiner's] report thereon to be displayed, for a period of 4 weeks ending on the date of the annual general meeting, in a conspicuous part of the premises of the club which is accessible to all members, and
- (i) keep all original vouchers, books, accounts, reports and other documents which the club is required to keep under the provisions of this Order for a period of 6 years from the date of the auditor's [^{F83}or independent examiner's] report on the accounts to which they relate, and
- ^{F80}(j)

^{F84}(1A) Regulations under this paragraph may make provision for the—

- (a) system of control referred to in paragraph (1)(b) to be in such form and manner as may be directed by the Department;
- (b) selection of a person for appointment as an independent examiner to be in such manner as may be directed by the Department.]

(2) If paragraph (1) 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 5 on the standard scale.

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[^{F85}(2A) If regulations under paragraph (1A) are 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.]

(3) In any proceedings for an offence under [^{F86}or by virtue of this Article] it shall be a defence for a person to prove that he exercised all due diligence to avoid the commission of such an offence.

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| F77 | Word in art. 40(1)(b) repealed (1.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2011 (c. 18), ss. 12(2)(a), 18, Sch. 4 ; S.R. 2022/89, art. 2 |
| F78 | Words in art. 40(1)(c) inserted (1.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2011 (c. 18), ss. 12(2)(b) , 18; S.R. 2022/89, art. 2 |
| F79 | Art. 40(1)(d)(e) substituted (1.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2011 (c. 18), ss. 12(2)(c) , 18; S.R. 2022/89, art. 2 |
| F80 | Art. 40(1)(f)(j) repealed (1.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2011 (c. 18), ss. 12(2)(d), 18, Sch. 4 ; S.R. 2022/89, art. 2 |
| F81 | Words in art. 40(1)(g) inserted (1.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2011 (c. 18), ss. 12(2)(e) , 18; S.R. 2022/89, art. 2 |
| F82 | Art. 40(1)(ga) inserted (1.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2011 (c. 18), ss. 12(2)(f) , 18; S.R. 2022/89, art. 2 |
| F83 | Words in art. 40(1)(h)(i) inserted (1.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2011 (c. 18), ss. 12(2)(g) , 18; S.R. 2022/89, art. 2 |
| F84 | Art. 40(1A) inserted (1.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2011 (c. 18), ss. 12(3) , 18; S.R. 2022/89, art. 2 |
| F85 | Art. 40(2A) inserted (1.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2011 (c. 18), ss. 12(4) , 18; S.R. 2022/89, art. 2 |
| F86 | Words in art. 40(3) substituted (1.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2011 (c. 18), ss. 12(5) , 18; S.R. 2022/89, art. 2 |

Notification of alteration of rules, etc., of registered clubs

41.—(1) Where any alteration is made in the rules or to the committee of management or the governing body of a registered club, the secretary of the club shall, within 14 days of the alteration, serve a notice giving particulars of the alteration upon—

- (a) the clerk of petty sessions ^{F87} ...; and
- (b) the sub-divisional commander of the police sub-division in which the premises of the registered club are situated.

(2) If paragraph (1) is contravened the secretary of the registered club shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 1 on the standard scale.

(3) Notwithstanding anything in Article 19(1)(a) of the Magistrates' Courts (Northern Ireland) Order 1981 (time limit for summary proceedings), summary proceedings for an offence under this Article may be brought at any time within 6 months from the date on which evidence, sufficient in the opinion of the Director of Public Prosecutions for Northern Ireland to justify the proceedings, comes to his knowledge; but no such proceedings shall be brought by virtue of this paragraph more than 3 years after the commission of the offence.

(4) For the purposes of paragraph (3), a certificate of the Director of Public Prosecutions as to the date on which such evidence as is referred to in paragraph (3) came to his knowledge is conclusive evidence.

F87 Words in art. 41(1)(a) repealed (31.10.2016) by [Justice Act \(Northern Ireland\) 2015 \(c. 9\), s. 106\(2\), Sch. 1 para. 111\(6\), Sch. 9 Pt. 1](#) (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k)(m) (with art. 3)

[^{F88}PART 4A

CLOSURE OF PREMISES OF REGISTERED CLUBS

F88 Pt. 4A inserted (10.12.2012) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2011 \(c. 18\), ss. 7, 18; S.R. 2012/420, art. 2, Sch.](#)

Closure of premises of registered clubs in an identified district

Orders to close premises of registered clubs in district experiencing disorder

41A.—(1) Where there is or is expected to be disorder in any [^{F89}place, a court of summary jurisdiction] may make an order requiring the premises of registered clubs which are situated at or near the place of the disorder or expected disorder, to be closed for a period, not exceeding 24 hours, specified in the order.

(2) A court of summary jurisdiction may make an order under this Article only on the application of a police officer who is of the rank of superintendent or above.

(3) A court of summary jurisdiction may not make such an order unless it is satisfied that it is necessary to prevent disorder.

(4) Where an order is made under this Article, the registered club and every official of the club shall be guilty of an offence if the club or the official knowingly keeps any premises to which the order relates open, or allows any such premises to be kept open, during the period of the order and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(5) A constable may use such force as may be necessary for the purpose of closing premises of a registered club ordered to be closed under this Article.

F89 Words in art. 41A(1) substituted (31.10.2016) by [Justice Act \(Northern Ireland\) 2015 \(c. 9\), s. 106\(2\), Sch. 1 para. 111\(7\)](#) (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k) (with art. 3)

Closure of identified premises of registered clubs

Closure orders for identified premises of registered clubs

41B.—(1) A senior police officer may make a closure order in relation to the premises of any registered club if that officer reasonably believes that there is disorder on, or in the vicinity of and related to, the premises and their closure is necessary in the interests of public safety.

(2) A closure order is an order under this Article requiring the premises of a registered club to be closed for a period not exceeding 24 hours beginning with the coming into force of the order.

(3) In determining whether to make a closure order in respect of the premises of a registered club, the senior police officer must have regard, in particular, to the conduct of the registered club and the officials of the club in relation to the disorder or nuisance.

(4) A closure order must—

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- (a) specify the premises of the registered club to which it relates;
- (b) specify the period for which the premises are to be closed;
- (c) specify the grounds on which it is made; and
- (d) state the effect of Articles 41C to 41G.

(5) A closure order in respect of the premises of a registered club comes into force at the time a constable gives notice of it to the registered club or any official of the club.

(6) The registered club and every official of the club shall be guilty of an offence if, without reasonable excuse, the club or the official permits the premises of a registered club to be open in contravention of a closure order or any extension of it 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.

Extension of closure order

41C.—(1) Where, before the end of the period for which the premises of a registered club are to be closed under a closure order or any extension of it (the “closure period”), the responsible senior police officer reasonably believes that—

- (a) a ^{F90}... court of summary jurisdiction will not have determined whether to exercise its powers under Article 41F(2) in respect of the closure order, and any extension of it, by the end of the closure period, and
- (b) closure is necessary in the interests of public safety because of disorder on, or in the vicinity of and related to, the premises of the registered club,

that officer may extend the closure period for a further period not exceeding 24 hours beginning with the end of the previous closure period.

(2) An extension in relation to the premises of any registered club comes into force when a constable gives notice of it to the registered club or any official of the club.

(3) But the extension does not come into force unless the notice is given before the end of the previous closure period.

F90 Word in art. 41C(1)(a) repealed (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 111(8), Sch. 9 Pt. 1 (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k)(m) (with art. 3)

Cancellation of closure order

41D.—(1) The responsible senior police officer may cancel a closure order and any extension of it at any time—

- (a) after the making of the order, but
- (b) before a ^{F91}... court of summary jurisdiction has determined whether to exercise its powers under Article 41F(2) in respect of the order and any extension of it.

(2) The responsible senior police officer must cancel a closure order and any extension of it if that officer does not reasonably believe that closure is necessary in the interests of public safety because of disorder on, or in the vicinity of and related to, the premises of the registered club.

(3) Where a closure order and any extension of it are cancelled under this Article, the responsible senior police officer must, as soon as reasonably practicable, give notice of the cancellation to the registered club or any official of the club.

F91 Word in art. 41D(1)(b) repealed (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 111(8), **Sch. 9 Pt. 1** (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k)(m) (with art. 3)

Application to court of summary jurisdiction by police

41E The responsible senior police officer must, as soon as reasonably practicable after a closure order comes into force in respect of the premises of a registered club, apply to a ^{F92}... court of summary jurisdiction for it to consider the order and any extension of it.

F92 Word in art. 41E repealed (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 111(8), **Sch. 9 Pt. 1** (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k)(m) (with art. 3)

Consideration of closure order by court of summary jurisdiction

41F.—(1) A ^{F93}... court of summary jurisdiction must as soon as reasonably practicable after receiving an application under Article 41E—

- (a) hold a hearing to consider whether it is appropriate to exercise any of the court's powers under paragraph (2) in relation to the closure order or any extension of it; and
- (b) determine whether to exercise any of those powers.

(2) The ^{F93}... court of summary jurisdiction may—

- (a) revoke the closure order and any extension of it;
- (b) order the premises to remain, or to be closed, for such period not exceeding 28 days as the court may order.

(3) In determining whether the premises of the registered club will be, or will remain, closed, the ^{F93}... court of summary jurisdiction must—

- (a) consider whether closure is necessary in the interests of public safety because of disorder or likely disorder on the premises of the registered club, or in the vicinity of and related to, the premises; and
- (b) hear representations, if any, from the secretary of the club.

(4) The ^{F93}... court of summary jurisdiction must notify the district commander for the police district in which the premises are situated of any decision it makes under this Article.

(5) The registered club and every official of the club shall be guilty of an offence if, without reasonable excuse, the club or the official permits the premises of a registered club to be open in contravention of an order under paragraph (2)(b) 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.

F93 Word in arts. 41F(1)-(4) repealed (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 111(8), **Sch. 9 Pt. 1** (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k)(m) (with art. 3)

Appeal from decision of court of summary jurisdiction

41G.—(1) Any person aggrieved by a decision of a court of summary jurisdiction under Article 41F may, within 21 days from the day the decision is made, appeal against the decision to the county court in accordance with magistrates' court rules.

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(2) Where an order is made under Article 41F(2)(b), the order shall not have effect from the time a person brings an appeal under paragraph (1) against the making of the order until the appeal is abandoned or determined.

Enforcement of closure order

41H A constable may use such force as may be necessary for the purposes of closing the premises of a registered club in compliance with a closure order.

Exemption of police from liability for damages

41I.—(1) A constable is not liable for relevant damages in respect of any act or omission of that constable in the performance or purported performance of that constable's functions in relation to a closure order or any extension of it.

(2) The Chief Constable is not liable for relevant damages in respect of any act or omission of a constable under the Chief Constable's direction or control in the performance or purported performance of a function of that constable in relation to a closure order or any extension of it.

(3) But neither paragraph (1) nor (2) applies—

- (a) if the act or omission is shown to have been in bad faith; or
- (b) so as to prevent an award of damages in respect of an act or omission on the grounds that the act or omission was unlawful as a result of section 6(1) of the Human Rights Act 1998 (incompatibility of act or omission with Convention rights).

(4) This Article does not affect any other exemption from liability for damages (whether at common law or otherwise).

(5) In this Article, “relevant damages” means damages awarded in proceedings for judicial review, the tort of negligence or misfeasance in public office.

Interpretation

Interpretation of Part 4A

41J.—(1) This Article has effect for the purposes of this Part.

(2) The premises of a registered club are open if a person enters the premises (other than an official of the registered club who enters the premises for official purposes connected with the activities of the club) and that person consumes or is supplied with food or intoxicating liquor.

(3) The following expressions have the meanings given—

“closure order” has the meaning given in Article 41B(2);

“extension”, in relation to a closure order, means an extension of the order under Article 41C;

F94
...

“responsible senior police officer”, in relation to a closure order, means—

- (a) the senior police officer who made the order, or
- (b) if another senior police officer is designated for the purpose by the district commander for the police district in which the premises are situated, that other officer;

“senior police officer” means a police officer of, or above, the rank of inspector.]

F94 Words in art. 41J(3) repealed (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 111(9), Sch. 9 Pt. 1 (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k)(m) (with art. 3)

PART V MISCELLANEOUS

F⁹⁵ Code of practice

F95 Art. 41K and cross-heading inserted (1.10.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), ss. 41(1), 47(2); S.R. 2022/180, arts. 1(2), 2, Sch.

Code of practice

41K.—(1) Where a person or group of persons which the Department considers to have a relevant interest produces a relevant code of practice, the Department may approve the code.

(2) A person or group has a “relevant interest” if the person or group—

- (a) is representative of registered clubs, or
- (b) is representative of persons whose business involves the production of intoxicating liquor, or
- (c) is representative of persons whose business involves dealing wholesale in intoxicating liquor, or
- (d) is engaged in research into, or otherwise has an interest in, the effects of the consumption of intoxicating liquor on personal or public health or on public order.

(3) A code of practice is relevant if it relates to the display or supply, or activities designed to promote the supply or consumption, of intoxicating liquor in registered clubs.

(4) Where the Department approves a relevant code of practice, it must give notice of its approval in the Belfast Gazette.

(5) Before deciding whether to approve a relevant code of practice, the Department must consult the Police Service of Northern Ireland.

(6) Where a person or group of the kind referred to in paragraph (1) amends a relevant code of practice, the Department may approve the amendments; and paragraphs (4) and (5) apply in relation to approving an amendment as they apply in relation to approving a code, unless the Department does not consider the amendment significant enough for those paragraphs to apply.

(7) The Department may withdraw its approval of a relevant code or of an amendment to it; and paragraphs (4) and (5) apply in relation to withdrawing approval of a code or amendment as they apply in relation to approving it.]

Inspection and rights of entry

Provision for inspection and rights of entry

42.—(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)(a) 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 3(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

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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 or any premises mentioned in Article 3(2) and —
- (i) inspect the premises;
 - (ii) inspect any book or document which appears to the constable to relate 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 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 appears to the constable to relate 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;

then,—

- (i) in the case of a registered club, every official 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,
- (ii) in any other case, the person contravening and, in the case of a contravention such as is mentioned in sub-paragraph (c) or (d), every official or member of the 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 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) 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 such information, books or documents relating to that club of any description as may be 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) in the case of a club which is a registered club, the registered club and every official of the club at the time of the contravention; and
- (b) in the case of a club which is not a registered club, the person contravening and every official and member of the 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.

Legal proceedings

Penalty points to be attributed to an offence

43.—(1) Where a registered club or any official of a registered club is convicted of an offence under a provision of this Order specified in column 1 of Schedule 6 (the general nature of which offence is indicated in column 2) then, subject to the following provisions of this Article, the number of penalty points to be attributed to the offence is [^{F96}a number within the range of numbers shown in relation to the offence in column 3 of Schedule 6 (or if an order is made under paragraph (5) substituting a number for a range, the number shown in relation to that offence).]

(2) Where a registered club or any official of a registered club is convicted (whether on the same occasion or not) of 2 or more offences committed on the same occasion, the total number of penalty points to be attributed to them is the number or highest number that would be attributed on a conviction of one of them (so that if the convictions are on different occasions the number of penalty points to be attributed to the offences on the later occasion or occasions shall be restricted accordingly).

(3) In a case where (apart from this paragraph) paragraph (2) would apply to 2 or more offences, the court may if it thinks fit determine that that paragraph shall not apply to the offences (or, where 3 or more offences are concerned, to any one or more of them).

(4) Where a court makes such a determination it shall state the reasons for the determination in the order of the court.

[^{F97}(5) The Department may, by order subject to affirmative resolution, amend column 3 of Schedule 6 (by substituting one range of numbers for another, a number for a range, or a range for a number).]

F96 Words in art. 43(1) substituted (1.5.2012) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2011 \(c. 18\), ss. 8\(1\)\(a\), 18; S.R. 2012/28, art. 2, Sch.](#)

F97 Art. 43(5) substituted (1.5.2012) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2011 \(c. 18\), ss. 8\(1\)\(b\), 18; S.R. 2012/28, art. 2, Sch.](#)

Endorsement of certificates of registration

44.—(1) Where a registered club or any official of a registered club is convicted of an offence under a provision of this Order specified in column 1 of Schedule 6, the court shall order there to be

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endorsed on the certificate of registration issued on the registered club particulars of the conviction and also—

(a) particulars of the offence, including the date when it was committed, ^{F98}...

^{F98}(b)

[^{F99}(2) Where a registered club or any official of a registered club is convicted of an offence under a provision of this Order specified in column 1 of Schedule 6—

- (a) subject to paragraph (2A), where the provision is one specified in Part 1 of Schedule 6, the court may order there to be endorsed on the certificate of registration the penalty points to be attributed to the offence;
- (b) subject to paragraph (2B), where the provision is one specified in Part 2 of Schedule 6, the court must order there to be endorsed on the certificate of registration the penalty points to be attributed to the offence unless for special reasons the court thinks fit not to do so;
- (c) where the provision is one specified in Part 3 of Schedule 6, the court must order there to be endorsed on the certificate of registration the penalty points to be attributed to the offence.

(2A) Where a registered club or any official of a registered club who has been convicted of an offence under a provision of this Order specified in Part 1 of Schedule 6 (“the first offence”) is convicted of an offence under the same provision of this Order committed less than two years after the first offence was committed, the court must order the penalty points to be attributed to the offence to be endorsed on the certificate of registration.

(2B) Where a registered club or any official of a registered club who has been convicted of an offence under a provision of this Order specified in Part 2 of Schedule 6 (“the first offence”) is convicted of an offence under a provision of this Order specified in that Part of that Schedule committed less than two years after the first offence was committed, the court must order the penalty points to be attributed to the offence to be endorsed on the certificate of registration.]

(3) A court which orders the endorsement of a certificate of registration of a registered club under [^{F100}this Article] shall order the secretary of the club to deliver the certificate of registration to the clerk of the court within a period specified in the order of the court and if the secretary of the registered club contravenes that court order he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 4 on the standard scale or to imprisonment for a term not exceeding 3 months or both.

<p>F98 Art. 44(1)(b) and word repealed (1.5.2012) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2011 (c. 18), ss. 8(2)(a), 18, Sch. 4; S.R. 2012/28, art. 2, Sch.</p> <p>F99 Art. 44(2)(2A)(2B) substituted for art. 44(2) (1.5.2012) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2011 (c. 18), ss. 8(2)(b), 18; S.R. 2012/28, art. 2, Sch.</p> <p>F100 Words in art. 44(3) substituted (1.5.2012) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2011 (c. 18), ss. 8(2)(c), 18; S.R. 2012/28, art. 2, Sch.</p>
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[^{F101}**Suspension of registration for repeated offences**

45.—(1) Where a registered club or any official of a registered club is convicted of an offence under a provision of this Order specified in column 1 of Schedule 6, the penalty points to be taken into account on that occasion are (subject to paragraphs (2) and (6))—

- (a) any that are to be attributed to the offence or offences in respect of which the club or, as the case may be, the official is convicted; and
- (b) any that were on a previous occasion ordered to be endorsed on the certificate of registration issued to the registered club;

and where the penalty points so taken into account number 10 or more, the court must, by order, suspend the registration of the club.

(2) If any of the offences was committed more than two years before another, the penalty in respect of that offence shall not be added to those in respect of the other.

(3) The period for which registration is suspended under paragraph (1) shall not be less than 1 week or more than 3 months.

(4) The suspension of registration under paragraph (1) shall be in addition to any other penalty which may be imposed by the court.

(5) Where a court suspends the registration of a club under paragraph (1), the registration shall not be in force during the period of suspension except for the purposes of the provisions of this Order relating to the renewal of registration.

(6) After the suspension of registration of a club under paragraph (1), none of the penalty points taken into account on making the order under paragraph (1) may be taken into account on any other occasion.]

F101 Art. 45 substituted (1.5.2012) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2011 \(c. 18\), ss. 8\(3\), 18; S.R. 2012/28, art. 2, Sch.](#)

Disqualification of premises on conviction of offence

46.—(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 a period of 2 years from the date on which the order takes effect or, if the court thinks fit, such greater period not exceeding 5 years 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.

Proof of consumption of intoxicating liquor

47.—(1) Evidence that consumption of intoxicating liquor was about to take place shall, in any proceedings relating to an offence under this Order, be evidence of the consumption of intoxicating liquor without proof of actual consumption.

(2) Evidence that any person obtained, consumed or intended to consume intoxicating liquor in the premises of a registered club shall, in any such proceedings, be evidence that the liquor was supplied by or on behalf of the club.

(3) Where it is proved that intoxicating liquor has been received, delivered or distributed within the premises of a registered club and taken outside the premises, it shall, failing proof to the contrary, be deemed to have been so taken for consumption outside the premises.

(4) Where intoxicating liquor in open vessels is found in the premises of a registered club during any period when the consumption of intoxicating liquor in those premises is prohibited by this Order, consumption of intoxicating liquor shall, in any proceedings for a contravention of any provisions

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of this Order, be deemed to have taken place during that period and in those premises unless and until the contrary is proved.

Appeals

48.—(1) Without prejudice to Articles 61 and 65 of the County Courts (Northern Ireland) Order 1980, any party to the proceedings who is dissatisfied with a decision of a county court on an application made to it under this Order may appeal from that decision as if the decision had been made in exercise of the jurisdiction conferred by Part III of that Order and the appeal were brought under Article 60 of that Order.

(2) For the purposes of—

- (a) paragraph (1);
- (b) Articles 61 and 62 of the County Courts (Northern Ireland) Order 1980;
- (c) Articles 143 and 146 of the Magistrates' Courts (Northern Ireland) Order 1981,

a person who appears as an objector in any proceedings under this Order shall be deemed to be a party to the proceedings.

[^{F102}Procedure in connection with suspension, cancellation and disqualification]

49.—(1) [^{F103}A court which suspends or cancels] the registration of a club or makes a disqualification order in respect of the premises of a registered club under Article 15 or 46 shall order the secretary of the club to deliver the certificate of registration of the club to the clerk of the court within a period specified in the order of the court, and if the secretary of the club contravenes that court order he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 4 on the standard scale or to imprisonment for a term not exceeding 3 months or both.

(2) The clerk of a court to whom a certificate of registration is delivered under paragraph (1) shall [^{F104}retain the certificate of registration] .

(3) The clerk of a court which [^{F105}suspends or cancels] the registration of a club or makes a disqualification order as mentioned in paragraph (1) shall send notice of the [^{F106}suspension,] cancellation or order to the sub-divisional commander of the police sub-division in which the premises of the club are situated.

F102 Art. 49 heading substituted (1.5.2012) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2011 \(c. 18\)](#), s. 18, [Sch. 3 para. 8\(a\)](#); S.R. 2012/48, art. 2, Sch.

F103 Words in art. 49(1) substituted (1.5.2012) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2011 \(c. 18\)](#), s. 18, [Sch. 3 para. 8\(b\)](#); S.R. 2012/48, art. 2, Sch.

F104 Words in art. 49(2) substituted (31.10.2016) by [Justice Act \(Northern Ireland\) 2015 \(c. 9\)](#), s. 106(2), [Sch. 1 para. 111\(10\)](#) (with [Sch. 8 para. 1](#)); S.R. 2016/387, art. 2(k) (with art. 3)

F105 Words in art. 49(3) substituted (1.5.2012) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2011 \(c. 18\)](#), s. 18, [Sch. 3 para. 8\(e\)\(i\)](#); S.R. 2012/48, art. 2, Sch.

F106 Word in art. 49(3) inserted (1.5.2012) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2011 \(c. 18\)](#), s. 18, [Sch. 3 para. 8\(e\)\(ii\)](#); S.R. 2012/48, art. 2, Sch.

Proceedings against clubs

50.—(1) Proceedings under this Order may be brought against a registered club in the name in which it is registered.

(2) Any summons or other document required to be served on the club in the course of such proceedings may be served on the secretary of the club; and any such summons shall, in addition

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to being so served, be served also on any other person whom the justice of the peace granting the summons may direct.

Supplemental

Exemptions

51. Nothing in this Order shall apply to the supply or consumption of intoxicating liquor to or in any club in which the supply of intoxicating liquor is carried on under the authority of [^{F107}the Department of Justice,] the Secretary of State or the [^{F108} Policing Board] or to or in any authorised mess of members of Her Majesty's naval, military or air forces.

F107 Words in art. 51 inserted (18.10.2012) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2012 \(S.I. 2012/2595\)](#), arts. 1(2), **8** (with arts. 24-28)

F108 2000 c. 32

Modifications of Schedules, amendments, transitional and saving provisions and repeals

52.—(1) The provisions of Schedule 2 may be modified by county court rules and the provisions of Schedules 3 [^{F109}and 4] may be modified by magistrates' courts rules, and any rules made under this paragraph may make consequential modifications of this Order.

Para. (2)—Amendments

(3) The transitional and saving provisions in Schedule 8 shall have effect for the purposes of this Order.

Para. (4)—Repeals

F109 Words in art. 52(1) substituted (6.4.2022) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2021 \(c. 7\)](#), s. 47(2), **Sch. 1 para. 18**; 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](#)