

SCHEDULES

SCHEDULE 5

Section 40.

REQUIREMENTS TO BE COMPLIED WITH BY CLUB'S APPLICATION FOR REGISTRATION CERTIFICATE

- 1 The application shall specify the name, objects and address of the club, and shall state that there is kept at that address a list of the names and addresses of the members.
- 2 The application shall state, in terms of subsections (1) and (2) of section 41 of this Act, that the club is qualified under those subsections to receive a registration certificate for the premises, or will be so qualified if, as regards any provision of the rules specified in the application, the court sees fit to give a direction under section 42(2) of this Act.
- 3 The application shall set out, or shall incorporate a document annexed which sets out, the names and addresses of the members of any committee having the general management of the affairs of the club, and those of the members of any other committee concerned with the purchase for the club or with the supply by the club of intoxicating liquor, and those of other officers of the club.
- 4 (1) The application shall state, or shall incorporate a document annexed which states, the rules of the club or, in the case of an application for renewal, the changes in the rules made since the last application for the issue or renewal of the certificate.
(2) If, in the case of an application for renewal, there has been no such change as aforesaid, the application shall so state.
- 5 The application shall—
 - (a) identify the premises for which the issue or renewal of the registration certificate is sought; and
 - (b) state that those premises are or are to be occupied by and habitually used for the purposes of the club, the times at which they are or are to be open to members and the hours (if any) fixed by or under the rules of the club as the permitted hours there ; and
 - (c) state the interest held by or in trust for the club in those premises and, if it is a leasehold interest or if the club has no interest, the name and address of any person to whom payment is or is to be made of rent under the lease pr otherwise for the use of the premises.
- 6 (1) The application shall give, or shall incorporate a document annexed which gives—
 - (a) particulars of any property not comprised in paragraph 5 of this Schedule which is or is to be used for the purposes of the club and not held by or in trust for the club absolutely, including the name and address of any person to whom payment is or is to be made for the use of that property;
 - (b) particulars of any liability of the club in respect of the principal or interest of moneys borrowed by the club or charged on property held by or in trust for

Status: This is the original version (as it was originally enacted).

- the club, including the name and address of the person to whom payment is or is to be made on account of that principal or interest;
- (c) particulars of any liability of the club or of a trustee for the club in respect of which any person has given any guarantee or provided any security, together with particulars of the guarantee or security given or provided, including the name and address of the person giving or providing it.
- (2) An application for renewal, or document annexed to it, may give the particulars required by this paragraph by reference to the changes (if any) since the last application by the club for the issue or renewal of the registration certificate.
- (3) If there is no property or liability of which particulars are required by any paragraph of sub-paragraph (1) of this paragraph, the application shall so state.
- (4) In this paragraph, "liability" includes a future or contingent liability.
- 7 (1) The application shall give, or shall incorporate a document annexed which gives, particulars of any premises not comprised in paragraph 5 of this Schedule, which have within the preceding twelve months been occupied and habitually used for the purposes of the club, and shall state the interest then held by or in trust for the club in those premises and, if it was a leasehold interest or if the club had no interest, the name and address of any person to whom payment was made of rent under the lease or otherwise for the use of the premises.
- (2) If there are no premises of which particulars are required by this paragraph, the application shall so state.
- 8 Where the interest held by or in trust for the club in any land of which particulars are required by paragraph 5, 6 or 7 of this Schedule is or was a leasehold interest, and the rent under the lease is not or was not paid by the club or the trustees for the club, the application shall state the name and address of the person by whom it is or was paid.