
STATUTORY INSTRUMENTS

1996 No. 3159

The Registration of Clubs (Northern Ireland) Order 1996

PART II

REGISTRATION OF CLUBS

Renewal of registration

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.

(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.

(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.