
STATUTORY INSTRUMENTS

1996 No. 3159

The Registration of Clubs (Northern Ireland) Order 1996

PART IV

CONDUCT OF REGISTERED CLUBS

Miscellaneous

Restrictions on advertisements relating to functions in registered clubs

38.—(1) Except as provided by this Article, no person shall issue, or cause to be issued, any advertisement drawing attention to any function to be held on the premises of a registered 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.

(2) Paragraph (1) does not apply to—

- (a) the publication or display of a notice inside the premises of the registered club in which the function is to be held; or
- (b) any advertisement in so far as it relates to a function involving any sport, game or physical recreation.

(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.

Admission of visiting teams, etc.

39.—(1) Notwithstanding paragraphs 12 and 14 of Schedule 1 or c 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 prescribed system of control of its accounts, its cash holdings and all its receipts and remittances, and
- (c) prepare an annual statement of accounts in such form and containing such particulars as may be prescribed, and
- (d) cause those accounts to be audited by such person (“the auditor”), and in such manner, as may be prescribed, and
- (e) on being required by the auditor, produce any record or voucher and any other information or explanation which appears to the auditor to relate to those accounts and which the auditor requires to inspect, and
- (f) send a copy of those accounts and the auditor’s report thereon to the sub-divisional commander of the police sub-division in which the premises of the club are situated within 3 months of the end of the financial year of the club to which they relate, and
- (g) on the demand of any member of the club, send a summary of those accounts and the auditor’s report thereon to that member, free of charge, as soon as they become available, and
- (h) cause a summary of those accounts and auditor’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 report on the accounts to which they relate, and notify, in writing, the sub-divisional commander mentioned
- (j) in sub-paragraph (f) of the address or addresses at which the vouchers, books, accounts, reports and other documents to which sub-paragraph (i) applies are kept.

(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.

(3) 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.

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 for the petty sessions district in which the premises of the registered club are situated; 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.