



2011 CHAPTER 18

PART 2

REGISTRATION OF CLUBS

Penalty points

8.—(1) In Article 43 of the Registration of Clubs Order (penalty points to be attributed to an offence)—

- (a) in paragraph (1), for sub-paragraphs (a) and (b) substitute “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).”;
- (b) for paragraph (5) substitute—

“(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).”.

(2) In Article 44 of the Registration of Clubs Order (endorsement of certificates of registration)—

- (a) in paragraph (1), omit sub-paragraph (b) and the word “and” immediately preceding it;
- (b) for paragraph (2) substitute—

“(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.”.

(c) in paragraph (3), for “paragraph (1)” substitute “this Article”.

(3) For Article 45 of the Registration of Clubs Order substitute—

“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.”.

(4) For Schedule 6 to the Registration of Clubs Order substitute the Schedule set out in Schedule 2.