



2021 CHAPTER 7

PART 2

REGISTRATION OF CLUBS

Young people in registered clubs

Removal of requirement for children's certificate, etc.

35.—(1) Article 33 of, and Schedule 5 to, the Registration of Clubs Order (children's certificates) are repealed.

(2) In Article 32 of that Order (young persons prohibited from bars), in paragraph (4)—

- (a) after "is in a part of club premises" insert "as mentioned in paragraph (1)",
- (b) omit sub-paragraph (b) and the following "and",
- (c) after sub-paragraph (c) (but before the following "and") insert "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;"
- (d) in sub-paragraph (d), for "the certificate is operational" substitute "the person under the age of 18 is not in the premises in the evening at any time after 9".

(3) In paragraph (5) of that Article—

- (a) in sub-paragraph (a), for "before the certificate ceased to be operational" substitute "before 9 in the evening", and
- (b) for sub-paragraph (b) substitute—

“(b) the person under the age of 18 is not in the premises in the evening at any time after half past 9.”.

(4) Omit paragraphs (6), (7) and (8) of that Article.

(5) In paragraph (9) of that Article—

(a) for “, (3), (6) or (8)” substitute “or (3)”,

(b) in sub-paragraph (a), omit “or (6)”, and

(c) in sub-paragraph (b), omit “or (8)”.

(6) In each of paragraphs (10) and (11) of that Article, omit “or (7)”.

(7) In Article 34A of the Registration of Clubs Order (duty to display notice relating to age), in paragraph (3)(a), after “intoxicating liquor” insert “or in relation to offences concerning the presence of such persons in club premises”.

Underage functions

36.—(1) After Article 32 of the Registration of Clubs Order insert—

“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—

(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.”.

(2) In Article 32 of the Registration of Clubs Order (prohibition on young persons from bars), in paragraph (13), after sub-paragraph (c) insert “; 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.”.

(3) In Part 1 of Schedule 6 to that Order (penalty points for offences punishable with level 3 fine), at the appropriate place insert—

“32A(6) or (8)	Contravening conditions on 3-4” access to intoxicating liquor; supplying intoxicating liquor to, or permitting consumption of it by, a person aged 18 or over during underage function
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(4) In Article 106 of the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 (use of gaming machines in registered clubs), after paragraph (7) insert—

“(7A) No gaming machine shall be made available in any premises mentioned in paragraph (1) for which an authorisation under Article 32A of the Registration of Clubs (Northern Ireland) Order 1996 (underage functions) is in force during the period for which it is in force.”.

Private functions

37. In Article 32 of the Registration of Clubs Order (young persons prohibited from bars), after paragraph (3) insert—

“(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—

- (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.”.

Young people prohibited from bars

38.—(1) In Article 32(13) of the Registration of Clubs Order (young persons prohibited from bars), in sub-paragraph (a), for “during the part of the permitted hours before 10 in the evening” substitute “—

- (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;”.

(2) In Article 32 of that Order, in paragraph (13)(b), for “10 in the evening” substitute “the time in the evening provided for under sub-paragraph (a)”.

(3) In that Article, after paragraph (13) insert—

“(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.”.

(4) In that Article, in paragraph (14), for “10 in the evening” substitute “the time in the evening provided for under paragraph (13)(a)”.

(5) In that Article, after paragraph (14) insert—

“(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.”.