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STATUTORY INSTRUMENTS

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**1985 No. 1204**

**The Betting, Gaming, Lotteries and  
Amusements (Northern Ireland) Order 1985**

**PART III**

**GAMING**

**CHAPTER III**

**GAMING BY WAY OF A GAMING MACHINE**

*Registration of clubs*

***Registration of clubs***

**96.**—(1) An application for registration of a club may be made by the chairman or secretary of the club and shall be made to a court of summary jurisdiction.

(2) The procedure for applications for the grant of registration of clubs is set out in Schedule 13.

(3) On an application for the grant of registration of a club, the court shall hear the objections, if any, made under Schedule 13.

(4) A court shall, subject to paragraph (5), refuse an application for the grant of registration of a club unless it is satisfied—

(a) that the procedure relating to the application set out in Schedule 13 has been complied with; and

(b) that the club—

(i) is a bona fide members' club; and

(ii) has, at least, 25 members; and

(c) that the premises of the club have been habitually used for the objects of the club, for<sup>[F1]</sup> not less than] 1 year; and

(d) that the premises of the club are not frequented wholly or mainly by persons under the age of 18; and

(e) that the club is not registered under the<sup>[F2]</sup> Registration of Clubs (Northern Ireland) Order 1996].

(5) A court may grant the registration of a club notwithstanding that the procedure relating to the application set out in Schedule 13 has not been complied with, if having regard to the circumstances, it is reasonable to do so.

(6) A court may refuse an application for the registration of a club if it is satisfied—

(a) that a previous registration in respect of the club has been cancelled or that an application for renewal of registration has been refused; or

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[<sup>F2</sup>(b) that registration under that Order of 1996 or a certificate of registration under the Registration of Clubs (Northern Ireland) Order 1987 has been cancelled or that an application for renewal of such registration or certificate of registration has been refused.]

(7) Where the court refuses an application for the grant of registration of a club it shall specify in its order the reasons for its refusal.

<b>F1</b>	2004 NI 1
<b>F2</b>	1996 NI 23

### ***Issue and duration of certificate of registration***

**97.**—(1) Where a court of summary jurisdiction grants an application for the registration of a club, the court shall issue a certificate of registration which shall be in such form as may be prescribed by regulations.

(2) Subject to the succeeding provisions of this Article, a certificate of registration unless registration is cancelled under Article 103 shall remain in force from the date on which it is issued until—

- (a) the expiration of the registration year in which it is issued, or
- (b) if it is issued within the 3 months immediately preceding the expiration of that year, the expiration of the next following registration year.

(3) Where, at the hearing of an application for the registration of a club any person appears before the court and opposes the registration, but the court registers the club—

- (a) until the expiry of the time for bringing an appeal against the registration and, if an appeal is brought, until the registration is confirmed or the appeal is abandoned, the certificate of registration shall not come into force;
- (b) if on appeal the registration is confirmed or if the appeal is abandoned, for the purpose of determining the period for which the certificate of registration is to be in force the date when the appeal is disposed of shall be substituted for the date on which the certificate of registration was issued and the clerk of petty sessions shall (if necessary) amend the certificate accordingly.

(4) Paragraph (2) shall not prejudice the operation of Articles 101 and 104 under which a certificate of registration may continue in force after the time when it would otherwise expire.

### ***Renewal of registration of clubs***

**98.**—(1) An application for the renewal of registration of a club may be made by the chairman or secretary of the club and shall be made to a court of summary jurisdiction except where the registration is renewed by the clerk of petty sessions under this Article.

(2) The procedure for applications for the renewal of registration of clubs is set out in Part I of Schedule 14.

(3) Subject to paragraph (4), where notice of an application for the renewal of registration of a club otherwise than under Article 100 has been served upon the clerk of petty sessions, he may renew the registration of the club as if the application had been made to him and may do so in the absence of the applicant.

(4) Where—

- (a) a notice of objection has been served on the clerk of petty sessions and has not been withdrawn; or

- (b) the clerk is of the opinion, for any other reason, that an application for the renewal of the registration of a club should be made to the court;

the clerk shall require the application to be made to the court and shall notify the applicant and the objectors, if any, of the requirement and of the time and place of the hearing.

(5) Where the registration of a club is renewed, the clerk of petty sessions shall note the renewal on the certificate of registration.

### ***Renewal of registration of clubs by a court***

**99.**—(1) On an application for the renewal of registration of a club, the court shall hear the objections, if any, made under Schedule 14.

(2) A court shall, subject to paragraph (3), refuse an application for the renewal of registration of a club unless it is satisfied—

- (a) that the procedure relating to the application set out in Schedule 14 has been complied with; and
- (b) that the club—
- (i) is a bona fide members' club; and
  - (ii) has, at least, 25 members; and
- (c) that the premises of the club have been habitually used since the last previous renewal of registration (or where the renewal applied for is the first renewal of the registration, since the club was registered) for the objects of the club; and
- (d) that the premises of the club are not frequented wholly or mainly by persons under the age of 18; and
- (e) that the club is not registered under the<sup>F3</sup> Registration of Clubs (Northern Ireland) Order 1996].

(3) A court may renew the registration of a club notwithstanding that the procedure relating to the application set out in Schedule 14 has not been complied with if, having regard to the circumstances, it is reasonable to do so.

(4) A court may refuse an application for the renewal of registration of a club if it is satisfied that a person has been convicted of an offence in respect of a contravention, in connection with the premises of the club, of any of the provisions of this Chapter or Chapter I or of any regulations made under them.

(5) 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.

<b>F3</b> <a href="#">1996 NI 23</a>
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### ***Renewal of registration of clubs out of time***

**100.**—(1) Where the chairman, or as the case may be, secretary of a club the registration of which falls to expire at the end of a registration year fails to serve due notice of the application for renewal of the registration before the renewal date in that year a court of summary jurisdiction, upon application for renewal of registration of the club being made not later than the end of the next following registration year, may renew the registration of the club if it is satisfied that there was good reason for the failure.

(2) The procedure for applications under this Article for the renewal of registration of clubs is set out in Part I of Schedule 14 as modified by Part II of that Schedule.

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### ***Continuance of registration of clubs pending determination of appeal***

**101.** Where a court refuses an application for the renewal of the registration of a club and the applicant for the renewal appeals, the registration of the club shall, unless cancelled, continue in force until the appeal is determined or abandoned.

### ***Duration of renewed certificates of registration***

**102.—**(1) Subject to paragraph (2), on the renewal of registration of a club, the certificate of registration, unless registration is cancelled, shall remain in force until—

- (a) if it is renewed within the 3 months immediately preceding the expiration of the then current registration year, the expiration of the next following registration year, or
- (b) in any other case, the expiration of the then current registration year.

(2) Paragraph (1) shall not prejudice the operation of Articles 101 and 104 under which a certificate of registration may continue in force after the time when it would otherwise expire.

### ***Cancellation of registration of clubs***

**103.—**(1) An application for the cancellation of registration of a club may be made by the sub-divisional commander of the police sub-division in which the premises of the club are situated to a court of summary jurisdiction on any of the following grounds—

- (a) that the club is not a bona fide members' club; or
- (b) that the club has less than 25 members; or
- (c) that the premises of the club have not been habitually used for the objects of the club; or
- [<sup>F4</sup>(ca) that gaming carried on in the premises of the club has been carried on in a manner which involved serious, repeated or continuous failure to comply with a code of practice in force under Article 180A; or]
- (d) that the premises of the club are frequented wholly or mainly by persons under the age of 18; or
- [<sup>F5</sup>(e) that the club is registered under the Registration of Clubs (Northern Ireland) Order 1996; or]
- (f) that a person has been convicted of an offence in respect of a contravention, in connection with the premises of the club, of any of the provisions of this Chapter or Chapter I or of any regulations made under them.

(2) On an application for the cancellation of registration of a club a court shall hear representations, if any, from the applicant and the chairman or secretary of the club.

(3) A court shall refuse an application for the cancellation of registration of a club if it is satisfied that the application is made on grounds which have been, or ought to have been, raised previously by way of objection either when the club was registered or on an occasion when registration has been renewed.

(4) Where the court refuses an application for the cancellation of registration of a club, it shall specify in its order the reasons for its refusal.

(5) A certificate of registration purporting to be held in respect of the registration of a club shall, where that registration has been cancelled, be void.

**F4** Art. 103(1)(ca) inserted (1.10.2023) by [Betting, Gaming, Lotteries and Amusements \(Amendment\) Act \(Northern Ireland\) 2022 \(c. 14\)](#), ss. **16(2)(f)**, 17(3); S.R. 2023/74, art. 2, Sch.

**F5** 1996 NI 23

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***Continuance of registration of clubs pending determination of appeal against cancellation***

**104.** Where a court cancels the registration of a club and the chairman or, as the case may be, the secretary of the club appeals, the registration shall continue in force until the appeal is determined or abandoned.

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- Instrument applied by [1997 c. 16 s.15\(3\)](#)

**Changes and effects yet to be applied to the whole Order associated Parts and Chapters:**

- Act applied by [1997 c. 16 s.15\(3\)](#)

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- art. 172A and cross-heading inserted by [2022 c. 14 \(N.I.\) s. 15\(1\)](#)
- art. 186(3A) inserted by [2022 c. 14 \(N.I.\) s. 15\(2\)\(a\)](#)