

## SCHEDULES

Schedule 5

Article 47(3).

### TRANSITIONAL PROVISIONS AND SAVINGS

#### *Interpretation*

1. In this Schedule—

“Act of 1967” means the Registration of Clubs Act (Northern Ireland) 1967;

“commencement date” for the purposes of any provision of this part, means the day appointed under Article 1(2) for the coming into operation of that provision;

“existing certificate” means a certificate of registration granted under the Act of 1967.

### PART I

#### TRANSITIONAL PROVISIONS

##### *Existing certificates*

2. Notwithstanding the repeal of the Act of 1967 by Article 47(4) and Schedule 6, any existing certificate in force immediately before the commencement date shall on and after that date be deemed to be a certificate of registration issued under Article 7(1) and shall, unless registration is cancelled or a disqualification order takes effect under Article 13 or 38, continue in force until the 31st January next following that date.

##### *Applications for certificates*

3.—(1) Where, before the commencement date, notice of application to a court of summary jurisdiction for the grant of a certificate of registration has been published and served under the Act of 1967, the court may proceed to hear the application and exercise any power which is exercisable by a county court under this Order in relation to the grant of registration and the court may treat the application as complying with Schedule 2 notwithstanding that some provision of that Schedule has not been complied with.

(2) Where a court of summary jurisdiction exercises the jurisdiction conferred by subparagraph (1), the provisions of this Order and of county court rules relating to the grant of registration (except any provision requiring the chief clerk to send documents to the clerk of petty sessions) shall have effect with any necessary modifications.

##### *Renewals of certificates*

4. Where, before the commencement date, notice of application to a court of summary jurisdiction for the renewal of an existing certificate has been published and served under the Act of 1967, the application may be treated by the court as an application complying with Schedule 3 notwithstanding that some provision of that Schedule has not been complied with.

*Registration of existing clubs*

5.—(1) The secretary of a club in existence immediately before the commencement date may, within a period of 6 months after the commencement date,—

- (a) if the club will have been in existence for 2 years at the time of the opening of the court sittings at which the application is to be made, make an application under Article 6 for registration of the club; or
- (b) if the club will have been in existence for 2 years on a date after the end of that period, serve notice of the intention to make an application under Article 6 for registration of the club on or after that date upon the chief clerk and at the same time serve a copy of the notice upon—
  - (i) the sub-divisional commander of the police sub-division in which the premises of the club are situated; and
  - (ii) the district council for the district in which the premises of the club are situated.

(2) Where by virtue of sub-paragraph (1) an application is made under Article 6 for the registration of a club—

- (a) paragraph (5)(g) of that Article shall have effect as if there were inserted at the beginning “that the club has been in existence, and”; and
- (b) Schedule 2 shall have effect as if—
  - (i) paragraph 1(1)(a) were omitted; and
  - (ii) in paragraph 1(1)(b) for “that time” there were substituted “the time of the opening of the court sittings at which application is to be made”; and
  - (iii) in paragraph 1(1)(c) for “mentioned in head (a)(aa)” there were substituted “of the police sub-division in which the premises of the club are situated” and for “mentioned in head (a)(ab)” there were substituted “for the district in which the premises of the club are situated”; and
  - (iv) in paragraph 4 for “(a)” there were substituted “(b)”.

*Other transitional provisions*

6. An order under Article 1(2) may make such transitional provision as appears to the Head of the Department to be necessary or expedient in connection with the provisions thereby brought into operation.

**PART II**

**SAVINGS**

7. References in any document (whether express or implied) to any statutory provision repealed by this Order or by the Act of 1967 shall, except where the context otherwise requires, be construed respectively as, or as including, a reference to this Order or to the corresponding provision of this Order.

8. The provisions of this Schedule shall have effect without prejudice to section 29 of the Interpretation Act (Northern Ireland) 1954.