
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.