
STATUTORY INSTRUMENTS

1996 No. 3159

The Registration of Clubs (Northern Ireland) Order 1996

PART IV

CONDUCT OF REGISTERED CLUBS

Unlawful supply and consumption, etc., in registered clubs

- 28.**—(1) Intoxicating liquor shall not, in a registered club,—
- (a) be supplied to, or obtained or consumed by, any person other than a member or a guest of a member or an employee of the club; or
 - (b) without prejudice to Article 34, be supplied to, or obtained or consumed by, any person in contravention of any provision of this Order or of the rules of the club.
- (2) If paragraph (1) is contravened—
- (a) the registered club; and
 - (b) the person supplying, obtaining or consuming the intoxicating liquor; and
 - (c) any other person permitting that person to supply, obtain or consume the intoxicating liquor;

shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale or to imprisonment for a term not exceeding 6 months or to both.

Unauthorised persons in certain parts of club premises

- 29.**—(1) Every person, other than—
- (a) a member of the club;
 - (b) a guest of a member of the club;
 - (c) a person on the premises of the club for purposes connected with his trade, profession or employment (including employment by the club);

who is found in any part of the premises of a registered club in which intoxicating liquor is usually supplied, kept for supply or consumed shall, unless he proves that he is there for a lawful purpose, be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 4 on the standard scale.

(2) Every registered club authorising or permitting any person to be on any part of premises as mentioned in paragraph (1) and which does not prove that he is there for a lawful purpose shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 4 on the standard scale.

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Functions in registered clubs

30.—(1) A registered club shall not hold, in the premises of the club, any function unless—

- (a) the function is for the benefit of the club as a whole;
- (b) the function is related to the objects of the club;
- (c) the function is organised by the club; and
- (d) only members of the club and their guests are present at the function.

(2) Paragraph (1) shall not apply to any function—

- (a) where the whole proceeds of the function, after deducting the expenses of the function, are devoted to charitable or benevolent purposes; or
- (b) which is organised by a registered club for a member and at which only the member and his guests are present.

(3) If paragraph (1) is contravened—

- (a) the registered club; and
- (b) every official of the club at the time of the contravention;

shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 4 on the standard scale.

(4) In any proceedings for an offence by reason of a contravention of paragraph (1) it shall be a defence for a person to prove that he exercised all due diligence to avoid the commission of such an offence.

(5) In this Article, “club” includes any separate branch or section of a club.

Misconduct of registered clubs

31.—(1) Where, because of the manner in which a registered club is being managed or carried on, registration of the club is cancelled on a ground mentioned in Article 8(3)(c)(i) or (4)(b) or (c), every official of the club shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(2) In any proceedings for an offence under paragraph (1) it shall be a defence for a person to prove that he exercised all due diligence to avoid the commission of such an offence.

(3) Where any of the provisions specified in Schedule 1 (other than paragraph 14) which are included in the rules of a registered club are contravened—

- (a) the registered club; and
- (b) every official of the club at the time of the contravention;

shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 4 on the standard scale.

[^{F1}Irresponsible drinks promotions

31A.—(1) Regulations may prohibit or restrict a registered club from carrying on an irresponsible drinks promotion on or in connection with the premises of the club.

(2) A drinks promotion is irresponsible if it—

- (a) relates specifically to any intoxicating liquor likely to appeal largely to persons under the age of 18,
- (b) involves the supply of any intoxicating liquor free of charge or at a reduced price on the purchase of one or more drinks (whether or not intoxicating liquor),

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- (c) involves the supply free of charge or at a reduced price of one or more extra measures of intoxicating liquor on the purchase of one or more measures of the liquor,
 - (d) involves the supply of unlimited amounts of intoxicating liquor for a fixed charge (including any charge for entry to the premises),
 - (e) encourages, or seeks to encourage, a person to obtain or consume a larger measure of intoxicating liquor than the person had otherwise intended to obtain or consume,
 - (f) is based on the strength of any intoxicating liquor,
 - (g) rewards or encourages, or seeks to reward or encourage, consuming intoxicating liquor quickly, or
 - (h) offers intoxicating liquor as a reward or prize, unless the liquor is in a sealed container and consumed off the premises.
- (3) Regulations may modify paragraph (2) so as to—
- (a) add further descriptions of drinks promotions,
 - (b) modify any of the descriptions of drinks promotions for the time being listed in it, or
 - (c) extend or restrict the application of any of those descriptions of drinks promotions.
- (4) If any provision of regulations under this Article is contravened—
- (a) the registered club,
 - (b) every official of the club at the time of the contravention, and
 - (c) any other person permitting the contravention,

is guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(5) Regulations shall not be made under this Article unless a draft of the regulations has been laid before, and approved by a resolution of, the Assembly.

(6) In this Article “drinks promotion” means, in relation to the premises of a registered club, any activity which promotes, or seeks to promote, the obtaining or consumption of any intoxicating liquor on the premises.]

F1 Art. 31A inserted (1.1.2013 for specified purposes) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2011 \(c. 18\)](#), ss. 10, 18; S.R. 2012/405, art. 2, Sch.

f²Self-service and vending machines

F2 [Art. 31C](#) and cross-heading inserted (1.10.2022) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2021 \(c. 7\)](#), ss. 39(1), 47(2); S.R. 2022/180, arts. 1(2), 2, Sch.

Prohibition on self-service and supply by vending machines

31C.—(1) A registered club must not supply intoxicating liquor for consumption in the club premises in a form which would enable the member or guest to whom it is supplied (or a member or guest that person is with) to operate the dispenser of the liquor.

(2) A registered club must not supply by means of a vending machine in the club premises intoxicating liquor for consumption in the premises.

(3) The activities prohibited by this Article include making intoxicating liquor available for consumption in the premises of a registered club which, in the absence of an official, manager or

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servant employed in the club, members or guests are trusted by the committee of management or governing body of the club—

- (a) to pay for by placing money in a container, or by some other process, which the club has provided for that purpose, or
- (b) to agree to pay for by recording by a process which the club has provided for that purpose the intoxicating liquor appropriated.

(4) If paragraph (1) or (2) is contravened the registered club is guilty of an offence and is liable on summary conviction to a fine not exceeding level 3 on the standard scale.]

Special provisions with respect to young persons

Young persons prohibited from bars

32.—(1) During the permitted hours a person under the age of 18 shall not be in any part of the premises of a registered club which—

- (a) contains a bar; or
- (b) is used exclusively or mainly for the supply, consumption or storage of intoxicating liquor.

(2) A registered club shall not allow a person under the age of 18 to be in any part of the club premises as mentioned in paragraph (1) during the permitted hours.

(3) A person shall not cause or procure any person under the age of 18 to go into, or to be in, any part of the club premises as mentioned in paragraph (1) during the permitted hours.

[^{F3}(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.]

(4) Paragraphs (1), (2) and (3) shall not apply with respect to a person under the age of 18 who is in a part of club premises [^{F4}as mentioned in paragraph (1)] if—

- (a) the person under 18 is in the company of a person who is 18 or over; and

^{F5}(b)

- (c) where the premises contain a bar, the person under the age of 18 is seated at a table away from the bar; [^{F6}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;]and
- (d) [^{F7}the person under the age of 18 is not in the premises in the evening at any time after 9] or paragraph (5) applies.
- (5) This paragraph applies where—
- (a) the person under the age of 18, or a person in whose company he is, is consuming a meal [^{F8}consisting of at least a main course and] purchased [^{F9}before 9 in the evening] , and
- [^{F10}(b) the person under the age of 18 is not in the premises in the evening at any time after half past 9.]
- ^{F11}(6)
- ^{F12}(7)
- ^{F13}(8)
- (9) Any person acting in contravention of paragraph (1) [^{F14}or (3)] shall be guilty of an offence and shall be liable on summary conviction—
- (a) for a contravention of paragraph (1) ^{F15}..., to a fine not exceeding level 3 on the standard scale;
- (b) for a contravention of paragraph (3) ^{F16}..., to a fine not exceeding level 4 on the standard scale.
- (10) If paragraph (2) ^{F17}... is contravened—
- (a) the registered club; and
- (b) every official of the club at the time of the contravention; and
- (c) the person allowing the person under the age of 18 to be on the part of the club premises mentioned in paragraph (1);
- shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 4 on the standard scale.
- (11) In any proceedings for an offence by reason of a contravention of paragraph (2) ^{F18}... it shall be a defence for a person to prove—
- (a) that he exercised all due diligence to avoid the commission of such an offence; or
- (b) that he had no reason to suspect that the person under the age of 18 had not attained that age.
- [^{F19}(11A) Without prejudice to any other means of proving the exercise of all due diligence, for the purposes of paragraph (11) the person is to be treated as having exercised all due diligence to avoid the commission of an offence if—
- (a) the person was shown any of the documents specified in paragraph (11B); and
- (b) that document would have convinced a reasonable person.
- (11B) The documents referred to in paragraph (11A)(a) are any document purporting to be—
- (a) a passport;
- (b) a photocard driving licence;
- (c) an electoral identity card;
- (d) a photographic identity card of a type approved by the British Retail Consortium for the purposes of its Proof of Age Scheme; or

(e) such other document, or a document of such other description, as may be prescribed.]

(12) Where a person under the age of 18 represents himself to be the age of 18 or over for the purpose of being in any part of club premises as mentioned in paragraph (1) during the permitted hours, he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(13) Nothing in this Article shall apply with respect to a person under the age of 18 who is—

- (a) in a part of sporting club premises as mentioned in paragraph (1) [F20—
 - (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;]or
- (b) a person who has attained the age which is the upper limit of compulsory school age and is—
 - (i) employed by the registered club under a contract in writing; or
 - (ii) receiving training under a scheme approved by the Department of Economic Development; or
 - (iii) engaged in a placement scheme as part of a further or higher education course;
 in a part of sporting club premises as mentioned in paragraph (1) during the part of the permitted hours after [F21the time in the evening provided for under sub-paragraph (a)] ; or
- (c) in a part of club premises as mentioned in paragraph (1) solely for the purposes of passing to or from some other part of the premises which is not a part as aforesaid and to or from which there is no other convenient means of access[F22, 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.]

[F23(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.]

(14) Where a person under the age of 18 who is found in any part of sporting club premises as mentioned in paragraph (1) after [F24the time in the evening provided for under paragraph (13)(a)] is employed by, or in training or placement with, the registered club, that person or the secretary of the club shall, at the request of a constable, produce the written contract or other proof of training or placement within 7 days of the request to, or in accordance with the reasonable directions of, the constable for examination, and if it is not so produced that person or, as the case may be, the registered club shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

[F25(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.

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(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.]

- F3** Art. 32(3A)-(3C) inserted (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), **ss. 37**, 47(2); S.R. 2022/63, art. 2, Sch.
- F4** Words in art. 32(4) inserted (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), **ss. 35(2)(a)**, 47(2); S.R. 2022/63, art. 2, Sch.
- F5** Art. 32(4)(b) and word repealed (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), **ss. 35(2)(b)**, 47(2), **Sch. 2**; S.R. 2022/63, art. 2, Sch.
- F6** Art. 32(4)(ca) and word inserted (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), **ss. 35(2)(c)**, 47(2); S.R. 2022/63, art. 2, Sch.
- F7** Words in art. 32(4)(d) substituted (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), **ss. 35(2)(d)**, 47(2); S.R. 2022/63, art. 2, Sch.
- F8** Words in art. 32(5)(a) inserted (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), s. 47(2), **Sch. 1 para. 17**; S.R. 2022/63, art. 2, Sch.
- F9** Words in art. 32(5)(a) substituted (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), **ss. 35(3)(a)**, 47(2); S.R. 2022/63, art. 2, Sch.
- F10** Art. 32(5)(b) substituted (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), **ss. 35(3)(b)**, 47(2); S.R. 2022/63, art. 2, Sch.
- F11** Art. 32(6) repealed (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), **ss. 35(4)**, 47(2), **Sch. 2**; S.R. 2022/63, art. 2, Sch.
- F12** Art. 32(7) repealed (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), **ss. 35(4)**, 47(2), **Sch. 2**; S.R. 2022/63, art. 2, Sch.
- F13** Art. 32(8) repealed (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), **ss. 35(4)**, 47(2), **Sch. 2**; S.R. 2022/63, art. 2, Sch.
- F14** Words in art. 32(9) substituted (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), **ss. 35(5)(a)**, 47(2); S.R. 2022/63, art. 2, Sch.
- F15** Words in art. 32(9)(a) repealed (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), **ss. 35(5)(b)**, 47(2), **Sch. 2**; S.R. 2022/63, art. 2, Sch.
- F16** Words in art. 32(9)(b) repealed (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), **ss. 35(5)(c)**, 47(2), **Sch. 2**; S.R. 2022/63, art. 2, Sch.
- F17** Words in art. 32(10) repealed (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), **ss. 35(6)**, 47(2), **Sch. 2**; S.R. 2022/63, art. 2, Sch.
- F18** Words in art. 32(11) repealed (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), **ss. 35(6)**, 47(2), **Sch. 2**; S.R. 2022/63, art. 2, Sch.
- F19** Art. 32(11A)(11B) inserted (1.5.2012) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2011 (c. 18), **ss. 9(1)**, 18; S.R. 2012/28, art. 2, Sch.
- F20** Art. 32(13)(a)(i)-(iii) substituted for words (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), **ss. 38(1)**, 47(2); S.R. 2022/63, art. 2, Sch.
- F21** Words in art. 32(13)(b) substituted (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), **ss. 38(2)**, 47(2); S.R. 2022/63, art. 2, Sch.
- F22** Art. 32(13)(d) and word inserted (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), **ss. 36(2)**, 47(2); S.R. 2022/63, art. 2, Sch.
- F23** Art. 32(13A) inserted (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), **ss. 38(3)**, 47(2); S.R. 2022/63, art. 2, Sch.
- F24** Words in art. 32(14) substituted (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), **ss. 38(4)**, 47(2); S.R. 2022/63, art. 2, Sch.
- F25** Art. 32(15)-(17) inserted (6.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 (c. 7), **ss. 38(5)**, 47(2); S.R. 2022/63, art. 2, Sch.

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[^{F26}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.]

F26 Art. 32A inserted (6.4.2022) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2021 \(c. 7\)](#), ss. 36(1), 47(2); S.R. 2022/63, art. 2, Sch.

Children's certificates

^{F27}**33.**

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F27 Art. 33 repealed (6.4.2022) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2021 \(c. 7\)](#), ss. 35(1), 47(2), [Sch. 2](#); S.R. 2022/63, art. 2, Sch.

Supply, etc., of intoxicating liquor to young persons

34.—(1) A registered club shall not—

- (a) supply intoxicating liquor to a person under the age of 18; or
- (b) supply intoxicating liquor to any person for consumption by a person under the age of 18 in the premises of the club; or
- (c) permit any person under the age of 18 to consume intoxicating liquor in any part of the premises of the club.

(2) If paragraph (1) is contravened—

- (a) the registered club; and
- (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;

shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale or to imprisonment for a term not exceeding 6 months or to both.

(3) In any proceedings for an offence by reason of a contravention of paragraph (1) it shall be a defence for a person to prove—

- (a) that he exercised all due diligence to avoid the commission of such an offence; or
- (b) that he had no reason to suspect that the person under the age of 18 had not attained that age.

[^{F28}(4)] Without prejudice to any other means of proving the exercise of all due diligence, for the purposes of paragraph (3) the person is to be treated as having exercised all due diligence to avoid the commission of an offence if—

- (a) the person was shown any of the documents specified in paragraph (5); and
- (b) that document would have convinced a reasonable person.

(5) The documents referred to in paragraph (4)(a) are any document purporting to be—

- (a) a passport;
- (b) a photocard driving licence;
- (c) an electoral identity card;
- (d) a photographic identity card of a type approved by the British Retail Consortium for the purposes of its Proof of Age Scheme; or
- (e) such other document, or a document of such other description, as may be prescribed.]

F28 Art. 34(4)(5) added (1.5.2012) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2011 \(c. 18\)](#), ss. 9(2), 18; S.R. 2012/28, art. 2, Sch.

[^{F29}Duty to display notice relating to age]

34A.—(1) A registered club must at all times display the notice specified in paragraph (2)—

- (a) at each place in the premises of the club where intoxicating liquor is supplied; and

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- (b) in a position where it is readily visible to any person seeking to be supplied with intoxicating liquor.
- (2) The notice referred to in paragraph (1) must contain such information and be in such form and of such dimensions as are prescribed.
- (3) Without prejudice to the generality of paragraph (2), the notice must contain—
 - (a) such information as may be prescribed in relation to offences concerning the supply to or purchase by persons under the age of 18 of intoxicating liquor [^{F30}or in relation to offences concerning the presence of such persons in club premises] ; and
 - (b) a description of the documents specified in Articles 32(11B) and 34(5).
- (4) Where this Article, or any provision made under this Article, is contravened—
 - (a) the registered club, and
 - (b) every official of the club at the time of the contravention,
 shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.]

F29 Art. 34A inserted (1.5.2012) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2011 \(c. 18\), ss. 9\(3\), 18; S.R. 2012/28, art. 2, Sch.](#)

F30 Words in art. 34A(3)(a) inserted (6.4.2022) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2021 \(c. 7\), ss. 35\(7\), 47\(2\); S.R. 2022/63, art. 2, Sch.](#)

Preservation of order

Drunkenness in registered clubs

- 35.—**(1) A registered club shall not—
- (a) permit drunkenness or any disorderly conduct to take place on the premises of the club; or
 - (b) supply intoxicating liquor to a drunken person knowing him to be such.
- (2) If paragraph (1) is contravened—
- (a) the registered club; and
 - (b) every official of the club at the time of the contravention; and
 - (c) the person permitting the drunkenness or disorderly conduct or, as the case may be, supplying the intoxicating liquor,
- shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 4 on the standard scale.
- (3) Where any person is found drunk on the premises of a registered club he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.
- (4) In any proceedings for an offence by reason of a contravention of paragraph (1) it shall be a defence for a person to prove that he exercised all due diligence to avoid the commission of such an offence.
- (5) Where a person is charged under paragraph (2), with permitting drunkenness in contravention of paragraph (1)(a) and it is proved that any person was drunk on the premises of the registered club, the burden of proving that the defendant took all reasonable steps to prevent drunkenness in the club premises shall lie upon him.

Procuring drink for drunken person

36.—(1) If any person on the premises of a registered club procures intoxicating liquor for consumption by a drunken person he shall be guilty of an offence.

(2) If any person aids a drunken person in obtaining or consuming intoxicating liquor in premises as mentioned in paragraph (1) he shall be guilty of an offence.

(3) If any person without reasonable excuse brings a drunken person into premises of a registered club he shall be guilty of an offence.

(4) A person guilty of an offence under this Article shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(5) A person shall not be convicted of an offence under this Article unless the court is satisfied that he knew or ought to have known the condition of the person in connection with whom the charge is brought.

Power to exclude drunken persons, etc., from registered clubs

37.—(1) Without prejudice to any other right to refuse a person admission to premises or to expel a person from premises, a registered club may refuse to admit to, or may expel from, the premises of the club any person who is drunken, or is acting in a disorderly manner, or whose presence in the premises of the club would subject the club to a penalty under this Order or under any other statutory provision.

(2) If any person liable to be expelled from the club premises as mentioned in paragraph (1) fails to leave the premises on the request of the club or a constable, he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 4 on the standard scale.

(3) A constable shall, on the demand of a registered club, help to expel from the premises of the club any person liable to be expelled from those premises under this Article, and may use such force as may be required for the purpose.

Miscellaneous

Restrictions on advertisements relating to functions in registered clubs

38.—(1) Except as provided by this Article, [^{F31}any advertisement drawing attention to any function to be held in the premises of a registered club must include a clear statement to the effect that the function may be attended only by members of the club and guests of members of the 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.

[^{F32}(2) Paragraph (1) does not apply to an advertisement in so far as it relates to a function the whole proceeds of which are, after deduction of the expenses of the function, to be devoted to charitable or benevolent purposes.]

(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

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- (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.

F31 Words in art. 38(1) substituted (6.4.2022) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2021 \(c. 7\), ss. 40\(1\), 47\(2\); S.R. 2022/63, art. 2, Sch.](#)

F32 Art. 38(2) substituted (6.4.2022) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2021 \(c. 7\), ss. 40\(2\), 47\(2\); S.R. 2022/63, art. 2, Sch.](#)

Admission of visiting teams, etc.

39.—(1) Notwithstanding paragraphs 12 and 14 of Schedule 1 or any rule required to be made by those paragraphs by a registered club, where a team or other body of persons who are, as members of another club (whether registered or not), society or organisation, visiting a registered club for the purpose of taking part in or in the organisation of or arrangements for, any pastime, sport, game or recreation at the registered club, an official of the club being visited may enter in the book required to be kept by that paragraph 12 the name of the club, society or organisation visiting that club and the number of such persons without specifying their names and addresses and intoxicating liquor may be supplied to such persons at the request and in the presence of an official of the registered club being visited on the occasion of that visit.

(2) The admission of persons to whom paragraph (1) applies shall be disregarded for the purposes of paragraph 11 of Schedule 1.

Accounts of registered clubs, etc.

40.—(1) Every registered club and every club which has served a notice under paragraph 1(1) (a) of Schedule 2 shall—

- (a) keep such vouchers with respect to its transactions and its assets and liabilities, and in such manner, as may be prescribed, and
- (b) establish and maintain a ^{F33}... system of control of its accounts, its cash holdings and all its receipts and remittances, and
- (c) prepare an annual statement of accounts [^{F34}within 3 months of the end of that club's financial year,] in such form and containing such particulars as may be prescribed, and
- ^{F35}(d) cause, within 3 months of the end of that club's financial year, those accounts to be audited by a person referred to in this Article as “the auditor” or examined by an independent examiner in such manner as may be prescribed, and
- (e) on being required by the auditor or independent examiner, produce any record or voucher and any other information or explanation which appears to the auditor or independent examiner to relate to those accounts and which the auditor or independent examiner requires to inspect, and]

^{F36}(f)

- (g) on the demand of any member of the club, send a summary of those accounts and the auditor's [^{F37}or independent examiner's] report thereon to that member, free of charge, as soon as they become available, and
- [^{F38}(ga) on the demand of the district commander of the police district in which the premises are situated, send a summary of those accounts and the auditor's or independent examiner's report thereon to that district commander, free of charge, as soon as they become available, and]
- (h) cause a summary of those accounts and auditor's [^{F39}or independent examiner's] report thereon to be displayed, for a period of 4 weeks ending on the date of the annual general meeting, in a conspicuous part of the premises of the club which is accessible to all members, and
- (i) keep all original vouchers, books, accounts, reports and other documents which the club is required to keep under the provisions of this Order for a period of 6 years from the date of the auditor's [^{F39}or independent examiner's] report on the accounts to which they relate, and
- ^{F36}(j)
- [^{F40}(1A) Regulations under this paragraph may make provision for the—
- (a) system of control referred to in paragraph (1)(b) to be in such form and manner as may be directed by the Department;
- (b) selection of a person for appointment as an independent examiner to be in such manner as may be directed by the Department.]
- (2) If paragraph (1) is contravened—
- (a) the registered club; and
- (b) every official of the club at the time of the contravention;
- shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- [^{F41}(2A) If regulations under paragraph (1A) are contravened—
- (a) the registered club, and
- (b) every official of the club at the time of the contravention;
- shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.]
- (3) In any proceedings for an offence under [^{F42}or by virtue of this Article] it shall be a defence for a person to prove that he exercised all due diligence to avoid the commission of such an offence.

F33 Word in art. 40(1)(b) repealed (1.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2011 (c. 18), ss. 12(2)(a), 18, **Sch. 4**; S.R. 2022/89, art. 2

F34 Words in art. 40(1)(c) inserted (1.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2011 (c. 18), ss. 12(2)(b), 18; S.R. 2022/89, art. 2

F35 Art. 40(1)(d)(e) substituted (1.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2011 (c. 18), ss. 12(2)(c), 18; S.R. 2022/89, art. 2

F36 Art. 40(1)(f)(j) repealed (1.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2011 (c. 18), ss. 12(2)(d), 18, **Sch. 4**; S.R. 2022/89, art. 2

F37 Words in art. 40(1)(g) inserted (1.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2011 (c. 18), ss. 12(2)(e), 18; S.R. 2022/89, art. 2

F38 Art. 40(1)(ga) inserted (1.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2011 (c. 18), ss. 12(2)(f), 18; S.R. 2022/89, art. 2

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- F39** Words in art. 40(1)(h)(i) inserted (1.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2011 (c. 18), ss. 12(2)(g), 18; S.R. 2022/89, art. 2
- F40** Art. 40(1A) inserted (1.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2011 (c. 18), ss. 12(3), 18; S.R. 2022/89, art. 2
- F41** Art. 40(2A) inserted (1.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2011 (c. 18), ss. 12(4), 18; S.R. 2022/89, art. 2
- F42** Words in art. 40(3) substituted (1.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2011 (c. 18), ss. 12(5), 18; S.R. 2022/89, art. 2

Notification of alteration of rules, etc., of registered clubs

41.—(1) Where any alteration is made in the rules or to the committee of management or the governing body of a registered club, the secretary of the club shall, within 14 days of the alteration, serve a notice giving particulars of the alteration upon—

- (a) the clerk of petty sessions ^{F43}...; and
- (b) the sub-divisional commander of the police sub-division in which the premises of the registered club are situated.

(2) If paragraph (1) is contravened the secretary of the registered club shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 1 on the standard scale.

(3) Notwithstanding anything in Article 19(1)(a) of the Magistrates' Courts (Northern Ireland) Order 1981 (time limit for summary proceedings), summary proceedings for an offence under this Article may be brought at any time within 6 months from the date on which evidence, sufficient in the opinion of the Director of Public Prosecutions for Northern Ireland to justify the proceedings, comes to his knowledge; but no such proceedings shall be brought by virtue of this paragraph more than 3 years after the commission of the offence.

(4) For the purposes of paragraph (3), a certificate of the Director of Public Prosecutions as to the date on which such evidence as is referred to in paragraph (3) came to his knowledge is conclusive evidence.

- F43** Words in art. 41(1)(a) repealed (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 111(6), Sch. 9 Pt. 1 (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k)(m) (with art. 3)

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

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

- art. 31B inserted by [2011 c. 18 \(N.I.\) s. 11](#)