



Licensing Act 1902

1902 CHAPTER 28

PART III

REGISTRATION OF CLUBS

28 Striking off register

- (1) "Where a club has been registered in pursuance of this Act a court of summary jurisdiction on complaint in writing by any person may, if it thinks fit, make an order directing the club to be struck off the register on all or any of the following grounds, namely—
- (a) that the club has ceased to exist, or that the number of members is less than twenty-five ; or
 - (b) that it is not conducted in good faith/as a club, or that it is kept or habitually used for any unlawful purpose ; or
 - (c) that there is frequent drunkenness on the club premises ; or
 - (d) that illegal sales of intoxicating liquor have taken place on the club premises; or
 - (e) that persons who are not members are habitually admitted to the club merely for the purpose of obtaining intoxicating liquor; or
 - (f) that the club occupies premises in respect of which, within twelve months next preceding the formation of the club, a licence has been forfeited or the renewal of a licence has been refused, or in respect of which an order has been made that they shall not be used for the purposes of a club; or
 - (g) that persons are habitually admitted as members without an interval of at least forty-eight hours between their nomination and admission; or
 - (h) that the supply of intoxicating liquor to the club is not under the control of the members or the committee appointed by the members.
- (2) For the purpose of determining whether a club is conducted in good faith as a club, the court shall have regard to the nature of the premises occupied by the club.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (3) If the court grants a summons on the complaint, the summons shall be served on the secretary and on such other person, if any, as the court may direct.
- (4) Where the court makes an order striking a club off the register the court may, if it thinks fit, by that order further direct that the premises occupied by the club shall not be used for the purposes of any club which requires registration under this Act for a specified period, which may extend to twelve months in case of a first order or in case of a second or subsequent order to five years ; provided that any such direction may, for good cause shown, be subsequently cancelled or varied by the court.
- (5) In the application of this section to Oxford, the court of summary jurisdiction shall be the Court of the Chancellor of the "University sitting and acting under the Oxford University (Justices) Act, 1886, in the case of any club mainly composed of members past or present of the University; provided that that court shall not have power to make an order that premises occupied by any such club shall not be used for the purposes of a club.