

SCHEDULES

SCHEDULE 1

Articles 4, 5, 8 and 31.

PROVISIONS TO BE INCLUDED IN RULES OF CLUB

1. The business and affairs of the club shall be under the management of a committee or governing body consisting of a secretary, a treasurer and not less than 5 ordinary or life members who are elected to the committee or body for not less than 1 year by the general body of members having rights of voting in relation to the affairs of the club.

2. Elections to the committee or governing body shall be held annually and, if all the elected members do not go out of office in every year, there shall be fixed rules for determining those that are to.

3. The committee or governing body shall hold periodical meetings.

4. The names and address of persons proposed as ordinary members of the club shall be displayed in a conspicuous place in the club premises for at least 1 week before their election, and an interval of not less than 2 weeks shall elapse between the nomination and election of ordinary members.

5. All members of a club shall be elected by the whole body of members having rights of voting in relation to the affairs of the club or by the committee or governing body, with or without specially added members.

6. If persons are elected as members by a procedure which does not comply with paragraph 4 they shall not be admitted to any of the privileges of membership until the expiration of a period of at least 2 days from their election.

7. Persons shall not be admitted in such numbers to membership not carrying rights of voting in relation to the affairs of the club as will result in the number of members not having such rights being more than 3 times the number of members having such rights.

8. No persons shall be allowed to become honorary members of the club or be relieved of the payment of the regular entrance fee or subscription, except those possessing certain qualifications defined in the rules and subject to conditions and regulations specified in the rules.

9. There shall be a defined subscription payable by members on election and thereafter annually by a specified date in the year.

10. An alphabetical list of the names and addresses of every official and member of the club shall be kept on the premises of the club.

11. The same person, except where that person is a parent, husband, wife or child of a member, shall not be admitted as a guest of a member to the club premises on more than 20 days in any period of 12 months.

12. A guest of a member shall not be admitted to the club premises except in the company of a member and the member shall, immediately on the admission of his guest to the club premises, enter his name and the name of his guest in a book which shall be kept for that purpose and which shall show the date of each visit.

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13. A person, on payment of a fee to a sporting club in respect of any day may use, on that day, such facilities as the management committee or governing body of the club may determine and paragraph 12 shall not apply to that person in respect of that day.

14. A member shall be responsible for his guest strictly observing the rules and shall not leave the club premises before his guest and a guest shall not be supplied with intoxicating liquor in the club premises unless upon invitation and in the company of a member.

15. No official, and no manager or servant employed in the club, shall have any personal interest in the supply of intoxicating liquor in the club or in the profits arising from such supply.

16. No person shall be paid at the expense of the club any commission, percentage or similar payment on or with reference to purchases of intoxicating liquor by the club.

17. No person shall, directly or indirectly, derive any pecuniary benefit from the supply of intoxicating liquor by or on behalf of the club or members or guests, apart from any benefit accruing to the club as a whole.

18. Intoxicating liquor shall not be supplied for consumption outside the premises of the club.

19. The date of the end of the financial year of the club.

SCHEDULE 2

Articles 5, 42 and 52.

APPLICATIONS FOR THE GRANT OF REGISTRATION

1.—(1) The secretary of a club which intends to make an application for the grant of registration shall—

- (a) subject to sub-paragraph (2), not less than 1 year before the time of the opening of the court sittings at which application is to be made, serve notice of the application 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;
- (b) not more than 8 weeks or less than 4 weeks before that time, cause notice of the application to be published at least once in 2 newspapers circulating in the vicinity of the premises of the club for which the grant of registration is to be sought;
- (c) not less than 4 weeks before that time serve notice of the application upon the chief clerk and at the same time serve a copy of the notice upon the sub-divisional commander mentioned in head (a)(i) and the district council mentioned in head (a)(ii);
- (d) during the 4 weeks before that time, cause notice of the application to be displayed, in such manner as may be required by regulations, outside the premises for which the grant of registration is to be sought.

(2) Sub-paragraph (1)(a) shall not apply if the applicant is a registered club.

2.—(1) The notices mentioned in paragraph 1 shall be in such form and shall contain such information as may be prescribed by county court rules.

(2) The applicant shall attach to the notice mentioned in paragraph 1(1)(a) or (c) and to the copy of that notice required to be served on the sub-divisional commander and the district council such information, particulars and documents with respect to the club, its officials and members, its objects and activities, its accounts and financial standing as may be required by regulations.

3. The sub-divisional commander mentioned in paragraph 1(1)(a)(i), the district council mentioned in paragraph 1(1)(a)(ii) or any person owning, or residing or carrying on business in, premises in the vicinity of the premises of the club for which the registration is sought may appear at the hearing of the application and object to the grant of registration of the club on any ground mentioned in Article 5(5) and (6).

4. A person intending to object under paragraph 3 shall, not less than 1 week before the time of the opening of the court sittings at which the application is to be made,—

- (a) serve upon the club notice of his intention to object, briefly stating his grounds for so doing;
- (b) serve a copy of the notice upon the chief clerk.

5. The secretary of a club which intends to make an application for a children's certificate at the same time as the application for the grant of registration shall include in the notices mentioned in paragraph 1 notice of the application for the children's certificate.

SCHEDULE 3

Articles 7, 8, 9, 42, 52.

APPLICATIONS FOR THE RENEWAL OF REGISTRATION

PART I

GENERAL PROCEDURE

1. The Department shall, during the month of January in each year, cause notice that registrations which expire on 31st March in that year are due for renewal during the month of March to be published at least once in 2 newspapers circulating throughout Northern Ireland.

2. The clerk of petty sessions for each petty sessions district shall, not less than 6 weeks before the renewal date, cause notice of that date and of the provisions of paragraph 6 to be published in 2 newspapers circulating in that district.

3. The secretary of a club which intends to make an application for the renewal of the registration of a club shall—

- (a) not more than 8 weeks or less than 4 weeks before the renewal date cause notice of the application to be published at least once in 2 newspapers circulating in the vicinity of the premises of the club for which renewal of registration is sought;
- (b) not less than 4 weeks before the renewal date, serve notice of the application upon the clerk of petty sessions for the petty sessions district in which the premises of the club are situated 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;
 - (ii) the district council for the district in which the premises of the club are situated.

4.—(1) The notices mentioned in paragraph 3 shall be in such form and shall contain such information as may be prescribed by magistrates' courts rules.

(2) The applicant shall attach to the notice mentioned in paragraph 3(b) and to the copy of that notice required to be served on the sub-divisional commander and the district council such information, particulars and documents with respect to the club, its officials and members, its objects and activities, its accounts and financial standing as may be required by regulations.

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5. The sub-divisional commander mentioned in paragraph 3(b)(i), the district council mentioned in paragraph 3(b)(ii) or any person owning, or residing or carrying on business in, premises in the vicinity of the premises of the club for which the renewal of the registration is sought may appear at the 51 hearing of the application and object to the renewal of registration on any ground mentioned in Article 8(3) and (4).

6. A person intending to object under paragraph 5 shall, not less than 1 week before the renewal date—

- (a) serve upon the club notice of his intention to object, briefly stating his grounds for so doing;
- (b) serve a copy of the notice upon the clerk of petty sessions.

7. Before the renewal date the applicant shall deposit the certificate of registration with the clerk of petty sessions.

PART II

PROCEDURE FOR RENEWALS OUT OF TIME

8. Part I shall apply in relation to an application under Article 9 for the renewal of the registration of a club as if—

- (a) paragraphs 1 and 2 were omitted;
- (b) in paragraphs 3, 6 and 7 references to the renewal date were references to the time of the court sitting at which the application is to be made.

SCHEDULE 4

Articles 12, 52.

APPLICATIONS FOR AUTHORISATIONS OF CONTINUANCE OF CLUBS IN TEMPORARY PREMISES

1. In this Schedule “application” means an application for an order authorising the continuance of a registered club in premises other than those specified in the certificate of registration.

2. The secretary of a club which intends to make an application shall, not less than 4 days before the time of the court sitting at which the application is to be made, serve notice of the application upon the clerk of petty sessions and at the same time serve a copy of the notice upon the sub-divisional commander of the police sub-division in which the premises to which the application relates are situated.

3. The notice mentioned in paragraph 2 shall specify the premises to which the application relates and shall be in such form and shall contain such other information as may be prescribed by magistrates' courts rules.

4. The sub-divisional commander upon whom notice is required by paragraph 2 to be served may appear at the hearing of the application and object to the making of the authorisation of the continuation of the club in the premises in question.

5. The court may consider the application, notwithstanding that the procedure set out in this Schedule has not been complied with if, having regard to the circumstances, it is reasonable to do so.

SCHEDULE 5

Articles 33 and 52.

APPLICATIONS FOR CHILDREN'S CERTIFICATES

1. In this Schedule “application” means an application for a children’s certificate.
2. The secretary of a club which intends to make an application shall, not less than 3 weeks before the time of the court sitting at which the application is to be made, serve notice of the application upon the clerk of petty sessions and at the same time serve a copy of the notice upon—
 - (a) the sub-divisional commander of the police sub-division in which the premises to which the application relates are situated; and
 - (b) the district council for the district in which the premises to which the application relates are situated.
3. The notice mentioned in paragraph 2 shall be in such form and shall contain such information as may be prescribed by magistrates' courts rules.
4. The sub-divisional commander mentioned in paragraph 2(a), the district council mentioned in paragraph 2(b) or any person owning or residing in, premises in the vicinity of the premises to which the application relates may appear at the hearing of the application and object to the grant of the certificate on any ground mentioned in Article 33(2).
5. A person intending to object under paragraph 4 shall, not less than 1 week before the time of the court sitting at which the application is to be made,—
 - (a) serve upon the applicant notice of his intention to object, briefly stating his grounds for so doing; and
 - (b) serve a copy of the notice upon the clerk of petty sessions.
6. The court may consider the application, notwithstanding that the procedure set out in this Schedule has not been complied with if, having regard to the circumstances, it is reasonable to do so.

SCHEDULE 6

Articles 43, 44 and 45.

TABLE OF OFFENCES WITH PENALTY POINTS

<i>Article of Order</i>	<i>General nature of offence</i>	<i>Penalty point</i>
40	Failure to comply with requirements to— Keep proper vouchers	5-10
	(2) Establish and maintain a satisfactory system of control	5-10
	(3) Prepare annual accounts	5-10
	(4) Have accounts audited	10
	(5) Produce required records, etc., to auditor	5-10
	(6) Provide copy of accounts to sub-divisional commander	5-10
	(7) Provide summary of accounts to members	5-10

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<i>Article of Order</i>	<i>General nature of offence</i>	<i>Penalty point</i>
	(8) Displaying accounts for 4 weeks	5-10
	(9) Retain records for 6 years	5-10
	(10) Notify addresses at which records are kept	5-10
42(2)	Failure to admit constable or produce books and records, etc.	4
42(6)	Failure to comply with written notice to produce books, etc.	4
44(3)	Failure to deliver certificate of registration to clerk of court for endorsement	4

SCHEDULE 7

Article 52(2).

AMENDMENTS

The Alcoholic Liquor Duties Act 1979 (c. 4)

1. In section 4(i) (interpretation), in the definition of “registered club” for “Registration of Clubs (Northern Ireland) Order 1987” substitute “Registration of Clubs (Northern Ireland) Order 1996”.

The Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 (1985 NI 11)

2. In Article 2(2) (interpretation), in the definition of “registered club” for sub-paragraph (b) substitute—

“(b) under the Registration of Clubs (Northern Ireland) Order 1996”.

3. In Article 96 (registration of clubs)—

(a) in paragraph (4)(e) for “Registration of Clubs (Northern Ireland) Order 1987” substitute “Registration of Clubs (Northern Ireland) Order 1996”;

(b) for paragraph (6)(b) substitute—

“(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”.

4. In Article 99(2)(e) (renewal of registration of clubs) for “Registration of Clubs (Northern Ireland) Order 1987” substitute “Registration of Clubs (Northern Ireland) Order 1996”.

5. For Article 103(1)(e) (cancellation of registration of clubs) substitute—

“(e) that the club is registered under the Registration of Clubs (Northern Ireland) Order 1996; or”.

6. In Article 105 (gaming machines restricted from certain registered clubs)—

- (a) in paragraph (1) for “Registration of Clubs (Northern Ireland) Order 1987” substitute “Registration of Clubs (Northern Ireland) Order 1996”;
- (b) in paragraph (7)—
 - (i) for “registrar (within the meaning of that Act of 1967)” substitute “clerk of petty sessions”;
 - (ii) for “Article 7(1) of that Order of 1987” substitute “Article 6(1) of that Order of 1996”;
 - (iii) for “Article 14 of that Order” substitute “Article 16 of that Order”.

SCHEDULE 8

Article 52(j)

TRANSITIONAL PROVISIONS AND SAVINGS

PART I

TRANSITIONAL PROVISIONS

1. Notwithstanding the repeal of Articles 7(2) and 10(i) of the Registration of Clubs (Northern Ireland) Order 1987 by Article 52(4) and Schedule 9, those Articles shall continue to have effect in relation to registrations granted or renewed before this Order came into operation as if for 31st January there were substituted 31st March.

2.—(1) Where, before the date on which this Order comes into operation, a notice of application under paragraph 1(1)(a) of Schedule 2 to the Registration of Clubs (Northern Ireland) Order 1987 has been served by the secretary of a club which intends to make application for the grant of registration, that notice shall be deemed to have been served under paragraph 1(1)(a) of Schedule 2 to this Order and—

- (a) in a case where that notice was served more than 1 year before that date, if, at the time of the opening of the court sittings at which the application is to be made; or
- (b) in a case where that notice was served less than 1 year before that date, if—
 - (i) not more than 8 weeks from that date; or
 - (ii) at the time of the opening of the court sittings at which the application is to be made; whichever first occurs,

the rules of the club contain the provisions specified in paragraphs 1 to 13 and 19 of Schedule 1, the secretary of the club may make an application under Article 5 for registration of the club.

(2) Nothing in sub-paragraph (1) shall apply Article 40, in so far as it relates to a club which has served a notice under paragraph 1(1)(a) of Schedule 2, to any such club before this Order comes into operation.

PART II

SAVINGS

3. References in any document (whether express or implied) to any statutory provision repealed by this Order or by the Registration of Clubs (Northern Ireland) Order 1987 or by the Registration of

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Clubs Act (Northern Ireland) 1967 shall, except where the context otherwise requires, be construed as, or as including, references to this Order or to the corresponding provision of this Order.

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

SCHEDULE 9

Article 52(4).

REPEALS

Number	Short title	Extent of repeal
1987 NI 14.	The Registration of Clubs (Northern Ireland) Order 1987.	The whole Order.
1989 NI 16.	The Licensing and Clubs (Amendment) (Northern Ireland) Order 1989.	The whole Order.
1991 NI 11.	The Planning (Northern Ireland) Order 1991.	In Schedule 5 the entry relating to the Registration of Clubs (Northern Ireland) Order 1987.