

1988 No. 27

REGISTRATION OF CLUBS

**The Registration of Clubs (Required Information) Regulations
(Northern Ireland) 1988**

Made 28th January 1988

Coming into operation 7th March 1988

The Department of Health and Social Services, in exercise of the powers conferred on it by paragraph 2(2) of Schedule 2 and by paragraph 2(2) of Schedule 3 to the Registration of Clubs (Northern Ireland) Order 1987(a) and of all other powers enabling it in that behalf, hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Registration of Clubs (Required Information) Regulations (Northern Ireland) 1988 and shall come into operation on 7th March 1988.

(2) In these regulations—

“audited accounts” in regulation 2 means the annual accounts of a club audited by a qualified accountant;

“grant of registration” means the grant of registration by a county court in respect of premises of a club for the purposes of supplying, or keeping for supply, intoxicating liquor to its members and their guests on club premises and “renewal of registration” means the renewal of such registration by a court of summary jurisdiction;

“the Order” means the Registration of Clubs (Northern Ireland) Order 1987;

“required information” means the information, particulars and documents with respect to a club, its officers, members, objects, activities, accounts and financial standing, which is required to be attached to the notice of application served by the secretary of a club when applying for a grant of registration under Article 6 of, and Schedule 2 to, the Order or when notice of application is served by the secretary of a club when applying for renewal of the registration of a club under Article 8 of, and Schedule 3 to, the Order, copied in either case to the sub-divisional commander and the district council mentioned in those Schedules;

“value added tax” has the same meaning as in the Value Added Tax Act 1983(b).

(a) S.I. 1987/1278 (N.I. 14)

(b) 1983 c. 55

Required information to be attached to the notice of application for grant of registration

2.—(1) Subject to paragraph (5), the secretary of a club which intends to make an application for the grant of registration under Article 6 of, and Schedule 2 to, the Order shall provide the following required information—

- (a) a copy of the rules of the club;
- (b) a list containing the names, in alphabetical order, and addresses of the officials, committee of management, or governing body, and members of the club;
- (c) a list containing the names and addresses of the members of a committee or otherwise, concerned with the purchase of intoxicating liquor for the club or with the supply by the club of intoxicating liquor;
- (d) a plan of the premises of the club and a description of the accommodation, facilities and amenities provided by the club;
- (e) where the premises are not owned by the club, a declaration in the form set out in the Schedule, which declaration shall be signed by the owner of the premises;
- (f) a copy of the minutes of the inaugural meeting of the club;
- (g) a copy of the minutes of the meetings of the committee of management or governing body of the club for the 2 years immediately preceding the time of the opening of the court sittings at which the application is to be made;
- (h) a copy of the minutes of the annual general meetings of the club for the 2 years immediately preceding that time;
- (i) a copy of the audited accounts of the club for the financial year immediately preceding that time, or where the financial year ended less than 6 months before that time, for the previous financial year;
- (j) the licence number of any entertainments licence in force under the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985(a); and
- (k) subject to paragraphs (2) and (3), a document giving:
 - (i) particulars of any liability of the club or of a trustee for the club in respect of which any person has given any guarantee or provided any security, together with particulars of the guarantee or security given or provided, including the name and address of the person giving or providing it;
 - (ii) particulars of any property not comprised in the particulars of the premises given under sub-paragraph (d), which is or is to be used for club purposes and not held by or in trust for the club absolutely, including the name and address of any person to whom payment is, or is to be, made for the use of that property;
 - (iii) particulars of any liability of the club in respect of the principal or interest of moneys borrowed or charged on property held by or in trust for it, including the name and address of the person to whom

payment is, or is to be, made on account of that principal or interest; and

- (iv) particulars of any premises, other than those for which grant of registration is sought, which have within the 2 years immediately preceding the time of the opening of the court sittings at which the application is to be made, been occupied and habitually used for the purposes of the club and of the interest then held by or in trust for the club in those premises, and if it was a leasehold interest or if the club had no interest, the name and address of any person to whom payment was made of rent under the lease or otherwise for the use of the premises.

(2) If there is no property, liability or premises of which particulars are required by paragraph (1)(k), a note to that effect shall be attached to the application.

(3) Where the interest held by or in trust for the club in any land of which particulars are required by paragraph (1)(k) is or was a leasehold interest, and the rent under the lease is not or was not paid by the club or trustees of the club, the name and address of any person by whom it is or was paid must be stated.

(4) In paragraph (1)(k) "liability" includes a future or contingent liability.

(5) Only the information specified in paragraphs (1)(a), (d), (e) and (j) is required to be copied to the district council.

Required information to be attached to the notice of application for the renewal of registration

3.—(1) Subject to paragraph (2), the secretary of a club which intends to make an application for the renewal of its registration under Article 8 of, and Schedule 3 to, the Order must provide the following required information—

- (a) a document stating the changes in the rules of the club made since the last application for the grant or renewal of registration was dealt with by the court and if there has been no such change a statement to that effect;
- (b) a list containing the names, in alphabetical order, and addresses of the officials, committee of management, or governing body, and members of the club;
- (c) a list containing the names and addresses of the members of a committee or otherwise, concerned with the purchase of intoxicating liquor for the club or with the supply by the club of intoxicating liquor;
- (d) if the premises of the club have been structurally altered since the last application for the grant or renewal of registration was dealt with by the court, a plan of the premises and a description of the accommodation, facilities and amenities provided by the club;
- (e) where the premises are not owned by the club a declaration in the form set out in the Schedule, which declaration shall be signed by the owner of the premises;

- (f) a copy of the minutes of the meetings of the committee of management or governing body of the club for the year immediately preceding the renewal date;
- (g) a copy of the minutes of the annual general meeting of the club for that year;
- (h) a copy of the accounts of the club audited in accordance with Article 41(1)(c) of the Order, for the financial year immediately preceding the renewal date, or where that financial year ends after 30th April, for the previous financial year;
- (i) a statement certified by a qualified accountant showing all sums, exclusive of value added tax expended by the club in the purchase of intoxicating liquor for the year ending 31st August immediately preceding the renewal date;
- (j) subject to paragraph (2), a document setting out the changes, if any, to the particulars given in accordance with regulation 2(1)(k) since the last application by the club for the grant or renewal of its registration was dealt with by the court; and
- (k) a statement of the number of members of the club on 31st August immediately preceding the renewal date.

(2) In the case of an application for the first renewal of a registration of a club granted before these regulations come into force, the provisions of regulation 2(1)(k) shall apply as if that application were an application for the grant of registration.

(3) For the purpose of paragraphs 1(a), (d) and (j), the reference to the last application for grant or renewal of registration includes such application made under the Registration of Clubs Act (Northern Ireland) 1967.

(4) Only the information specified in paragraphs (1)(a), (d), (e), (i) and (k) is required to be copied to the district council.

Sealed with the Official Seal of the Department of Health and Social Services on 28th January 1988.

(L.S.)

R. McMurray

Assistant Secretary

Form of declaration to accompany notice of application by club for grant or renewal of certificate of registration where premises not owned by club

I/We, _____, owner(s) of the premises occupied [or to be occupied] by the _____ club, designated in the accompanying notice of application, hereby declare that, to the best of my/our knowledge and belief, the said club is to be [or, in the case of an application by an existing club, has been and is to be] conducted in good faith as a club, and not mainly for the supply of intoxicating liquor.

[Signature and address of each declarant together with date to be inserted here.]

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations set out the information required to be attached to an application for the grant or renewal of registration of a club for the purposes of supplying, and keeping for supply, intoxicating liquor to its members and their guests on club premises.

Regulation 2 sets out the required information, particulars and documents with respect to a club, its officers, members, objects, activities, accounts and financial standing, to be attached to the application for grant of registration. Regulation 3 provides for the corresponding information, particulars and documents where an application for renewal of registration is made.

The Schedule contains the form of declaration which must be attached to the application where the premises are not owned by the club.

Paragraph 2(2) of Schedule 2 to and paragraph 2(2) of Schedule 3 to, the Registration of Clubs (Northern Ireland) Order 1987 are the enabling provisions under which these regulations are made. They are brought into operation on 1st February 1988 by the Registration of Clubs (1987 Order) (Commencement) Order (Northern Ireland) 1988. (S.R. 1988 No. 1 (C. 1)).

1988 No. 28

This Order has been exempted from printing by the Statutory Rules (Northern Ireland) Order 1979. A summary is given in the List of Statutory Rules of a Local Character under the heading **Roads**.