

## SCHEDULES

### SCHEDULE 3

#### REGISTRATION OF MEMBERS' CLUBS UNDER PART II IN ENGLAND AND WALES

##### *Cancellation of registration*

- 14 Paragraphs 36 to 44 of Schedule 2 to this Act shall have effect in relation to cancellation of the registration of a club or institute under Part II of this Act as they have effect in relation to cancellation of a licence under this Act, but as if—
- (a) any reference to the holder of the licence were a reference to the chairman or secretary of the club or institute, and
  - (b) in paragraph 42 of that Schedule, the reference to the grounds specified in paragraphs 20 and 21 of that Schedule were a reference to the grounds specified in paragraph 9 of this Schedule.
- 15 (1) Where on an application made by virtue of paragraph 14 of this Schedule the licensing authority decide to cancel the registration of a club or institute under Part II of this Act, the clerk to the licensing authority shall forthwith give notice of the decision of the authority to the chairman or secretary of the club or institute; and, within fourteen days from the date of service of that notice, the chairman or secretary may, by notice to the clerk to the licensing authority, appeal against the decision to a court of quarter sessions having jurisdiction in the authority's area.
- (2) The provisions of paragraph 29(2) to (5) of Schedule 2 to this Act, and of paragraph 30 of that Schedule, shall have effect in relation to appeals under this paragraph as they have effect in relation to appeals under paragraph 29 of that Schedule, but as if in those provisions any reference to a person who opposed the application before the licensing authority were a reference to the person who made the application for the registration to be cancelled.
- 16 (1) Where an application for cancellation of the registration of a club or institute under Part II of this Act is made by the Board, and the licensing authority refuse to cancel the registration, the Board may, by notice to the clerk to the licensing authority, appeal against the decision of the licensing authority to a court of quarter sessions having jurisdiction in the authority's area.
- (2) The provisions of paragraph 31(2) to (4) of Schedule 2 to this Act, and of paragraph 32 of that Schedule, shall have effect in relation to any such appeal as they have effect in relation to an appeal by the Board against the grant or renewal of a licence, but as if in those provisions—
- (a) any reference to any person (other than the Board) who opposed the application before the licensing authority were omitted, and
  - (b) any reference to the applicant who applied for the grant or renewal were a reference to the chairman or secretary of the club or institute.
- 17 (1) Where a person is convicted of an offence under Schedule 3 to the Finance Act 1966 in respect of a contravention of section 13 or section 14 of that Act in relation to

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*Status: This is the original version (as it was originally enacted).*

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premises in respect of which a club or institute is for the time being registered under Part II of this Act, and the Commissioners of Customs and Excise—

(a) certify to the court by or before which he is so convicted that the conviction is a second or subsequent conviction for such an offence committed (whether by the same or by some other person) in relation to gaming on those premises while that club or institute has been so registered, and

(b) apply to the court for effect to be given to this sub-paragraph,

that court shall order that the registration of the club or institute under Part II of this Act shall be cancelled.

(2) An order made under this paragraph—

(a) shall not have effect until the end of the period within which notice of appeal against the conviction which gave rise to the order may be given;

(b) if notice of appeal against that conviction is duly given, shall not have effect until the appeal has been determined or abandoned; and

(c) shall not have effect if, on such an appeal, the appeal is allowed.

(3) Where the registration of a club or institute is cancelled by virtue of an order made under this paragraph, the clerk of the court by which the order was made shall, unless he is also the clerk to the licensing authority, send a copy of the order to the clerk to the licensing authority; and the licensing authority shall, notwithstanding anything in the preceding provisions of this Schedule, refuse any application for the registration of that club or institute under Part II of this Act in respect of the same or any other premises if it is made less than twelve months after the date of the order.