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STATUTORY INSTRUMENTS

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**1996 No. 3159**

**The Registration of Clubs (Northern Ireland) Order 1996**

**PART II**

**REGISTRATION OF CLUBS**

*Continuance of club in temporary premises*

**Continuance of club in temporary premises**

**12.**—(1) Where the premises of a registered club—

- (a) have, by reason of fire, tempest, or other unforeseen and unavoidable calamity, become incapable of being used as the premises of the club; or
- (b) have been, or are likely to be, acquired or demolished, either wholly or to a substantial extent, under any statutory provision; or
- (c) have been, or are likely to be, extended to include premises which are, or are to be constructed so as to be, contiguous to them; or
- (d) are, or are to be, used for the purpose of the registered club in conjunction with additional premises which are or are to be constructed adjacent to it; or
- (e) have been, or are to be, wholly or substantially demolished and new premises have been or are to be constructed wholly or partly within its curtilage;

and the registered club is unable to use the premises (in this Article referred to as “the original premises”), a court of summary jurisdiction may, on an application made by the secretary of the club in compliance with the procedure set out in Schedule 4, make an order authorising the registered club to use—

- (i) temporary premises erected, or to be erected, wholly or partly within the curtilage of the site of the original premises; or
- (ii) other premises in the vicinity of the original premises or their site,

for such period, not exceeding 6 months, as the court thinks fit.

(2) A court shall not make an order under paragraph (1) unless it is satisfied—

- (a) that the premises which the club proposes to use are adequate for the conduct of the club and will continue to be adequate during the period of the order; and
- (b) that the premises are not premises in respect of which a disqualification order under Article 3, 15 or 46 or under Article 13 or 38 of the Registration of Clubs (Northern Ireland) Order 1987 is in force; and
- (c) that the registered club either—
  - (i) proposes to resume occupation of the original premises within a reasonable period; or
  - (ii) has made an application for registration for those or other premises, or proposes to do so within a reasonable period.

(3) An application under this Article shall be made to a court of summary jurisdiction for the petty sessions district in which the premises which the club proposes to use are situated.

(4) Where an order has been made under paragraph (1), a court of summary jurisdiction may, on the application of the secretary of the registered club, make such further order or orders under that paragraph as the court thinks fit.

(5) The continuance of the registered club in temporary premises under this Article shall cease—

- (a) at the end of the period specified in an order or a further order made under paragraph (1), or
- (b) when the registered club resumes occupation of the original premises or of premises in respect of which the club is registered,

whichever first occurs.

(6) Where under this Article a court authorises the continuance of a club in any temporary premises, those premises shall be deemed to be the premises in respect of which the club is registered.