
STATUTORY INSTRUMENTS

1996 No. 3159

The Registration of Clubs (Northern Ireland) Order 1996

PART IV

CONDUCT OF REGISTERED CLUBS

Miscellaneous

Restrictions on advertisements relating to functions in registered clubs

38.—(1) Except as provided by this Article, [^{F1}any advertisement drawing attention to any function to be held in the premises of a registered club must include a clear statement to the effect that the function may be attended only by members of the club and guests of members of the club;] and, subject to paragraph (3), if this paragraph is contravened—

- (a) the registered club; and
- (b) every official of the club at the time the advertisement is issued; and
- (c) any person who issued the advertisement or caused it to be issued;

shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 4 on the standard scale.

[^{F2}(2) Paragraph (1) does not apply to an advertisement in so far as it relates to a function the whole proceeds of which are, after deduction of the expenses of the function, to be devoted to charitable or benevolent purposes.]

(3) In any proceedings for an offence under paragraph (1) it shall be a defence for—

- (a) a person mentioned in paragraph (1)(b) to prove that he exercised all due diligence to avoid the commission of such an offence; and
- (b) a person to prove that he is a person whose business it is to publish or arrange for the publication of advertisements and that he received the advertisement in question for publication in the ordinary course of business and did not know and had no reason to suspect that its publication would amount to an offence under paragraph (1).

(4) For the purposes of this Article an advertisement issued by displaying or exhibiting it shall be treated as issued on every day on which it is displayed or exhibited.

(5) In this Article “advertisement” includes every form of advertising, whether in a publication or by the display of notices or by means of circulars or other documents or by an exhibition of photographs or a cinematograph film, or by way of sound broadcasting or television or by inclusion in a cable programme service, and references to the issue of an advertisement shall be construed accordingly.

F1 Words in art. 38(1) substituted (6.4.2022) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2021 \(c. 7\)](#), ss. 40(1), 47(2); S.R. 2022/63, art. 2, Sch.

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F2 Art. 38(2) substituted (6.4.2022) by [Licensing and Registration of Clubs \(Amendment\) Act \(Northern Ireland\) 2021 \(c. 7\), ss. 40\(2\), 47\(2\); S.R. 2022/63, art. 2, Sch.](#)

Admission of visiting teams, etc.

39.—(1) Notwithstanding paragraphs 12 and 14 of Schedule 1 or any rule required to be made by those paragraphs by a registered club, where a team or other body of persons who are, as members of another club (whether registered or not), society or organisation, visiting a registered club for the purpose of taking part in or in the organisation of or arrangements for, any pastime, sport, game or recreation at the registered club, an official of the club being visited may enter in the book required to be kept by that paragraph 12 the name of the club, society or organisation visiting that club and the number of such persons without specifying their names and addresses and intoxicating liquor may be supplied to such persons at the request and in the presence of an official of the registered club being visited on the occasion of that visit.

(2) The admission of persons to whom paragraph (1) applies shall be disregarded for the purposes of paragraph 11 of Schedule 1.

Accounts of registered clubs, etc.

40.—(1) Every registered club and every club which has served a notice under paragraph 1(1) (a) of Schedule 2 shall—

- (a) keep such vouchers with respect to its transactions and its assets and liabilities, and in such manner, as may be prescribed, and
- (b) establish and maintain a ^{F3}... system of control of its accounts, its cash holdings and all its receipts and remittances, and
- (c) prepare an annual statement of accounts [^{F4}within 3 months of the end of that club's financial year,] in such form and containing such particulars as may be prescribed, and
- [^{F5}(d) cause, within 3 months of the end of that club's financial year, those accounts to be audited by a person referred to in this Article as “the auditor” or examined by an independent examiner in such manner as may be prescribed, and
- (e) on being required by the auditor or independent examiner, produce any record or voucher and any other information or explanation which appears to the auditor or independent examiner to relate to those accounts and which the auditor or independent examiner requires to inspect, and]
- ^{F6}(f)
- (g) on the demand of any member of the club, send a summary of those accounts and the auditor's [^{F7}or independent examiner's] report thereon to that member, free of charge, as soon as they become available, and
- [^{F8}(ga) on the demand of the district commander of the police district in which the premises are situated, send a summary of those accounts and the auditor's or independent examiner's report thereon to that district commander, free of charge, as soon as they become available, and]
- (h) cause a summary of those accounts and auditor's [^{F9}or independent examiner's] report thereon to be displayed, for a period of 4 weeks ending on the date of the annual general meeting, in a conspicuous part of the premises of the club which is accessible to all members, and

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- (i) keep all original vouchers, books, accounts, reports and other documents which the club is required to keep under the provisions of this Order for a period of 6 years from the date of the auditor's [^{F9}or independent examiner's] report on the accounts to which they relate, and

^{F6}(j)

[^{F10}(1A) Regulations under this paragraph may make provision for the—

- (a) system of control referred to in paragraph (1)(b) to be in such form and manner as may be directed by the Department;
- (b) selection of a person for appointment as an independent examiner to be in such manner as may be directed by the Department.]

(2) If paragraph (1) is contravened—

- (a) the registered club; and
- (b) every official of the club at the time of the contravention;

shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.

[^{F11}(2A) If regulations under paragraph (1A) are contravened—

- (a) the registered club, and
- (b) every official of the club at the time of the contravention;

shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.]

(3) In any proceedings for an offence under [^{F12}or by virtue of this Article] it shall be a defence for a person to prove that he exercised all due diligence to avoid the commission of such an offence.

F3	Word in art. 40(1)(b) repealed (1.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2011 (c. 18), ss. 12(2)(a), 18, Sch. 4; S.R. 2022/89, art. 2
F4	Words in art. 40(1)(c) inserted (1.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2011 (c. 18), ss. 12(2)(b), 18; S.R. 2022/89, art. 2
F5	Art. 40(1)(d)(e) substituted (1.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2011 (c. 18), ss. 12(2)(c), 18; S.R. 2022/89, art. 2
F6	Art. 40(1)(f)(j) repealed (1.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2011 (c. 18), ss. 12(2)(d), 18, Sch. 4; S.R. 2022/89, art. 2
F7	Words in art. 40(1)(g) inserted (1.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2011 (c. 18), ss. 12(2)(e), 18; S.R. 2022/89, art. 2
F8	Art. 40(1)(ga) inserted (1.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2011 (c. 18), ss. 12(2)(f), 18; S.R. 2022/89, art. 2
F9	Words in art. 40(1)(h)(i) inserted (1.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2011 (c. 18), ss. 12(2)(g), 18; S.R. 2022/89, art. 2
F10	Art. 40(1A) inserted (1.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2011 (c. 18), ss. 12(3), 18; S.R. 2022/89, art. 2
F11	Art. 40(2A) inserted (1.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2011 (c. 18), ss. 12(4), 18; S.R. 2022/89, art. 2
F12	Words in art. 40(3) substituted (1.4.2022) by Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2011 (c. 18), ss. 12(5), 18; S.R. 2022/89, art. 2

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Notification of alteration of rules, etc., of registered clubs

41.—(1) Where any alteration is made in the rules or to the committee of management or the governing body of a registered club, the secretary of the club shall, within 14 days of the alteration, serve a notice giving particulars of the alteration upon—

- (a) the clerk of petty sessions ^{F13}...; and
- (b) the sub-divisional commander of the police sub-division in which the premises of the registered club are situated.

(2) If paragraph (1) is contravened the secretary of the registered club shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 1 on the standard scale.

(3) Notwithstanding anything in Article 19(1)(a) of the Magistrates' Courts (Northern Ireland) Order 1981 (time limit for summary proceedings), summary proceedings for an offence under this Article may be brought at any time within 6 months from the date on which evidence, sufficient in the opinion of the Director of Public Prosecutions for Northern Ireland to justify the proceedings, comes to his knowledge; but no such proceedings shall be brought by virtue of this paragraph more than 3 years after the commission of the offence.

(4) For the purposes of paragraph (3), a certificate of the Director of Public Prosecutions as to the date on which such evidence as is referred to in paragraph (3) came to his knowledge is conclusive evidence.

F13 Words in art. 41(1)(a) repealed (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 111(6), **Sch. 9 Pt. 1** (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k)(m) (with art. 3)

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Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- [art. 31B inserted by 2011 c. 18 \(N.I.\) s. 11](#)