1988 No. 348

MAGISTRATES' COURTS

Magistrates' Courts (Registration of Clubs) Rules (Northern Ireland) 1988

Made . . . . . 26th September 1988

Coming into operation . . 24th October 1988

The Lord Chancellor, in exercise of the powers conferred on him by Article 13 of the Magistrates' Courts (Northern Ireland) Order 1981(**a**), paragraph 2(1) of Schedule 3 to the Registration of Clubs (Northern Ireland) Order 1987(**b**), and of all other powers enabling him in that behalf, on the advice of the Magistrates' Courts Rules Committee and after consultation with the Lord Chief Justice, hereby makes the following rules:—

Citation, commencement and revocation

1.—(1) These Rules may be cited as the Magistrates' Courts (Registration of Clubs) Rules (Northern Ireland) 1988 and shall come into operation on 24th October 1988.

(2) The Magistrates' Courts (Registration of Clubs) Rules (Northern Ireland) 1966(**c**) are hereby revoked.

Interpretation

2.—(1) In these Rules "the Order" means the Registration of Clubs (Northern Ireland) Order 1987; and a reference to an Article or Schedule by number is a reference to that Article or Schedule as numbered in the order.

(2) Any reference in these Rules to a Form by number is a reference to that Form so numbered in the Schedule to these Rules.

(3) Any reference in these Rules to the clerk of petty sessions is a reference to the clerk of petty sessions for the petty sessions district in which the application is made.

Application for the renewal of registration of a club

3.—(1) Notice of application in accordance with Article 8(2) and paragraph 1 of Schedule 3 for the renewal of registration of a club shall be in Form 1.

(2) A notice published in the newspapers as required by paragraph 1(*a*) of Schedule 3 shall—

(*a*) include a reference to the requirement that any person owing or residing or carrying on business in premises in the vicinity of the

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(a) S.I. 1981/1675 (N.I. 26)
(b) S.I. 1987/1278 (N.I. 14)
(c) S.R. & O. (N.I. 1966 No. 278

premises of the club for which renewal of registration is sought who intends to object to the renewal must, in accordance with paragraph 4 of Schedule 3 to the Order, serve notice of his intention to object on the club and clerk of petty sessions, not less than one week before the renewal date as specified in Article 2(2);

(*b*) state that the permissible grounds of objection are any of the grounds specified in Article 8(5) and (6).

Objection to renewal of registration of a club

4. Notice of intention to object to the renewal of registration of a club in accordance with Article 8(3) and paragraphs 3 and 4 of Schedule 3 shall be in Form 2.

Application for the cancellation of registration of a club

5. Where an application is to be made for the cancellation of registration of a registered club in accordance with Article 11(1), notice of intention to apply for cancellation shall be in Form 3 and this notice shall be served on the secretary of the club and the clerk of petty sessions not less than 4 weeks before the date of the court sitting at which the application for cancellation is to be made.

Endorsement of service

6. Where any document is required by the Order or these Rules to be served on the clerk of petty sessions and is also required to be served on any other person or body, the document served on the clerk of petty sessions shall be endorsed as to the mode and time of service thereof upon such other person or body.

Costs

7. Article 163 of the Magistrates' Courts (Northern Ireland) Order 1981 (costs) shall apply to an application under Schedule 3 as if any objector to the application were a respondent.

Dated 26th September 1988 *Mackay of Clashfern, C.*

SCHEDULE

FORM 1 Rule 3

Registration of Clubs (Northern Ireland) Order 1987
(Article 8(2), Schedule 3, para.1)

Notice of application for the renewal of registration of a club.

Petty Sessions District of

County Court Division of

TAKE NOTICE that I *(full name)* of *(full address)*, as Secretary of *(full name of club)* having its premises at *(full address of premises of club)* intend to apply to the magistrates' court sitting at *(place)* on *(date)* at *(time)* for the renewal of registration of the said club.

All of the information, particulars and documents required under paragraph 2(2) of Schedule 3 to the Registration of Clubs (Northern Ireland) Order 1987 are attached.*

Dated this day of 19 .

Signature of Secretary
or Solicitor.

To the clerk of petty sessions for the above-named petty sessions district.

Copy to the sub-divisional commander at (police sub-division in which the premises of the club are situated).

Copy to the district council for the district in which the premises of the club are situated.

* Paragraph 2(2) of Schedule 3 to the Order requires an applicant for renewal of registration to attach such information, particulars and documents with respect to the club, its officers and members, its objects and activities, its accounts and financial standing as may be required by regulations made by the Department of Health and Social Services to the notice served on the clerk of petty sessions and the copy notices served on the sub-divisional commander and district council.

FORM 2 Rule 4

Registration of Clubs (Northern Ireland) Order 1987
(Article 8(3), Schedule 3, paras. 3 and 4)

Notice of intention to object to the renewal of registration of a club.

Petty Sessions District of

County Court Division of

TAKE NOTICE THAT I, *(full name)* of *(full address)* [the sub-divisional commander of the police sub-division in which the premises of the club are situated];* or [an officer of the district council for the district in which the premises of the club are situated];* or [a person owing, residing or carrying on business in premises in the vicinity of the premises of the club]* intend at the magistrates' court sitting at *(place)* on *(date)* at *(time)* to appear and object to the renewal of registration of *(full name of club)* at *(full address of premises of club)* on the following grounds (being grounds specified in Article 8(5) or (6) of the above Order);—

Dated this day of 19 .

Signature of Objector or his Solicitor.

To: *(full name of club).*

Copy to the clerk of petty sessions for the above-named petty sessions district.

*Delete as applicable.

FORM 3 Rule 5

Registration of Clubs (Northern Ireland) Order 1987
(Article 11(1))

Notice of intention to apply for the cancellation of registration of a club.

Petty Sessions District of

County Court Division of

TAKE NOTICE THAT I, *(full name)* of *(full address)*
[the sub-divisional commander of the police sub-division in which the premises are situated];*
[an officer of the district council for the district in which the premises of the club are situated];*
[a person owning, residing or carrying on business in premises in the vicinity of the premises of the club]* intend to apply to the magistrates' court sitting at *(place)* on *(date)* at *(time)* for the cancellation of registration of *(state name of club)* at *(full address of club)* on the following grounds (being grounds specified in Article 8(5) or (6) of the above Order):—

Dated this day of 19 .

Signature of Applicant or
his Solicitor

To the clerk of petty sessions for the above-named petty sessions district.

Copy to *(full name of club)*

*Delete as applicable.

EXPLANATORY NOTE

(This note is not part of the Rules.)

These rules make provison for the procedures to be followed in courts of summary jurisdiction in relation to applications for renewal and cancellation of registration of clubs under the Registration of Clubs (Northern Ireland) Order 1987.

They also revoke the Magistrates' Courts (Registration of Clubs) Rules (Northern Ireland) 1966.