

## CHAPTER 194

## REGISTRATION OF CLUBS

*Ordinances Nos. 26 of 1932, 37 of 1937, 38 of 1940, 23 of 1942,  
2 of 1945, 9 of 1947, 21 of 1962, 37 of 1966, 2 of 1969.*

## AN ACT RELATING TO THE REGISTRATION OF CLUBS

[12th July, 1932.]

*Short title*

1. This Act may be cited as the Registration of Clubs Act.

*Interpretation*

2. In this Act, unless the context otherwise requires—  
“Board” means the Central Liquor Board established under the provisions of the Liquor Act; (*Inserted by 21 of 1962, s. 2.*)  
“Commissioner” means the Commissioner of the Division in which the club is situated; (*Inserted by 21 of 1962, s. 2.*)  
“liquor” means liquor as defined in any Liquor Act for the time being in force; (*Amended by 2 of 1945 s. 94.*)  
“rules” includes constitution, regulations, by-laws or any similar code by whatsoever name called; (*Inserted by 21 of 1962, s. 2.*)  
“secretary” means any officer of a club or other person performing the duties of a secretary and in the case of a proprietary club where there is no secretary the proprietor of the club;  
“unregistered club” means a club which requires under this Act to be registered but is not registered or which has been struck off the register or suspended. (*Amended by 21 of 1962, s. 2.*)

*Registration of clubs*

- 3.—(1) The secretary (whether honorary or otherwise) of every club which occupies a house or part of a house or other premises which are habitually used for the purposes of a club and in which any liquor is supplied to members or to their guests shall cause the club to be registered in manner provided by this Act.  
(2) The registration of a club under this Act shall not constitute the club premises licensed premises or authorise any sale of liquor therein which would otherwise be illegal.

*Mode of registration*

- 4.—(1) A Commissioner shall keep a register of all clubs within his Division.  
(2) The register shall be in the form specified by the Minister and shall contain—  
(a) the name and objects of the club;  
(b) the address of the club;  
(c) the name of the secretary;  
(d) the number of members;  
(e) rules of the club relating to—

- (i) the election of members; which rules shall provide, subject to such exceptions as the Board may approve, that a period of at least fourteen days shall elapse between the nomination and election of members;
- (ii) the admission of non-members;
- (iii) the terms of subscription and entrance fee, if any;
- (iv) the cessation of membership;
- (v) the hours of opening and closing; and
- (vi) the mode of altering the rules.

(3) The secretary of every such club shall in the month of January in each year furnish to the Commissioner a return signed by the the secretary, giving the above-mentioned particulars, together with a signed statement that there is kept on the club premises a register of the names and addresses of the club members and a record of the latest payment of their subscriptions.

(4) Where a new club requiring registration is about to be opened, the secretary shall, before the opening of the club, furnish a return signed by him to the Commissioner giving the above-mentioned particulars:

Provided that no such club shall be registered except with the approval of the Board.

(5) When granting approval for the registration of a club under the provisions of subsection (4), the Board may impose a condition requiring the provision of recreation facilities (not including facilities for outdoor games) on the premises of such registered club, within a period to be specified by the Board.

(6) The Commissioner shall keep the register of clubs corrected up-to-date in accordance with such returns furnished by such secretaries, and the register shall at all reasonable hours be open to inspection by a police officer without fee and to any other person on payment of a fee of ten cents.

*(Amended by 37 of 1966, s. 70.)*

(7) Any amendment to the rules by a registered club relating to—

- (a) the election of members;
- (b) the admission of non-members;
- (c) the cessation of membership;
- (d) the hours of opening and closing; and
- (e) the mode of altering the rules,

shall be approved by the Commissioner or otherwise shall be of no effect.

(8) A fee of one hundred dollars in the case of a club inside a city or town and a fee of forty dollars in the case of a club situated outside a city or town shall be paid by the secretary from the funds of such club to the Commissioner on each return made by the secretary of a club and such fee shall be paid into the Consolidated Fund.

*(Section substituted by 21 of 1962, s. 3. and 14 of 1975, s. 44.)*

*Penalty for supplying or keeping liquor in unregistered club*

5.—(1) Without prejudice to any liability to punishment under the provisions of any law relating to liquor, if any liquor is supplied or sold to any member or guest on the premises of an unregistered club the person supplying or selling such liquor and every person authorising the supply or sale of such liquor shall be liable to imprisonment for a term not exceeding one month or to a fine not exceeding one hundred dollars or to both such imprisonment and fine.

*(Amended by 2 of 1945, s. 94, and 21 of 1962, s. 4.)*

(2) If any liquor is kept for supply or sale on the premises of an unregistered club every officer and member of the club shall be liable to a fine not exceeding forty dollars unless he proves to the satisfaction of the court that such liquor was so kept without his knowledge or against his consent.

(Amended by 2 of 1945, s. 94, and 21 of 1962, s. 4.)

*Supply of liquor for consumption off the premises*

6. Liquor shall not be supplied in a club for consumption off the premises except to a member personally on the premises and if any person supplies or obtains any liquor in contravention of the provisions of this section he shall be liable to a fine not exceeding one hundred dollars.

(Amended by 38 of 1940, s. 2, 2 of 1945, s. 94, and 21 of 1962, s. 5.)

*Striking off register*

7.—(1) Where a club has been registered in pursuance of this Act, a magistrate, on complaint in writing by any person, may, if he thinks fit, make an order directing the club to be struck off the register or suspended for a period not exceeding six months on any or all of the grounds specified in this subsection. If the order is for suspension, the club shall be entitled to be restored to the register on the expiry of the period of suspension:

Provided that if the period for which the last annual fee paid in respect of the club prior to its suspension has expired, the club shall only be entitled to be restored to the register on payment of the fee for the current year.

The grounds for striking off or suspension shall be as follows:—

- (a) that the club has ceased to exist or that the number of members is less than twenty-five; or
- (b) that it is not conducted in good faith as a club or that it is kept or habitually used for any unlawful purpose; or
- (c) that there is frequent drunkenness on the club premises; or
- (d) that illegal sales of liquor have taken place on the club premises; or
- (e) that persons who are not members are habitually admitted to the club merely for the purpose of obtaining liquor; or
- (f) that the club occupies premises in respect of which within twelve months next preceding the formation of the club a licence has been forfeited or the renewal of a licence has been refused or in respect of which an order has been made that they shall not be used for the purposes of a club; or
- (g) that persons are habitually elected to membership without an interval of at least fourteen days elapsing between their nomination and admission:

Provided that the provisions of this paragraph shall not apply in the case of such exceptions as the Board or Commissioner may approve under the provisions of subsections (2) or (7) of section 4;

- (h) that the supply of liquor to the club is not under the control of the members or the committee appointed by the members;
- (i) that liquor has been sold or supplied to prohibited persons or to persons under the age of eighteen years, from or on the club premises; or
- (j) that the club has been frequently conducted to the annoyance and disturbance of persons in premises near such club; or
- (k) that any condition imposed by the Board requiring the provision of recreational facilities has not been complied with.

*(Subsection amended by 21 of 1962, s. 6 and 2 of 1969, s. 2.)*

(2) For the purposes of determining whether a club is conducted in good faith as a club the court shall have regard to the nature of the premises occupied by the club.

(3) If the magistrate grants a summons on the complaint, the summons shall be served on the secretary and on such other person, if any, as the court may direct.

(4) Where the court makes an order striking a club off the register the magistrate may, if he thinks fit, by that order further direct that the premises occupied by the club shall not be used for the purposes of any club which requires registration under this Act for a specified period which may extend to twelve months in case of a first order or, in case of a second or subsequent order, to five years:

Provided that any such direction may for good cause shown be subsequently cancelled or varied by the magistrate.

*Search warrant*

8.—(1) If a magistrate or a justice of the peace is satisfied by information on oath that there is reasonable ground for supposing that any registered club is so managed or carried on as to constitute a ground for striking it off the register or that any liquor is sold or supplied or kept for sale or supply on the premises of an unregistered club, he may grant a search warrant to any police officer named therein.

(2) A search warrant granted under this section shall authorise the officer named therein to enter the club, if need be by force, and to inspect the premises of the club, to take the names and addresses of any persons found therein and to seize any books and papers relating to the business of the club.

*Penalty for false returns, etc.*

9.—(1) If the secretary of any registered club or any club which requires to be registered omits to make any return required by this Act he shall be liable to a fine not exceeding forty dollars, and in the case of a second or subsequent offence to imprisonment for a term not exceeding one month or to a fine not exceeding one hundred dollars or to both such imprisonment and fine.

*(Amended by 2 of 1945, s. 94.)*

(2) If the secretary of any such club knowingly makes a return which is false in any material particular he shall be liable to imprisonment for a term not exceeding three months or to a fine not exceeding one hundred dollars or to both such imprisonment and fine. *(Amended by 2 of 1945, s. 94.)*

*Entry on premises of a club which has been suspended*

10.—(1) Where any club has been suspended, it shall be lawful for any police officer without warrant to enter upon the premises of such suspended club for the purpose of preventing or detecting the violation of any of the provisions of this Act.

(2) If any person by himself or by any person in his employ, or acting by his directions or with his consent refuses or fails to admit to such premises as aforesaid any police officer acting in the execution of his duty under this section, that person shall be guilty of an offence and on conviction shall be liable to a fine not exceeding one hundred dollars. *(Section amended by 21 of 1962, s. 7.)*

*Controlled by Ministry of Attorney-General*