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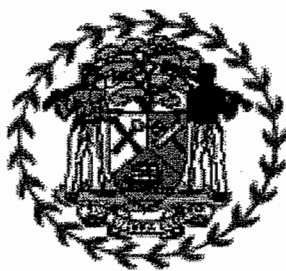
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BELIZE

**CLUBS (REGISTRATION) ACT
CHAPTER 312**

**REVISED EDITION 2000
SHOWING THE LAW AS AT 31ST DECEMBER, 2000**

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, Chapter 3 of the Laws of Belize, Revised Edition 1980 - 1990.

This edition contains a consolidation of the following laws-

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CLUBS (REGISTRATION)

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SCHEDULE

CHAPTER 312

CLUBS (REGISTRATION)

[9th May, 1953]

PART I

Preliminary

Ch. 155,
R.L., 1958.
CAP. 245,
R.E. 1980-1990.
40 of 1963.
5 of 1964.
12 of 1966.
4 of 1967.
2 of 1973.
3 of 1978.
42 of 1999.
Short title.

Interpretation.

CAP. 94.

CAP. 94.

1. This Act may be cited as the Clubs (Registration) Act.
2. In this Act, unless the context otherwise requires:-
 - "certificate" means a certificate of registration under this Act;
 - "Chairman" includes the President of any club;
 - "club" means a society of persons associated together for any lawful purpose;
 - "court" means a summary jurisdiction court constituted, and exercising jurisdiction, under the Inferior Courts Act;
 - "district" means a judicial district established under the Inferior Courts Act;
 - "excisable liquor" means any spirituous, intoxicating and alcoholic liquor for the sale of which a licence is required by law;

“Form” means the Form in the Schedule;

Schedule.

“local authority” means the Belize City Council acting in relation to Belize City, the Belmopan City Council acting in relation to the City of Belmopan or any town council acting in relation to any town mentioned in the Schedule to the Town Councils Act or which may be added to the Schedule under that Act, as the case may be;

CAP. 87.

“members’ club” means a club not constituted for the acquisition of gain, the members of which contribute to the funds out of which the expenses of conducting the club are paid and are jointly entitled to all the property and funds of the club;

“permitted hours” means the hours prescribed by the Minister under section 4 as those during which excisable liquor may lawfully be supplied or sold in a club for consumption on or off the premises;

40 of 1963.

“proprietary club” means a club the members of which in consideration of the payment by them of entrance fees and subscriptions make use of the premises and property belonging to another person who conducts the club with a view to profit;

“registered club” means a club holding a certificate of registration under this Act in force at the time;

“registrar” means the clerk of a summary jurisdiction court in a district;

“secretary” includes 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.

PART II

*Sale of Excisable Liquor in Clubs**Prohibition of Sale in Unregistered Clubs
and Regulation in Registered Clubs*

Obligation to
register clubs.

3.-(1) No person shall keep or have possession of, or sell or supply, any excisable liquor in an unregistered club.

(2) The secretary of every club which occupies a house or part of a house which is habitually used for the purposes of a club and in which any excisable liquor is to be supplied to members or their guests, or any other premises which are habitually so used and in which any excisable liquor is to be supplied, shall cause the club to be registered in the manner provided by this Act.

CAP. 150.

(3) The registration of a club under this Act shall not constitute the club premises licensed premises within the meaning of the Intoxicating Liquor Licensing Act, or authorise any sale of excisable liquor therein which would otherwise be illegal.

Power to prescribe
periods and hours
for supplying,
etc., excisable
liquor.
40 of 1963.

4.-(1) The Minister may by Order published in the *Gazette* prescribe the periods of the day and the hours during which excisable liquor may lawfully be supplied or sold in any registered club for consumption on or off the premises-

(a) on week days; and

(b) on Sundays, Christmas Day and Good Friday.

(2) Such Order may prescribe-

(a) different periods and hours for different towns, districts or places and there may be a break between the forenoon and the afternoon periods;

- (b) the conditions under which excisable liquor may be supplied or sold outside of the permitted hours in a registered club for consumption with a meal;
 - (c) such other regulations as are necessary for controlling the supply and sale of excisable liquor in relation to the permitted hours in any registered club, and for extending the permitted hours on special occasions.
- (3) Any person who supplies, sells, purchases or consumes any excisable liquor in a club outside the permitted hours prescribed in that behalf commits an offence.

PART III

Registration

Procedure for Registration

5.-(1) The secretary of any club who desires a certificate shall lodge with the registrar for the district in which the club is situate an application signed by the Chairman and secretary of the club stating the name and objects of the club and the address of the premises occupied by the club, and shall publish notice of such application once in a daily newspaper circulating in the district.

Application for, and renewal of, certificate of registration.

(2) Every such application shall be accompanied by two copies of the rules of the club and by a list containing-

- (a) the names and addresses of the officials and committee of management or governing body; and
- (b) the names of all the members of the club.

(3) The secretary of any club who desires a renewal of a certificate shall, at a date not later than twenty-one days prior to its expiry, make application to the registrar for such renewal in the same manner and subject to the same incidents and publication as in the case of an original application for registration, except that the application for renewal shall not be accompanied by two copies of the rules of the club, but by two copies of any amendment to such rules made since the original certificate or the last renewal thereof was obtained.

(4) The registrar shall, within three days of receipt of the application, give notice of such application to the Chief Officer of Police of the district mentioned in subsection (1) who shall with all convenient dispatch-

- (a) verify the particulars contained in the application;
- (b) make inquiries to enable him to report to the magistrate to whom the application is made upon the matters to be considered at the hearing of the application for registration or renewal; and
- (c) prepare and lodge with the registrar and serve on the secretary of the club such report on the application as he may think fit,

and he shall be entitled to object to the grant or renewal of the certificate either generally or on any of the grounds set forth in section 6 of this Act.

(5) The report shall be deemed to be *prima facie* evidence of all matters stated therein and shall be taken into consideration by the court when deciding on the application.

(6) It shall be competent for any person to lodge objection to the grant or renewal of a certificate on any of the grounds specified in section 6 of this Act.

(7) Every such objection shall be lodged by the objector with the registrar within ten days after the publication of the notice of application, and on the same day a copy of the objection shall be sent by the objector to the secretary of the club who is applying for the grant or renewal of the certificate.

(8) The court shall, as soon as may be, hear parties upon the application and objection and may order any inquiry it thinks fit, and thereafter shall grant or refuse the application for the grant or renewal of the certificate.

(9) Upon the grant of a certificate, the court shall cause the entries required by this Act to be made in the register, and thereupon the registrar shall issue a certificate of registration to the applicant in, or as nearly as may be in, the Form. Form.

(10) Every certificate issued under this Act shall expire on 31st December in the year in which it is granted subject, however, to its renewal in accordance with this Act.

(11) The court may order costs and expenses to be paid by the unsuccessful party, where objection has been taken to the granting or renewal of a certificate, as in any case of summary jurisdiction proceeding where an order is made for payment of money not being in the nature of a penalty for an offence.

(12) Notwithstanding the provisions of this Act as to the duration of a certificate, where application for a renewal has been made, the current certificate shall remain in force pending the final decision of the court, for a period not exceeding three months.

(13) A club failing to make application for the renewal of a certificate, at or previous to the time when it is required by this Act to be made, shall not be granted the renewal unless the court is satisfied that the failure was due to inadvertence.

Grounds of Objection to Registration or Renewal

Grounds of
objection to
registration or
renewal of
certificate.

6.-(1) The court shall not consider any objection to the grant or renewal of a certificate unless it is taken upon one or more of the following grounds-

- (a) that the Chairman or secretary, or any official or member of the committee of management or governing body, does not bear a good character; or
- (b) that the premises are unsuitable for the purposes of a club; or
- (c) that the application made by the club, or its rules, or any of them, are, in any respect specified in the objection, not in conformity with the provisions of this Act; or
- (d) that the club has ceased to exist, or that the number of members is less than twenty-five; or
- (e) that it is not conducted in good faith as a club, or that it is kept or habitually used for any unlawful purpose, or mainly for the supply of excisable liquor; or
- (f) that there is frequent drunkenness on the club premises, or that persons are frequently seen to leave the club premises in a state of intoxication, or that the club is conducted in a disorderly manner; or
- (g) that illegal sales of excisable liquor have taken place on the club premises; or
- (h) that persons who are not members are habitually admitted to the club merely for the purpose of obtaining excisable liquor; or

- (i) that the club occupies premises in respect of which within twelve months next preceding the formation of the club, a publican's general licence has been forfeited or the renewal of a certificate for an hotel licence, or a publican's general hotel licence or a publican's general licence has been refused under the Intoxicating Liquor Licensing Act, or in respect of which an order has been made that they shall not be used for the purposes of any club; or CAP. 150.
- (j) that persons are habitually admitted as members without an interval of at least fourteen days between the nomination and the admission; or
- (k) in the case of a members' club, that the supply of excisable liquor to the club is not under the control of the members or the committee appointed by the members; or
- (l) that any of the rules of the club are habitually broken; or
- (m) that after 31st May, 1964, the club or its management has denied membership or admission as a guest to at least one applicant on the ground of colour, race or creed; or 5 of 1964.
- (n) that the rules of the club are not in conformity with section 9.

(2) For the purpose 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 and any other fact.

Other Matters Relating to Certificate

Grounds upon which application for, and renewal of, certificate must be refused.

7. The court shall refuse the application for a grant or renewal of a certificate if in its opinion-
- (a) the particulars furnished in the application as mentioned in section 5 are incomplete; or
 - (b) the evidence given as to the objects of the club or its system of management, or as to the character of the club premises is unsatisfactory; or
 - (c) the club premises have been purchased or leased for the purpose of the club by any brewers, brewery company, distillers or wine and spirit merchants, or the club is compelled to purchase excisable liquor from any brewer, firm of brewers, brewery company, distiller, distillers or wine and spirit merchants, in consideration of money advanced to or on account of the said club by the said brewer, firm of brewers, brewery company, distiller, distillers or wine and spirit merchants; or
 - (d) the premises for which application is made are likely to become a nuisance to the neighbourhood; or
 - (e) there is satisfactory proof of any of the grounds of objection set out in section 6; or
 - (f) any other good cause is shown.

8.-(1) The secretary of a club shall-

- (a) upon the application for, or renewal of, a certificate, lodge with the registrar a bond duly executed by two persons approved by the Financial Secretary, conditioned for the payment by them jointly and severally to the Financial Secretary of the sum of five hundred dollars in the event of the club being struck off the register by the court under section 17 in respect of any grounds specified in section 6 (1) (e), (f), (g), (k), (l) or (m) or by reason of a conviction under section 24;
- (b) upon the application for the renewal of a certificate, lodge with the registrar the last balance sheet of the club on which there shall be endorsed by an auditor a certificate that he has examined the vouchers and accounts of the club and that the balance sheet contains a true and correct statement of the financial position of the club.

Bond and balance sheet to be presented to registrar on application for grant or renewal of certificate.

5 of 1964.

(2) In this section, the expression "auditor" means any person, not being a member or officer of the club, who is approved by the Minister as a person qualified for the purposes of this section.

40 of 1963.

9.-(1) In order that a club may be eligible for registration, the rules of the club shall provide that-

- (a) the business and affairs of the club shall be under the management of a committee or governing body consisting of members of the club elected for not less than a year by the general body of members, and subject in whole or in a specified proportion, to annual re-election and that no member of the committee or governing body, and no member of or servant employed in the club, shall have any personal interest in the sale, or in the profits arising from the sale, of excisable li-

Club rules qualifying for registration.

quor therein;

- (b) the committee or governing body shall hold periodical meetings;
- (c) the names and addresses of persons proposed as ordinary members of the club shall be displayed at a conspicuous place in the club premises for at least a week before their election, and an interval of not less than two weeks shall elapse between nomination and election of ordinary members;
- (d) all members shall be elected by the whole body of members or by the committee or governing body, with or without specially added members;
- (e) there shall be a defined entrance fee and subscription payable by members in advance;
- (f) correct accounts and books shall be kept showing the financial affairs and receipts and disbursements of the club;
- (g) no person resident within the limits of any town in which a club is situate shall visit the club as a visitor-
 - (i) in the case of a members' club, oftener than three times in every month;
 - (ii) in the case of a proprietary club, oftener than twice in any one week;

Provided that the Commissioner of Police may, upon an application in writing addressed to him and signed by the secretary of the club, authorise in writing the admission of such persons to any regis-

tered club on a special occasion, and the visit of any person on such special occasion shall not be a visit within the intendment of subparagraphs (i) and (ii) of this paragraph;

- (h) a member who introduces a visitor to a club shall, immediately on the admission of the visitor to the club premises, enter his own name and the name and address of the visitor and the date of each visit in a book which shall be kept for the purpose, and a visitor shall not before such entry be supplied with excisable liquor on the club premises, and thereafter only on the invitation, at the expense and in the company of, a member;
- (i) in the case of a members' club, no excisable liquor shall be supplied or sold for consumption off or outside the premises of the club;
- (j) no persons shall be allowed to become honorary or temporary members of the club, or be relieved of the payment of the regular entrance fee or subscription, except those possessing certain qualifications defined in the rules, and subject to conditions and regulations prescribed therein;
- (k) no person under eighteen years of age shall be admitted a member of the club unless the club is primarily devoted to some athletic purpose and in that case no excisable liquor shall be supplied or sold to any such person; 3 of 1978.
- (l) no person shall be or become ineligible for membership or admission as a guest on the ground that he is or is not of a particular colour, race or creed. 5 of 1964.

(2) It shall not be necessary that the rules of a proprietary club should contain any of the matters referred to in paragraphs (a), (c), (d) and (e) of subsection (1).

Fee upon registration.

10. Every club which applies either for an original certificate or for a renewal shall, upon application therefor, pay to the registrar a fee of fifteen dollars.

PART IV

General

Miscellaneous

Register of clubs.

11.-(1) From and after the commencement of this Act, every registrar shall keep a register in which he shall enter the name of every club situate within his district to which a certificate is granted under this Act.

(2) The register shall be in the form prescribed by regulations made under this Act, and shall show the date of the certificate, whether granted for the first time or on renewal, the address of the premises to which the certificate is applicable, and the names and addresses of the officials and the committee of management or governing body of the club, and whether the club is a tenant or the proprietor and occupier of the premises.

(3) The register and the copy of the rules lodged with the registrar shall at all reasonable hours be open to inspection without fee by any police officer not below the rank of assistant inspector, or any other police officer not below the rank of corporal authorised by him in writing, or by any officer of the treasury or customs department, and by any other person on payment of a fee of one dollar.

(4) Where there is no clerk of a summary jurisdiction court, the register shall be kept by the magistrate and he shall be deemed to be the registrar under this Act.

12.-(1) The committee or governing body of every members' club shall keep or cause to be kept a "Register of Members" in which shall be entered-

Duty to keep members' register, stock book and sale book.

- (a) the name of every member;
- (b) his address, occupation or calling,
- (c) the date when he was elected a member;
- (d) his class of membership;
- (e) the signature of the member, indicating his agreement to become a member; and
- (f) the date when he ceased to be a member,

and the "Register of Members" shall at all times be and remain on the club premises and open to the inspection of all members of the club and other persons having statutory power to enter the club premises for any purpose whatsoever.

(2) A list of all existing members of a members' club shall at all times be kept posted at some conspicuous place inside the club-room.

(3) The committee or governing body of every club shall keep or cause to be kept-

- (a) a stock book in which there shall be entered the quantities of each kind of excisable liquor purchased for the use of the club and the dates when purchased, the names and addresses of the persons from whom purchased, and the dates of delivery at the club premises; and
- (b) a sale book in which there shall be entered the quantity of each kind of excisable liquor supplied in the club in each month.

(4) If, in any club, a stock book or a sale book is not kept or any entry is not made therein, as required under subsection (3), every member of the committee or governing body and the secretary commits an offence and is individually liable on summary conviction to a fine not exceeding two hundred and fifty dollars.

(5) The secretary of every registered club shall deliver to the Financial Secretary in the month of January in each year, or within such further time as the Financial Secretary may in any case allow, a statement of the purchases during the preceding year of excisable liquor for the purpose of supplying in or to the club or to the members thereof, and if the secretary fails to deliver such a statement after three days notice in writing from the Financial Secretary requiring him to do so, he commits an offence and is liable on summary conviction to a fine not exceeding one hundred dollars, and in the case of a second or subsequent offence to imprisonment for a term not exceeding three months or to a fine not exceeding two hundred and fifty dollars, or to both such fine and term of imprisonment.

(6) Without prejudice to the liability of the officers and other members of the committee or governing body of a club to be prosecuted for failure to comply with this section, the secretary of every club shall be primarily liable to be proceeded against and punished for non-compliance with the section.

Search warrant to enter club.

13.-(1) If a magistrate is satisfied by information on oath that-

- (a) there are reasonable grounds for supposing that any registered club is so managed or carried on as to constitute a ground for striking it off the register; or
- (b) an offence under this Act has been or is being committed in any registered club; or
- (c) any excisable liquor is supplied or sold, or kept for supply or sale, 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 police officer named therein to enter the club at any time, if need be by force, and to inspect the premises of the club, to take the names and addresses of any person found therein, and to seize any books and papers relating to the business of the club.

(3) Every person found on the premises who refuses to give his name and address when requested by the police officer to do so, or who gives a false name and address, commits an offence and is liable on summary conviction to a fine not exceeding two hundred and fifty dollars.

14.-(1) Any police officer of or above the rank of sergeant shall, for the purpose of inspecting the premises and books of the club and of inquiring into the conduct of the club, have the right of entry into a club premises at all times when the club is open.

Powers of inspection by police.

(2) If any person wilfully delays or obstructs any police officer in the exercise of his powers under this section, he commits an offence and is liable on summary conviction to a fine of not less than fifty dollars and not exceeding one hundred and fifty dollars for the first offence, and for a second or subsequent offence to a fine of not less than one hundred dollars and not exceeding two hundred and fifty dollars.

15.-(1) The summary jurisdiction court in the district in which a club is situate may, on complaint in writing by any person, make an order directing a registered club to be struck off the register on all or any of the grounds set out in section 6 of this Act upon which objection may be made to the grant or renewal of a certificate.

Striking club off register, and cancellation of certificate of registration.

(2) For the purpose 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) Where the court makes an order striking a club off the register it may, if it 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 to be registered under this Act for a specified period, which may extend, in case of a first order, to twelve months, 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 court.

(4) Where a conviction has taken place under the provisions of sections 22 and 27, the registrar shall forthwith make an entry of the conviction in the register of clubs and lay it before the court, and the court, if it thinks fit and after any further inquiry it thinks necessary having regard to the magnitude of the offence, may cancel the certificate of the club for the period for which it still has to run, but the club may apply for the renewal of the certificate at the date at which it might have done so if the certificate had not been cancelled.

(5) The court may, when making an order striking a club off the register, specify therein for the purposes of section 25 all or any of the grounds mentioned in that section which appears to it to have been proved.

Power to enter club premises on suspicion that excisable liquor is being sold contrary to law.

16.-(1) Any customs or excise officer, or any police officer not below the rank of sergeant, with such assistance as he may think necessary, may enter at any time, by force if necessary, the premises of any club, whether registered or unregistered, where there is reasonable cause to suspect that any excisable liquor is being sold or kept for sale, for the purposes of preventing or detecting the violation of any of the provisions of this Act and to remain on such premises for so long as is necessary for the carrying out of his duty.

(2) The persons mentioned in subsection (1) may-

(a) take the names and addresses of any person found within the club so entered and seize all books and papers relating to the

business of such club and all excisable liquor found therein. If any person so found within the club refuses or fails to give his true name and address, he commits an offence and may be arrested without warrant, and is liable on summary conviction to a fine not exceeding one hundred dollars or to imprisonment for a term not exceeding three months;

- (b) demand from the secretary of such club all books and papers relating to the business of the club and if on such demand the secretary refuses or fails to deliver all such books and papers relating to the business of the club it shall be lawful for the court to make an order directing that such club be struck off the register.

(3) Any officer, member or servant of a club who obstructs or prevents, or attempts to obstruct or prevent any such customs, excise or police officer from having free access to the club premises or from obtaining information such as he is empowered to obtain for the purposes of this Act, commits an offence and is liable to a fine not exceeding two hundred and fifty dollars for the first offence and for any subsequent offence to a fine not exceeding five hundred dollars.

17.-(1) The Minister may make regulations as to all or any of the following matters-

Regulations.
40 of 1963.

- (a) regulating an application for an extension of the permitted hours pursuant to section 4;
- (b) the admission of visitors as guests or temporary members of any registered club; and
- (c) prescribing any Forms to be used under this Act.

Forms.

(2) Any such regulations may differentiate between a members' club and a proprietary club.

(3) Regulations made under this section shall be subject to affirmative resolution.

Saving as to clubs
for the benefit of
employees.
40 of 1963.

18. The Minister may, if satisfied that a club is established and carried on by an employer for the benefit of his employees and not for profit or gain, may direct that that club be deemed for all purposes a members' club.

Savings as to
canteens and
messes.
CAP. 150.
42 of 1999.

19. Nothing in this Act or in the Intoxicating Liquor Licensing Act shall be deemed to prohibit or restrict the sale or supply of excisable liquor to or in any Naval, Military, Air Force, Police Department or Belize Defence Force canteen or mess:

42 of 1999.

Provided that the rules of a Police Department or Belize Defence Force canteen or mess relating to the admission of temporary and honorary members and of guests shall be submitted to the Minister for his approval.

40 of 1963.

Notification to
registrar of
discontinuance of
a club or change
of secretary.

20.-(1) In the event of the winding-up, dissolution or discontinuance of a registered club, the secretary thereof shall notify the registrar of the date of such winding-up, dissolution or discontinuance.

(2) In the event of the person appointed to be the secretary of a registered club ceasing to hold office by reason of death, resignation or dismissal, it shall be the duty of the Chairman of the committee of a members' club and the proprietor in the case of a proprietary club to notify such fact in writing to the registrar and also the name of any such successor appointed, within fourteen days of the occurrence of either of such events.

Offences and Penalties

Supplying and
keeping excisable
liquor in unregis-
tered club.

21.-(1) Every person who-

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- (a) supplies or sells to any member or other person; or
- (b) purchases or consumes; or
- (c) authorises the sale or supply, or the purchase of; or
- (d) keeps or has in his possession,

any excisable liquor in any unregistered club commits an offence and is liable on summary conviction to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding six months, or to both such fine and term of imprisonment.

(2) If any excisable liquor is kept for supply or sale on the premises of an unregistered club, the liquor and the vessels containing it may be seized by any police officer under a warrant from a magistrate, granted after examination on oath of a credible witness to the fact that the liquor is so kept, and every officer and member of the club shall be liable on summary conviction to a fine not exceeding, for a first offence two hundred and fifty dollars, for a second offence five hundred dollars and for a third or subsequent offence one thousand dollars, unless he proves to the satisfaction of the court that the liquor was so kept without his knowledge or against his consent, and on the conviction the liquor and the vessels containing it shall be forfeited.

22.-(1) Any person who in any members' club-

- (a) supplies or sells, or purchases or removes; or
- (b) authorises the supply or sale, or the purchase or removal of,

Illegality of
supply or sale of
excisable liquor
in a members'
club for
consumption off
the premises.

any excisable liquor for consumption off or outside the premises of any such club commits an offence and is liable for a first offence to a fine not exceeding two hundred and fifty dollars, for a second offence to a fine not exceeding five

hundred dollars and for a third or subsequent offence to a fine not exceeding one thousand dollars.

(2) Where it is proved that the liquor has been received, delivered or distributed within the premises of the club and taken outside the premises, it shall, failing proof to the contrary, be deemed to have been so taken for consumption off or outside the premises.

Illegality of supply or sale of excisable liquor in a members' club to a non-member.

23. No person shall in a members' club supply or sell any excisable liquor to any person who is not a member of the club, and every person who so supplies or sells any such excisable liquor commits an offence and is liable to a fine not exceeding two hundred and fifty dollars:

Provided that it shall be no offence for any member to supply a visitor introduced in accordance with the rules of the club with excisable liquor on the club premises at the expense and in the company of that member.

Offences by officials of registered club.

24. Where an order has been made that a registered club is being so managed or carried on as to constitute a ground for striking the club off the register then, if the following grounds or any of them are specified in the order that-

- (a) it is not conducted in good faith as a club, or is kept or habitually used for any unlawful purpose, or mainly for the supply of excisable liquor; or
- (b) there is frequent drunkenness on the club premises or persons are frequently seen to leave the club premises in a state of intoxication, or the club is conducted in a disorderly manner; or
- (c) persons who are not members are habitually admitted to the club merely for the purpose of obtaining excisable liquor,

every person entered in the register of clubs as an official or a member of the committee of management or governing body of that club shall, unless he satisfies the court that the club was so managed or carried on without his knowledge or against his consent, be liable on summary conviction to a fine not exceeding, for a first offence two hundred dollars, for a second offence, whether in connection with the same or another club, to a fine not exceeding four hundred dollars and for a third or subsequent offence to a fine not exceeding one thousand dollars.

25. If the secretary of any registered club or any club which is required to be registered under this Act, omits to make any return required by this Act, he shall be liable to a fine not exceeding two hundred and fifty dollars and in the case of a second or subsequent offence to a fine not exceeding five hundred dollars.

Penalty for omission to make return.

26.-(1) Every person who commits an offence under, or who acts in contravention of or fails to comply with the provisions of this Act for the punishment of which no special penalty is provided in this Act shall be liable in the case of a first offence to a fine not exceeding one hundred dollars and in the case of a second or subsequent offence to a fine not exceeding two hundred and fifty dollars.

General penalty.

(2) The secretary or other officer or servant of any club who authorises, permits or suffers a breach of the provisions of this Act shall be liable to a similar penalty.

Procedure and Appeal

27. If, on a summary complaint being made in respect of a club, the court grants a summons, the summons shall be served on the secretary and on any other person the court directs.

Service of summons.

28. A magistrate shall not adjudicate on the hearing of any application or complaint affecting a club of which he is a member.

Disqualification of magistrate.

- Procedure. 29. All penalties imposed by this Act or by regulations made under this Act shall be recovered and enforced in the summary jurisdiction court of the district where the offence is committed.
- Right of appeal. 30. The decision of the court in dealing with an application for an original certificate or for the renewal of a certificate, or striking a club off the register, shall be subject to appeal in the manner provided by Part X of the Supreme Court of Judicature Act, as if it was an order made under the Inferior Courts Act, and subject to appeal.
- CAP. 91.
- CAP. 94.

SCHEDULE

[Sections 2, 5 (9) and 17 (1) (c)]

CLUBS (REGISTRATION) ACT

CAP. 312.

CERTIFICATE OF REGISTRATION

I,
in the
by certify that,

Registrar of Clubs
Judicial District here-
club, of*
is registered under the

Clubs (Registration) Act.

CAP. 312.

THIS CERTIFICATE remains in force until the 31st day of December, 20
; and application for its renewal must be made not later than the 10th day of
December, 20 .

GIVEN under my hand this day of 20 .

Registrar of Clubs in the Judicial District.

*Fill in registered postal address of all premises used by the Club.