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CHAPTER 20:14

REGISTRATION OF CLUBS ACT

ARRANGEMENT OF SECTIONS

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Domestic

REGISTRATION OF CLUBS ACT

CHAPTER 20:14

Act
 18 of 1949
 Amended by
 21 of 1951
 1 of 1973

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REGISTRATION OF CLUBS ACT

AN ACT to provide for the registration of clubs.

1961 Ed.
Cap. 308,
18 of 1949.

Commencement.

[1st January 1950]

Short title.

1. This Act may be cited as the —

REGISTRATION OF CLUBS ACT.

Interpretation.

2. In this Act —

“club” means any community or society who assemble or meet together in pursuit of a common object;

“members’ club” means a club, all the property, funds and assets of which belong jointly to the members thereof, whether such are vested in trustees for the members or otherwise;

“proprietary club” means any club other than a members’ club;

“unregistered club” means any club which requires to be registered under this Act, but which is not so registered or the registration of which has not been renewed or which has been struck off the register of clubs;

“secretary” in relation to a club 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;

“intoxicating liquor” means spirits, wine, beer, porter, cider, perry and any fermented, distilled or spirituous liquor which cannot, according to any Act for the time being in force relating to the sale of intoxicating liquor, be legally sold unless duly authorised by a licence granted thereunder.

Registration of clubs.

3. (1) 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 intoxicating liquor is supplied to members or their guests, or any other premises which are habitually so used and in which any intoxicating liquor is so supplied shall cause the club to be registered or its registration to be renewed, as the case may be, in the manner provided in this Act.

(2) The registration of a club under this Act shall not constitute the club premises, licensed premises, nor authorise any sale of intoxicating liquor therein which would otherwise be illegal.

4. (1) The Financial Secretary shall keep a register of all registered clubs within the State. Keeping of register.

(2) The register shall contain the under-mentioned particulars:

(a) the name and objects of the club;

(b) the address of the club;

(c) brief details of the terms of occupancy of the club premises;

(d) the name of the secretary and, in addition, in the case of a proprietary club, the name of the proprietor;

(e) the number of members;

(f) a printed copy of the rules of the club;

5. (1) The secretary of every club shall not later than 15th January in every year, and in the case of a new club prior to the opening thereof and not later than 15th January in each succeeding year, make application to the Financial Secretary to enter the club on the register or to renew its registration, as the case may be. Mode of application for registration.

(2) In support of the application, the secretary shall furnish a return to the Financial Secretary signed by the secretary giving the particulars mentioned in section 4(2) in the case of a new club, and any changes in the particulars in the case of a renewal of registration.

(3) The return shall also contain a statement signed by the secretary that there is kept upon the club premises a register of the names and addresses of the club members, and a record of the latest payment of their subscriptions, and a register of the names and addresses of visitors and guests.

6. No members’ club shall be registered under this Act unless it complies with all the under-mentioned conditions:

Conditions for registration of members’ clubs.

(a) that the supply of intoxicating liquor to the club shall be under the control of the members or the committee or governing body appointed by the members and that no

member of the committee or governing body and no manager or servant employed in the club shall have any personal interest in the sale of intoxicating liquor therein or in the profits arising from the sale;

- (b) that the names and addresses of persons proposed as ordinary members of the club shall be displayed on a conspicuous place in the club premises for at least a week before their election, and that an interval of not less than two weeks shall elapse between nomination and election of ordinary members;
- (c) that all members of the club shall be elected by the whole body of members or a committee of members;
- (d) that there should be a defined subscription payable by members of the club in advance;
- (e) that correct accounts and books shall be kept showing the financial affairs of the club;
- (f) that no intoxicating liquor shall be sold or supplied for consumption outside the premises of the club;
- (g) that intoxicating liquor shall only be supplied in the club premises at the request of members of the club and that a visitor shall not be supplied with intoxicating liquor unless on the invitation and in company of a member and that member shall, upon the admission of the visitor to the club premises, enter the name and address of the visitor and his own name in the visitors' book and the date of the visit;
- (h) that no person shall be allowed to become an honorary or temporary member of the club or be relieved of the payment of the regular entrance fee or subscription, except a person possessing certain qualifications defined in the rules or subject to conditions and regulations prescribed therein;
- (i) that no person under the age of fourteen years shall be admitted a member of the club, unless the club is one primarily devoted to some athletic purpose, provided that no intoxicating liquor shall be sold or supplied to any member or person under sixteen years of age.

7. No proprietary club shall be registered under this Act unless it complies with all of the conditions stipulated in section 6 pertaining to members' clubs with the exception of conditions (a) and (c) of that section.

8. A proprietary club shall only be kept open between the hours of seven o'clock in the morning and midnight daily except with the written permission of the Commissioner of Police.

9. The Financial Secretary, if he is satisfied —

- (a) that the application of the secretary supplied the particulars mentioned in section 4(2);
- (b) that provision has been made in the rules of the club for the due observance of the conditions set out in sections 6 and 7;
- (c) that the locality and premises are suitable; and
- (d) that the office bearers are fit and proper persons to manage a club,

shall grant an application to enter the club on the register or renew its registration, as the case may be, on payment of the prescribed fee.

10. The annual fee payable into the Treasury for registration or renewal of registration, within fourteen days of the notification of acceptance of an application by the Financial Secretary, shall be for a members' club ten dollars and for a proprietary club fifty dollars, and the registration or renewal of registration shall continue in force until the following 31st day of December.

11. (1) Where a club has been registered in pursuance of this Act a Magistrate may on complaint in writing cause a summons to be issued on the secretary of the club or such other person as the Magistrate may direct for appearance before him. If upon the hearing the Magistrate is satisfied that —

- (a) the club has ceased to exist; or
- (b) it is not conducted in good faith as a club or it is kept or habitually used for an unlawful purpose; or

Conditions for registration of proprietary club

Hours of proprietary club

Grant of application for registration.

Annual registration fee. [1 of 1973].

Striking off register.

- (c) there is frequent drunkenness in the club premises; or
- (d) illegal sales of intoxicating liquor have taken place on the club premises; or
- (e) the conditions laid down in section 6 are not being observed; or

(f) that the provisions of section 12 are not being observed, he may make an order directing the club to be struck off the register.

(2) Where a Magistrate's 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 required registration 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.

12. Every registered club shall keep on the club premises -

- (a) a minute book recording the business transacted at all meetings of the committee and general meetings with the names of the persons present at the meetings;
- (b) a register of ordinary members showing their addresses and a record of the latest payment of their subscriptions;
- (c) a separate register of temporary and honorary members showing the date of election and period of the membership;
- (d) a copy of the rules of the club with any subsequent changes authenticated by the signature of the secretary;
- (e) all accounts for intoxicating liquor supplied to the club during the preceding six months.

13. (1) If a Magistrate is satisfied by information on oath that there is reasonable ground for supposing that intoxicating liquor is sold or kept for sale on 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 at any time any premises

named therein within one month of the date thereof, if need be by force, and to inspect the premises and to seize any intoxicating liquor therein suspected to have been sold or kept for sale.

14. (1) If any intoxicating liquor is sold or kept for sale on the premises of an unregistered club the person selling or keeping for sale or authorising the selling or keeping for sale of the intoxicating liquor is liable to a fine of two thousand five hundred dollars.

(2) Intoxicating liquor shall not be sold on a registered club's premises except to a member of the club and only for consumption on the premises, and any person selling or obtaining any intoxicating liquor in contravention of the provision of this subsection is liable to a fine of one thousand five hundred dollars.

(3) Any person who obstructs or prevents or attempts to obstruct any police officer in the exercise of any of the powers by this Act conferred on him, is liable to a fine of five hundred dollars.

(4) If a secretary of a club knowingly makes a return which is false in any material particular he is liable to a fine of two hundred and fifty dollars.

15. Proceedings under this Act shall be taken in the manner provided in the Magistrate's Code of Procedure Act.

Procedure.
Ch. 4:20.