

ANGUILLA

REVISED STATUTES OF ANGUILLA

CHAPTER R40

REGISTRATION OF CLUBS ACT

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REGISTRATION OF CLUBS ACT

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REGISTRATION OF CLUBS ACT

Interpretation

1. In this Act—

"secretary" includes any officer of the 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 to be registered under this Act but is not so registered, or which has been struck off the register of clubs.

Obligation to register clubs

2. (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 in the manner provided by this Act.

(2) The registration of the club under this Act shall not constitute the premises of the club as licensed premises, or authorise any sale of intoxicating liquor therein which would otherwise be illegal.

Mode of registration of clubs

3. (1) The Commissioner of Police shall keep a register of all such clubs within Anguilla.

(2) The register shall be in a form prescribed by the Governor 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; and

(e) the rules of the club relating to—

(i) the election of members and the admission of temporary members and of guests,

(ii) the terms of subscription and entrance fee, if any,

(iii) the cessation of membership,

(iv) the hours of opening and closing, and

(v) the mode of altering the rules.

(3) The secretary of every such club shall, in the month of January in every year, furnish to the Commissioner of Police a return, signed by the secretary, giving the above-mentioned particulars, together with a signed statement 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.

(4) Where a new club which requires to be registered under this Act is about to be opened, the secretary shall, before the opening of the club, furnish to the Commissioner of Police a return, signed by the secretary, giving the above-mentioned particulars.

(5) The Commissioner of Police shall keep the register of clubs corrected up to date in accordance with the returns furnished by the secretaries.

Penalty for supplying or keeping liquor in unregistered clubs

4. (1) If any intoxicating liquor is supplied or sold to any member or guest on the premises of an unregistered club, the person supplying or selling the liquor, and every person authorising the supply or sale of the liquor, is liable to imprisonment, for a term of 1 month, or to a fine of $9,600 or to both.

(2) If any intoxicating liquor is kept for supply or sale on the premises of an unregistered club, every officer and member of the club is liable to a fine of $960, unless he proves to the satisfaction of the court that the liquor was so kept without his knowledge or consent.

Supply of liquor in clubs for consumption off the premises

5. Intoxicating liquor shall not be supplied in a club for consumption off the premises except to a member on the premises; and, if any person supplies or obtains any intoxicating liquor in contravention of the provision of this section, he is liable to a fine of $1,920.

Striking off club register

6. (1) Where a club has been registered in pursuance of this Act, the Magistrate in manner provided by the Magistrate's Code of Procedure Act on complaint in writing by any person may make an order directing the club to be struck off the register on all or any of the following grounds, namely—

(a) that the club has ceased to exist, or that the number of members is less than 10;

(b) that it is not conducted in good faith as a club, or that it is kept or habitually used for any unlawful purpose;

(c) that there is frequent drunkenness on the club premises;

(d) that illegal sales of intoxicating liquor have taken place on the club premises;

(e) that persons who are not members are habitually admitted to the club merely for the purpose of obtaining intoxicating liquor; or

(f) that the supply of intoxicating liquor to the club is not under the control of the members or the committee appointed by the members.

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

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

(4) Where the Magistrate makes an order striking a club off the register the Magistrate may, by that order, further direct that the premises occupied by the club shall not be used for any purpose 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 12 months, or, in case of a second or subsequent order, to 5 years, but any such direction may, for good cause shown, be subsequently cancelled or varied by the Magistrate.

Search warrant to enter club

7. (1) If the Magistrate 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 intoxicating 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 police 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., by club secretary

8. (1) If the secretary of any registered club or any club which requires to be registered under this Act omits to make any return required by this Act, he is liable to a fine of $3,480, and in the case of a second or subsequent offence to imprisonment, for a term of 1 month, or to a fine of $9,640.

(2) If the secretary of any such club knowingly makes a return which is false in any material particular, he is liable to imprisonment, for a term of 3 months, or to a fine of $9,640.

Summary prosecution for offence

9. Any offence under this Act may be prosecuted, and every fine or forfeiture may be recovered and enforced, in manner provided by the Magistrate's Code of Procedure Act.

Citation

10. This Act may be cited as the Registration of Clubs Act, Revised Statutes of Anguilla, Chapter R40.

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