

CAP. 112.

CYPRUS

REGISTRATION OF CLUBS

CHAPTER 112 OF THE LAWS

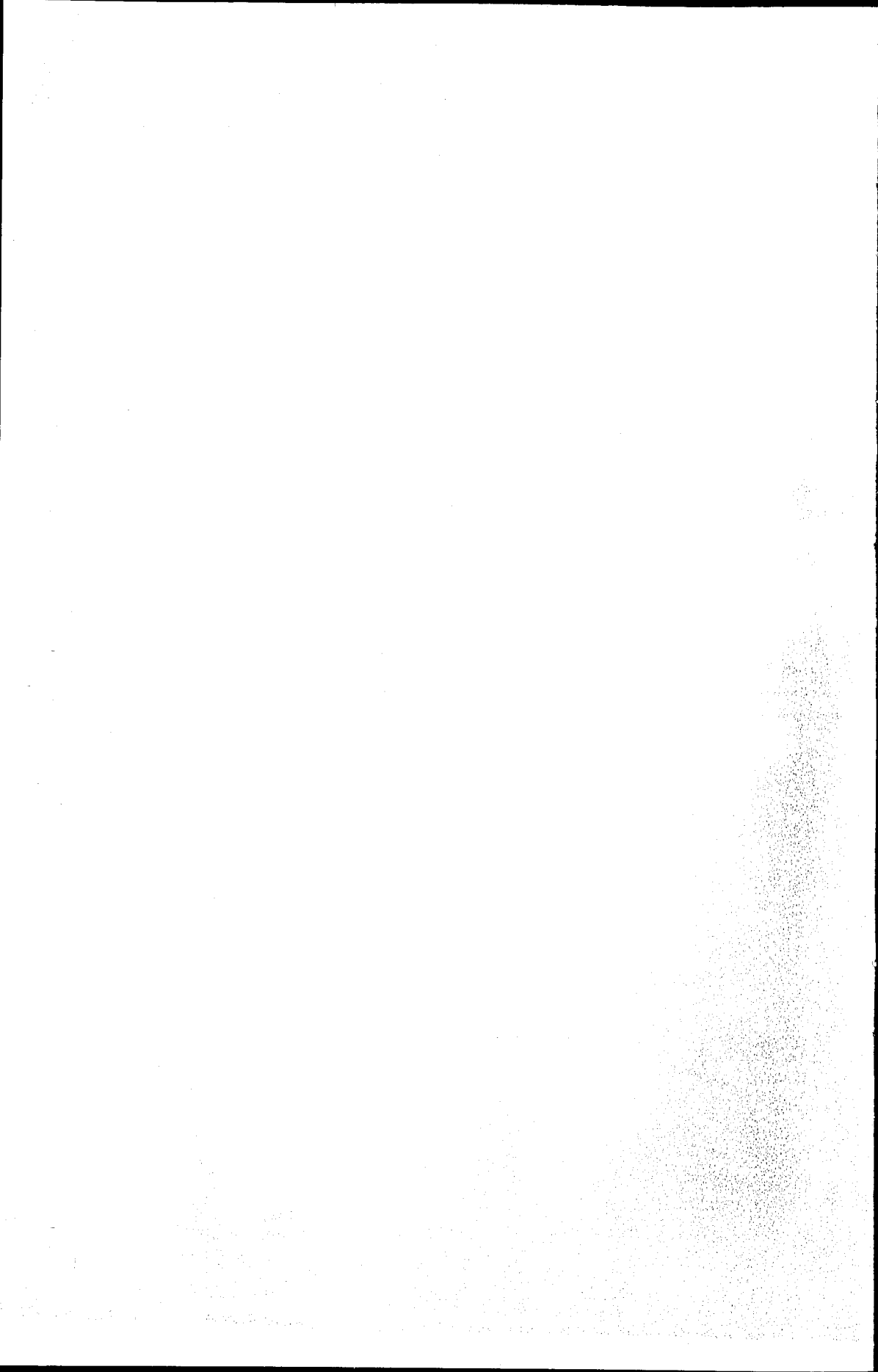
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1959



CHAPTER 112.

REGISTRATION OF CLUBS.

ARRANGEMENT OF SECTIONS.

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TO PROVIDE FOR THE REGISTRATION OF CLUBS.

[21st May, 1930.]

1949
Cap. 147.
29 of 51.
25 of 58.

1. This Law may be cited as the Clubs (Registration) Law. Short title.

2. In this Law—

“club” means a society of not less than twenty persons associated together for social intercourse or for purposes of mutual entertainment and convenience or for any other lawful purpose except the acquisition of gain :

Interpreta-
tion.
2 of 10/33.

Provided that no official, ecclesiastical or religious institution and no lodge or chapter of Freemasons shall be deemed to be a club under this Law ;

“club premises” means any house or part of a house or room or shop or any other building habitually used

for the purposes of any club, whether licensed for the sale of any intoxicating liquor by retail or not ;

“ prescribed ” means prescribed by Regulations made by the Governor in Council under this Law ;

“ register ” means the register of clubs in any district ;

“ Registrar ” means a Commissioner of the district in which the premises of any club are situated ;

“ secretary ” in relation to a club includes any officer of the club or other person performing the duties of a secretary ;

“ unregistered club ” means a club which requires to be registered under this Law, but is not so registered, or which has been struck off the register of clubs.

Obligation
to register
clubs.

3. (1) The secretary of every club which occupies any club premises shall cause the club to be registered in manner provided by this Law.

(2) The registration of a club under this Law shall not constitute the club premises licensed premises for the supply or sale of any intoxicating liquor by retail which would otherwise be illegal.

Register of
clubs.

4. (1) The Registrar shall keep a register of all such clubs within the district.

(2) The register shall be in the prescribed form and shall contain—

- (a) the name and objects of the club ;
- (b) the address of the club ;
- (c) the name of the secretary and the names of all the members of the Committee ;
- (d) the number of members ;
- (e) the rules of the club relating to—
 - (i) the election of members and the admission of temporary and honorary members and of guests ;
 - (ii) the terms of subscription and entrance fee, if any ;
 - (iii) the cessation of membership ; and
 - (iv) the mode of altering the rules.

(3) The Registrar shall keep the register corrected up to date in accordance with applications and returns furnished by the secretaries as required by this Law.

(4) The register shall at all reasonable hours be open to the inspection of any member of the police above the rank of constable authorized in writing by the Registrar without fee and of any person on payment of the prescribed fee.

5. (1) The secretary of every club shall on or before the 1st June in every year or, in the case of a new club, at least one month before the date of opening, make application in the prescribed form to the Registrar for registration.

Mode of application for registration.

3 of 10/33.

(2) In support of such application, the secretary shall produce to and leave with the Registrar :

(a) a return in the prescribed form giving the particulars mentioned in subsection (2) of section 4 of this Law ;

(b) a list containing the names and addresses of the club members or prospective members, as the case may be, and the date of the last payment of their subscription, if any, and

3 of 33/10.

(c) a copy of the rules of the club also signed by him which shall, in every case, contain a rule that, in compliance with section 8, no person over the age of eighteen shall be a member of the club if other members thereof are under the age of sixteen or that no person under the age of sixteen shall be a member of the club if other members thereof are over the age of eighteen, as the case may be.

2 (i) of 29/51.

(3) The secretary shall, if required by the Registrar so to do, supply the Registrar with an affidavit, duly sworn by him, in verification of all or any of the matters mentioned in the last preceding subsection.

(4) No application or return shall be entertained or accepted by the Registrar unless the requirements of subsection (2) of this section are complied with and the prescribed fee has been paid thereon, and the fee shall not be returnable whether the application or return be granted or accepted or not.

2 (ii) of 29/51.

Secretary
to keep
Registrar
informed
to changes.
3 of 29/51.

6. The secretary of every club shall—
- (a) within seven days of the making of any new rule or the alteration of any of the rules of the club, send a return thereof to the Registrar and the Registrar shall correct the register accordingly ;
 - (b) furnish the Registrar with such particulars or returns as the Registrar may require, from time to time, for keeping the register up to date.

Name of
club.
3 of 29/51.

7. (1) No club shall be registered by a name which, in the opinion of the Registrar, is undesirable.

(2) If the name under which a club is proposed to be registered is identical with that by which any other existing club has been registered or, in the opinion of the Registrar, so nearly resembles such name as to be likely to deceive or mislead the public or the members of either club, the Registrar shall require the persons applying for registration to alter the name of the club stated in the application, and shall refuse to register the club until such alteration has been made.

Restrictions
on age of
members.
3 of 29/51.

8. No person over the age of eighteen shall be a member of any club having other members under the age of sixteen and no person under the age of sixteen shall be a member of any club having other members over the age of eighteen.

Power to
refuse
registration.
4 of 10/33.
Cap. 13.
4 of 29/51.

9. The Registrar shall refuse to register any club which, in his opinion, is an unlawful association within the meaning of section 63 of the Criminal Code Law or has been formed for any other unlawful purpose or appears to be substantially under the same management, control or direction or to serve or to be intended to serve substantially the same persons or class of persons as a club which had been struck off the register under the provisions of this Law.

Mode of
registration.
5 of 10/33.

10. Subject to the provisions of this Law the Registrar shall cause a club to be registered for a period expiring on the 30th June next following the date of registration and shall issue under his hand and cause to be delivered to the secretary a certificate in the prescribed form.

Power to
strike off the
register.
6 of 10/33.

11. The Registrar may upon complaint being made to him in writing by a police officer not below the rank of Inspector and after full inquiry, strike a club off the register on any of the following grounds—

- (a) that the club has ceased to exist, or that the number of members is less than twenty ;
- (b) that it is not conducted in good faith as a club or that the rules of the club are not being complied with ; 5 of 29/51.
- (c) that it is an unlawful association within the meaning of section 63 of the Criminal Code or that it is kept or used as a betting house or a gaming house within the meaning of the Betting Houses, Gaming Houses and Gambling Prevention Law, or is kept or is habitually used for any other unlawful purpose ; 5 of 29/51. Cap. 154. Cap. 151.
- (d) that there is frequent drunkenness on the club premises ;
- (e) that illegal sales of intoxicating liquor by retail have taken place on the club premises ;
- (f) that persons who are not members or guests of members are habitually admitted to the club premises.

12. The secretary or Committee of any club which the Registrar has refused to register or has struck off the register may within twenty-one days appeal to the Governor in Council, whose decision thereon shall be final and conclusive. Right of appeal to the Governor in Council. 7 of 10/33.

13. The Registrar or any member of the police authorized in writing by the Registrar or any other person so authorized shall have free access to the club premises at any time for all or any of the following purposes— Free access to club premises for certain purposes to Registrar and authorized persons.

- (a) to inspect the club premises and any books and papers relating to the club ;
- (b) to investigate into and obtain any information relating to the working and management of the club ;
- (c) to take the names and addresses of any persons found on the club premises.

14. There shall be kept upon the club premises—

- (a) a book containing the names and addresses of the members of the club, and Books of names and addresses of members and guests to be kept.
- (b) a book containing the name and address of every person introduced as a guest to the club and 8 of 10/33.

the name of the member by whom he has been introduced.

Reference
to clubs in
other Laws.
Cap. 144.
Cap. 185.

15. Any reference in the Sale of Intoxicating Liquors Law, and in the Shop Assistants Law, to clubs or to any premises occupied by clubs shall be deemed to relate exclusively to clubs or to the premises of clubs registered under this Law.

Offences and
penalties.

16. (1) Every person who is, or purports to be, the secretary, a member of the Committee, a member, a manager, or servant, whether paid or unpaid, of an unregistered club shall be guilty of an offence and shall be liable on conviction to a fine not exceeding five pounds and in the case of a second or subsequent offence to imprisonment not exceeding one month.

(2) If the secretary of any club omits to make any application, return or statement required to be made by this Law, or knowingly makes any application, return, statement or affidavit which is false in any material particular, he shall be guilty of an offence and shall be liable on conviction to a fine not exceeding ten pounds or to imprisonment not exceeding three months or to both.

(3) Notwithstanding anything in any other Law contained, if any intoxicating liquor is sold by retail on the club premises to any person not being a member of such club, the person selling such liquor and every person authorizing the sale of such liquor shall be guilty of an offence and shall be liable on conviction to a fine not exceeding twenty pounds :

Provided that a guest introduced by a member according to the rules of such club shall be deemed to be a member of the club for the purpose of this subsection.

(4) Any secretary or member of the Committee or any member or manager or servant, whether paid or unpaid, of any club or any person on the club premises who obstructs or prevents, or attempts to obstruct or prevent, the Registrar or any member of the police authorized in writing by the Registrar or any other person so authorized from having free access to the club premises or from carrying out any of the purposes specified in section 13 of this Law, or any person found on the club premises who refuses to give his name or address or gives a false name or address shall be guilty of an offence and shall be liable on conviction

to a fine not exceeding ten pounds or to imprisonment not exceeding three months or to both.

(5) Any person contravening any Regulations made under this Law shall be guilty of an offence and shall be liable on conviction to a fine not exceeding two pounds.

17. (1) The Governor in Council may by Order make Regulations to be published in the *Gazette* for carrying out the purposes of this Law. Power to Governor in Council to make Regulations.

(2) In particular and without prejudice to the generality of the foregoing power, such Regulations may—

- (a) prescribe the form of the register and the forms to be kept or used under this Law; and
- (b) prescribe the fees to be charged and paid for all or any of the purposes of this Law:

Provided that the fees to be prescribed for the registration of clubs shall not exceed the sum of one pound for a club in any of the towns of Nicosia, Larnaca and Scala, Limassol, Famagusta and Varosha, Ktima and Paphos, and Kyrenia and the sum of five shillings for a club in any village.

18. The Registrar may entertain an application for the registration of a club the name of which appears in the register in the year immediately preceding, notwithstanding that the application for registration is made after the 1st June in the year in which the registration expires: Fees to be increased in certain cases.
6 of 29/51.

Provided that in every such case and notwithstanding anything in this Law or in any Regulations contained, the fee payable for the registration of any club under this section in any of the towns of Nicosia, Larnaca and Scala, Limassol, Famagusta and Varosha, Ktima and Paphos and Kyrenia shall be three pounds and the fee payable for the registration of a club in any village shall be seven hundred and fifty mils.

19. All actions or other legal proceedings by or against a club shall be brought by or against the secretary of such club as representing the members thereof. Legal proceedings by or against clubs.
2 of 25/58.

