

**REGISTERED CLUBS (AMENDMENT) ACT, 1978,  
No. 68**

**New South Wales**



ANNO VICESIMO SEPTIMO

**ELIZABETHÆ II REGINÆ**

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**Act No. 68, 1978.**

**An Act to amend the Registered Clubs Act, 1976. [Assented to,  
6th April, 1978.]**

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*Registered Clubs (Amendment).*

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**BE** it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

**Short title.**     **1.** This Act may be cited as the "Registered Clubs (Amendment) Act, 1978".

**Commence-  
ment.**           **2.** (1) This section and section 1 shall commence on the date of assent to this Act.

(2) Except as provided in subsection (1), this Act shall commence on the day appointed and notified pursuant to section 2 (2) of the Registered Clubs Act, 1976.

**Schedules.**     **3.** This Act contains the following Schedules :—

**SCHEDULE 1.—AMENDMENTS TO THE REGISTERED CLUBS ACT, 1976, RELATING TO FUNCTIONS ON THE PREMISES OF REGISTERED CLUBS.**

**SCHEDULE 2.—AMENDMENTS TO THE REGISTERED CLUBS ACT, 1976, RELATING TO OBJECTIONS TO APPLICATIONS FOR RENEWAL OF CERTIFICATES OF REGISTRATION.**

**SCHEDULE 3.—AMENDMENTS TO THE REGISTERED CLUBS ACT, 1976, RELATING TO RULES OF REGISTERED CLUBS ON VOTING BY PROXY.**

**SCHEDULE 4.—AMENDMENTS TO THE REGISTERED CLUBS ACT, 1976, RELATING TO THE COMMISSION OF OFFENCES BY SECRETARIES OF REGISTERED CLUBS.**

**SCHEDULE 5.—AMENDMENTS TO THE REGISTERED CLUBS ACT, 1976, RELATING TO THE CALCULATION OF FEES AND THE PAYMENT OF FEES BY INSTALMENTS.**

**SCHEDULE 6.—AMENDMENTS TO THE REGISTERED CLUBS ACT, 1976, RELATING TO APPLICATIONS FOR CERTIFICATES OF REGISTRATION.**

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*Registered Clubs (Amendment).*

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**SCHEDULE 7.—AMENDMENTS TO THE REGISTERED CLUBS ACT, 1976, RELATING TO THE MAXIMUM NUMBER OF MEMBERS OF A REGISTERED CLUB.**

**SCHEDULE 8.—MISCELLANEOUS AMENDMENTS TO THE REGISTERED CLUBS ACT, 1976.**

4. The Registered Clubs Act, 1976, is amended in the manner set forth in Schedules 1–8.

Amendment  
of Act No.  
31, 1976.

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**SCHEDULE 1.**

Sec. 4.

**AMENDMENTS TO THE REGISTERED CLUBS ACT, 1976, RELATING TO FUNCTIONS ON THE PREMISES OF REGISTERED CLUBS.**

(1) (a) Section 23 (1) (a)—

After “persons”, insert “, other than members, and persons”.

(b) Section 23 (1) (b)—

After “members.”, insert “and persons under the age of 18 years”.

(c) Section 23 (5), (6)—

Omit the subsections, insert instead :—

(5) If during any period specified in accordance with subsection 4 (c) in an authority granted under this section—

(a) a poker machine is located; or

(b) where the authority is an authority referred to in subsection (1) (a), liquor is sold, supplied, disposed of or consumed,

in any part of the premises of the club specified in the authority in accordance with subsection (4) (a) or (b)—

(c) the registered club; and

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*Registered Clubs (Amendment).*


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 SCHEDULE 1—*continued.*

 AMENDMENTS TO THE REGISTERED CLUBS ACT, 1976, RELATING  
 TO FUNCTIONS ON THE PREMISES OF REGISTERED CLUBS—  
*continued.*

(d) the secretary of the registered club,  
 are each guilty of an offence and liable to a penalty,  
 in the case of the registered club, not exceeding \$500  
 and, in the case of the secretary, not exceeding \$200.

(6) During any period specified in accordance with  
 subsection (4) (c) in an authority granted under this  
 section and while any conditions subject to which the  
 authority was granted are observed and no offence is  
 being committed under subsection (5)—

(a) sections 45 and 52; and

(b) where the authority is an authority referred  
 to in subsection (1) (b), section 30 (2)  
 (d),

do not apply to or in respect of a part of the premises  
 of the club specified in the authority in accordance  
 with subsection (4) (a) or (b).

(2) (a) Section 30 (6)—

Omit the subsection, insert instead :—

(6) Subsection (2) (d) does not apply—

(a) in respect of the Sydney Cricket Ground Club,  
 the Australian Jockey Club, the Newcastle  
 International Sports Centre Club referred to in  
 section 9 (1) of the Newcastle International  
 Sports Centre Act, 1967, or any other club  
 declared under subsection (7) to be an exempt  
 club for the purposes of this paragraph; or

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*Registered Clubs (Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE REGISTERED CLUBS ACT, 1976, RELATING  
TO FUNCTIONS ON THE PREMISES OF REGISTERED CLUBS—  
*continued.*

(b) in respect of the sale, supply or disposal of liquor to any person, other than a member, in any part of the premises of a registered club while a reception referred to in section 52 (2) is being held in that part where that person has been invited to the reception by a person entitled to issue the invitation.

(b) Section 30 (7)—

After “(6)”, insert “(a)”.

(3) Section 52(2)—

At the end of section 52, insert :—

(2) Subsection (1) does not prevent a person under the age of 18 years from entering or being in a bar where—

(a) the bar is, or is in, a part of the premises of a registered club in which part a reception is being held in association with the wedding of a member of the club or of a person who is a child or parent of a member of the club or for whose maintenance a member of the club is or has been responsible; and

(b) the person under the age of 18 years has been invited to that reception by a person entitled to issue the invitation.

(4) (a) Section 54 (2) (a)—

After “area”, insert “or in which part a reception referred to in section 52 (2) is being held”.

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*Registered Clubs (Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE REGISTERED CLUBS ACT, 1976, RELATING  
TO FUNCTIONS ON THE PREMISES OF REGISTERED CLUBS—  
*continued.*

(b) Section 54 (2) (b)—

After “that registered club”, insert “or a part of the premises of a registered club in which part a reception referred to in section 52 (2) is being held”.

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Sec. 4.

SCHEDULE 2.

AMENDMENTS TO THE REGISTERED CLUBS ACT, 1976, RELATING  
TO OBJECTIONS TO APPLICATIONS FOR RENEWAL OF  
CERTIFICATES OF REGISTRATION.

(1) Section 25 (9) (b)—

Omit “, (2)”.

(2) Section 25 (9) (b)—

Omit “club; or”, insert instead “club;”.

(3) Section 25 (9) (ba)—

After section 25 (9) (b), insert :—

(ba) being an objection taken under subsection (2), is taken on the ground referred to in subsection (1) (c), the onus of proving that the club is not required to meet a genuine and substantial need (as referred to in subsection (1) (c)) lies upon the objector; or

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*Registered Clubs (Amendment).*

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SCHEDULE 3.

Sec. 4.

AMENDMENTS TO THE REGISTERED CLUBS ACT, 1976, RELATING  
TO RULES OF REGISTERED CLUBS ON VOTING BY PROXY.

(1) Section 30 (1) (d)—

Omit the paragraph, insert instead :—

(d) A person shall not—

(i) attend or vote at any meeting of the club  
or of the governing body or any committee  
of the club; or

(ii) vote at any election of, or of a member of,  
the governing body of the club,

as the proxy of another person.

(2) Section 30 (1) (e)—

Omit the paragraph.

(3) Section 30 (9) (b)—

Omit the paragraph.

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SCHEDULE 4.

Sec. 4.

AMENDMENTS TO THE REGISTERED CLUBS ACT, 1976, RELATING  
TO THE COMMISSION OF OFFENCES BY SECRETARIES OF  
REGISTERED CLUBS.

(1) Section 56—

Omit “any provision of this Act”, insert instead “section  
23 (5) or this Part”.

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*Registered Clubs (Amendment).*

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SCHEDULE 4—*continued.*AMENDMENTS TO THE REGISTERED CLUBS ACT, 1976, RELATING  
TO THE COMMISSION OF OFFENCES BY SECRETARIES OF  
REGISTERED CLUBS—*continued.*

(2) Section 56 (a)—

Omit “or”.

(3) Section 56 (b)—

Omit “offence.”, insert instead “offence; or”.

(4) Section 56 (c)—

After section 56 (b), insert :—

(c) at all times relating to the offence he acted as secretary of the club in an honorary capacity only.

(5) Section 56 (2)—

At the end of section 56, insert :—

(2) For the purposes of subsection (1) a secretary of a registered club acts as such in an honorary capacity if he receives no payment in respect of the services that he renders to the club as secretary other than by way of reimbursement for his out of pocket expenses incurred while so acting.

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*Registered Clubs (Amendment).*

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SCHEDULE 5.

Sec. 4.

AMENDMENTS TO THE REGISTERED CLUBS ACT, 1976, RELATING  
TO THE CALCULATION OF FEES AND THE PAYMENT OF FEES  
BY INSTALMENTS.

(1) Section 4 (4), (5)—

After section 4 (3), insert :—

(4) A reference in this Act to the amount paid or payable by or on behalf of a registered club or the secretary of the club for any liquor is a reference—

(a) except as provided in paragraph (b), to the sum of—

- (i) the amount paid or payable by or on behalf of the club or that secretary for that liquor;
- (ii) any amount paid or payable by or on behalf of the club or that secretary for or for the hiring of any containers or packages (including corks, stoppers and labels attached thereto) in which that liquor is contained or packed when it is delivered to or purchased by or on behalf of the club or that secretary or is to be contained or packed for sale or disposal by or on behalf of the club or that secretary (whether or not any such amount is paid or payable to the supplier of that liquor);
- (iii) any amount paid or payable for the packing or for the handling of that liquor and any such containers or packages or for putting it or them into the state in which it is or they are when it is or they are delivered to or purchased by or on

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*Registered Clubs (Amendment).*

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SCHEDULE 5—*continued.*AMENDMENTS TO THE REGISTERED CLUBS ACT, 1976, RELATING  
TO THE CALCULATION OF FEES AND THE PAYMENT OF FEES  
BY INSTALMENTS—*continued.*

- behalf of the club or that secretary  
(whether or not any such amount is paid  
or payable to the supplier of that liquor);
- (iv) any amount paid or payable by or on  
behalf of the club or that secretary as  
freight or other delivery charges in  
respect of the delivery of that liquor,  
being an amount so paid or payable to  
the supplier of that liquor but not being  
an amount so paid or payable to that  
supplier as reimbursement for those  
freight or delivery charges if those freight  
or delivery charges are paid or payable  
by that supplier to a common carrier; and
- (v) any amount paid or payable for duties or  
sales tax in respect of that liquor; or
- (b) where the licensing magistrates who assess or  
reassess the fee payable in respect of the renewal  
of the certificate of registration of the club in  
accordance with section 15 (2) are of the  
opinion when assessing or reassessing, as the case  
may be, that fee that any amount paid or pay-  
able for any thing or for the doing of any thing  
referred to in paragraph (a) (i), (ii), (iii) or  
(iv) is less than the value of that thing or of  
the doing of that thing, as the case may be, to  
such amount as is determined by those magis-  
trates having regard to the circumstances in which  
that liquor was delivered to or purchased by or  
on behalf of the club or that secretary.

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*Registered Clubs (Amendment).*

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SCHEDULE 5—*continued.*

**AMENDMENTS TO THE REGISTERED CLUBS ACT, 1976, RELATING  
TO THE CALCULATION OF FEES AND THE PAYMENT OF FEES  
BY INSTALMENTS—*continued.***

(5) A reference in this Act to any amount paid or payable by or on behalf of a registered club or the secretary of the club for any liquor includes any amount paid or payable by any other person for the acquisition of that liquor for sale, supply or disposal by the club or that secretary.

(2) (a) Section 8 (3) (a)—

After “15 (8)”, insert “or (10) (b)”.

(b) Section 8 (3) (d)—

After “15 (6) (b)”, insert “or (10) (b)”.

(3) (a) Section 14 (a)—

After “15”, insert “or, where the application is for renewal of a certificate of registration and an election referred to in section 15 (9) has been made in respect of that fee, that fee less the postponed amount referred to in that subsection”.

(b) Section 14 (b)—

Omit the paragraph, insert instead :—

(b) shall not issue that certificate unless—

(i) where the application is for renewal of a certificate of registration and an election referred to in section 15 (9) has been made in respect of that fee, that fee less the postponed amount

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*Registered Clubs (Amendment).*


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**SCHEDULE 5—continued.**
**AMENDMENTS TO THE REGISTERED CLUBS ACT, 1976, RELATING  
TO THE CALCULATION OF FEES AND THE PAYMENT OF FEES  
BY INSTALMENTS—continued.**

referred to in that subsection is paid on or before the due date referred to in that subsection; or

- (ii) in any other case, that fee is paid within 3 months after the application is granted.

(4) (a) Section 15 (1) (b) (i)—

Omit “gross amount (including any duties and sales tax thereon) paid or payable for all”, insert instead “amount paid or payable by or on behalf of the club or the secretary of the club for”.

(b) Section 15 (4) (b)—

Omit “gross” wherever occurring.

(c) Section 15 (9), (10), (11)—

After section 15 (8), insert :—

(9) A registered club may, by notice in writing given on or before 20th June (in this section referred to as “the due date”) next preceding the date of expiry of its certificate of registration to the person to whom the fee for the renewal of its certificate of registration is payable, elect to postpone payment of so much of that fee as is an amount (in this section referred to as “the postponed amount”) equal to—

- (a) where that fee is exactly an even number of dollars—one-half of that fee; or

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*Registered Clubs (Amendment).*

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**SCHEDULE 5—*continued.***

**AMENDMENTS TO THE REGISTERED CLUBS ACT, 1976, RELATING  
TO THE CALCULATION OF FEES AND THE PAYMENT OF FEES  
BY INSTALMENTS—*continued.***

(b) where that fee is not exactly an even number of dollars—one-half of the highest even number of dollars next below that fee.

(10) Where a registered club makes an election referred to in subsection (9)—

(a) it is, if on or before the due date it pays the fee referred to in that subsection less the postponed amount to the person to whom the fee is payable, entitled to postpone payment of the postponed amount until 30th November next following the due date; and

(b) its certificate of registration in respect of which that fee was assessed or reassessed shall, if it has not, on or before that 30th November, paid an amount equal to the difference between that fee, as originally assessed or as reassessed, as the case may be, and the portion of that fee paid by it on or before the due date, be deemed after that 30th November not to be in force, until it pays the difference.

(11) Where a registered club has made an election referred to in subsection (9)—

(a) the reference in subsection (6) (a) to the difference between the reassessed fee and the original fee shall, if the reassessment of the original fee was made before 30th November next following the due date, be construed, for the purpose of making a refund in relation to the original fee to

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*Registered Clubs (Amendment).*


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**SCHEDULE 5—*continued.***
**AMENDMENTS TO THE REGISTERED CLUBS ACT, 1976, RELATING  
TO THE CALCULATION OF FEES AND THE PAYMENT OF FEES  
BY INSTALMENTS—*continued.***

which the election relates, as a reference to the difference between the portion of the original fee paid by the club on or before the due date and the portion that would have been payable by it on or before that date had the reassessed fee been the original fee; and

- (b) a reference in subsection (6) (b) to the difference between the original fee and the reassessed fee shall, if the reassessment of the original fee was made before 30th November next following the due date, be construed, for the purpose of determining the liability of the club, under subsection (6) (b), in relation to the original fee to which the election relates, as a reference to the difference between the portion that would have been payable by the club on or before the due date had the reassessed fee been the original fee and the portion of the original fee paid by it on or before the due date.

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**SCHEDULE 6.**
**Sec. 4.**
**AMENDMENTS TO THE REGISTERED CLUBS ACT, 1976, RELATING  
TO APPLICATIONS FOR CERTIFICATES OF REGISTRATION.**

- (1) (a) Section 8 (1)—

Omit "to the licensing court".

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*Registered Clubs (Amendment).*

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SCHEDULE 6—*continued.*

AMENDMENTS TO THE REGISTERED CLUBS ACT, 1976, RELATING  
TO APPLICATIONS FOR CERTIFICATES OF REGISTRATION—  
*continued.*

(b) Section 8 (1)—

Omit “clerk of the licensing court”, insert instead  
“secretary to the licensing magistrates”.

(c) Section 8 (2) (c)—

Omit “clerk of the licensing court”, insert instead  
“secretary to the licensing magistrates”.

(d) Section 8 (3) (c)—

Omit “clerk of the licensing court”, insert instead  
“secretary to the licensing magistrates”.

(2) (a) Section 9 (1)—

Omit the subsection, insert instead :—

(1) Except as provided in this section, the licensing  
court shall hear and determine and grant an  
application made under section 7 or 8.

(b) Section 9 (4)—

After “court” where firstly occurring, insert “or the  
secretary to the licensing magistrates, as the case may  
be,”.

(c) Section 9 (4) (a)—

Omit “clerk of the licensing court at least 10 days”,  
insert instead “secretary to the licensing magistrates  
on or”.

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*Registered Clubs (Amendment).*

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SCHEDULE 6—*continued.*AMENDMENTS TO THE REGISTERED CLUBS ACT, 1976, RELATING  
TO APPLICATIONS FOR CERTIFICATES OF REGISTRATION—  
*continued.*

## (d) Section 9 (4) (b)—

After “court”, insert “or the secretary to the licensing magistrates, as the case may be,”.

## (e) Section 9 (8)—

Omit the subsection, insert instead :—

(8) The secretary to the licensing magistrates to whom an application for the renewal of a certificate of registration is delivered as referred to in subsection (4) (a) shall grant the application on or after 1st June next preceding the due date for the expiry of the certificate, unless—

- (a) notice of objection to the granting of the application has been given to him, as referred to in section 26 (3) (c), on or before 31st May next preceding the due date for the expiry of the certificate of registration; or
- (b) a licensing magistrate has directed that the application be referred to the licensing court.

## (3) (a) Section 14—

After “court”, insert “, if the application was granted by the licensing court, or the secretary to the licensing magistrates, if the application was granted by him”.



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*Registered Clubs (Amendment).*

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SCHEDULE 6—*continued.*

AMENDMENTS TO THE REGISTERED CLUBS ACT, 1976, RELATING  
TO APPLICATIONS FOR CERTIFICATES OF REGISTRATION—  
*continued.*

(b) Section 14 (a)—

After “payment”, insert “to him”.

(4) Section 15 (1A)—

After section 15 (1), insert :—

(1A) The fees referred to in subsection (1) shall be paid—

- (a) where the renewal of a certificate of registration is granted by the secretary to the licensing magistrates, to the secretary to the licensing magistrates; and
- (b) in any other case, to the clerk of the licensing court.

(5) (a) Section 16 (3)—

Omit “clerk of the licensing court”, insert instead “secretary to the licensing magistrates”.

(b) Section 16 (4)—

After “lodged”, insert “, where the appeal relates to a determination by the licensing court refusing an application for the renewal of a certificate of registration of the club, with the secretary to the licensing magistrates or, in any other case,”.

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*Registered Clubs (Amendment).*

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SCHEDULE 6—*continued.*AMENDMENTS TO THE REGISTERED CLUBS ACT, 1976, RELATING  
TO APPLICATIONS FOR CERTIFICATES OF REGISTRATION—  
*continued.*

## (6) (a) Section 26 (3) (b), (c)—

Omit the paragraphs, insert instead :—

(b) where the application is other than for the renewal of a certificate of registration, notice of the objection specifying the grounds of the objection has been given to the clerk of the licensing court and to the club by or on whose behalf the application is made at least 3 clear days before the time appointed for the hearing of the application;

(c) where the application is for the renewal of a certificate of registration, notice of the objection specifying the grounds of the objection has been given to the clerk of the licensing court, to the secretary to the licensing magistrates and to the club by or on whose behalf the application is made on or before 31st May next preceding the due date for the expiry of the certificate; and

## (b) Section 26 (4)—

Omit “(c)”, insert instead “(b)”.

## (c) Section 26 (4A)—

After section 26 (4), insert :—

(4A) Notwithstanding subsection (3) (c) the licensing court may entertain an objection against an application referred to in subsection (3) (c) if the application has not been granted under this Act by the secretary to the licensing magistrates.

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*Registered Clubs (Amendment).*

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SCHEDULE 6—*continued.*

AMENDMENTS TO THE REGISTERED CLUBS ACT, 1976, RELATING  
TO APPLICATIONS FOR CERTIFICATES OF REGISTRATION—  
*continued.*

(d) Section 26 (6)—

After section 26 (5), insert :—

(6) An objection to the renewal of a certificate of registration may be made notwithstanding that an application for the renewal has not been made.

(7) Section 29—

Omit the section, insert instead :—

29. Upon application made by or on behalf of a registered club, the licensing court may, if it is satisfied that the certificate of registration of that club or an authority issued to that club under this Act has been lost or destroyed, order—

(a) where the application relates to a certificate of registration issued by the secretary to the licensing magistrates, that secretary; or

(b) in any other case, the clerk of the licensing court, on payment to him of the prescribed fee, to issue to that club a duplicate of the certificate of its registration or of that authority.

(8) (a) Section 68 (2)—

After "Act", insert " , other than an application for the renewal of a certificate of registration of a club,".

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*Registered Clubs (Amendment).*

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SCHEDULE 6—*continued.*

AMENDMENTS TO THE REGISTERED CLUBS ACT, 1976, RELATING  
TO APPLICATIONS FOR CERTIFICATES OF REGISTRATION—  
*continued.*

(b) Section 68 (3)—

After section 68 (2), insert :—

(3) Where a notice of objection to an application under this Act for the renewal of a certificate of registration of a club is given to the secretary to the licensing magistrates by any person other than the district inspector, the secretary to the licensing magistrates shall forthwith forward a copy of the application and the notice of objection to the district inspector.

Sec. 4.

SCHEDULE 7.

AMENDMENTS TO THE REGISTERED CLUBS ACT, 1976, RELATING  
TO THE MAXIMUM NUMBER OF MEMBERS OF A REGISTERED  
CLUB.

(1) Section 11 (3)—

Omit the subsection, insert instead :—

(3) The licensing court, on application made by a club, may in circumstances which it deems special determine in respect of the club a number that is greater than the number prescribed under subsection (2) (a), (b) or (c), as the case may be.

(2) Section 11 (4) (b)—

Omit “club;”, insert instead “club; and”.

(3) Section 11 (4) (c)—

Omit “had at the date of the commencement of the Liquor (Amendment) Act, 1969,”, insert instead “has”.

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*Registered Clubs (Amendment).*

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SCHEDULE 7—*continued.*

AMENDMENTS TO THE REGISTERED CLUBS ACT, 1976, RELATING  
TO THE MAXIMUM NUMBER OF MEMBERS OF A REGISTERED  
CLUB—*continued.*

- (4) Section 11 (4) (c)—  
Omit “club; and”, insert instead “club.”.
- (5) Section 11 (4) (d)—  
Omit the paragraph.
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SCHEDULE 8.

Sec. 4.

MISCELLANEOUS AMENDMENTS TO THE REGISTERED CLUBS ACT,  
1976.

- (1) (a) Section 30 (2) (k)—  
After “persons”, insert “of or above the age of 18  
years”.
- (b) Section 30 (7A)—  
After section 30 (7), insert :—
- (7A) Subsection (2) (k) does not apply in respect  
of any club incorporated on or before 1st July,  
1977—
- (a) the articles of association or rules of which  
did not at that date include a rule requiring  
the maintenance of a register of the kind  
referred to in that paragraph; and
- (b) which has not since that date incorporated  
such a rule in its articles of association or  
rules.

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*Registered Clubs (Amendment).*

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SCHEDULE 8—*continued.*MISCELLANEOUS AMENDMENTS TO THE REGISTERED CLUBS ACT,  
1976—*continued.*

## (2) Section 31 (1) (c)—

After “person”, insert “of or above the age of 18 years”.

## (3) Section 37 (1)—

Omit “clerk of the licensing court”, insert instead “secretary to the licensing magistrates”.

## (4) Section 39 (c)—

Omit “clerk of the licensing court”, insert instead “secretary to the licensing magistrates”.

## (5) Section 40 (1) (a)—

Omit “income and expenditure of the club received or incurred”, insert instead “receipts of and payments made by the club”.

## (6) (a) Section 45 (1) (b)—

Omit “particulars of whom (referred to in section 31 (1) (c)) have been entered in the register kept in accordance with the rule referred to in section 30 (2) (k)”.

## (b) Section 45 (2)—

Omit the subsection, insert instead :—

(2) It is a sufficient defence to a prosecution for an offence arising under subsection (1) alleged to have been committed by a registered club or the secretary of a registered club if the defendant proves

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*Registered Clubs (Amendment).*

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SCHEDULE 8—*continued.*

MISCELLANEOUS AMENDMENTS TO THE REGISTERED CLUBS ACT,  
1976—*continued.*

that it or he took all reasonable steps to prevent persons other than members, or guests of members, of the club from using the accommodation, facilities and amenities provided on the defined premises of the club.

(7) Section 49—

Omit “, it shall lodge with the clerk of the licensing court”, insert instead “or within such further time as the licensing court, on an application made by the club, may allow, the club shall lodge with the secretary to the licensing magistrates”.

(8) Section 66—

Omit the section.

(9) (a) Section 67 (2)—

Omit the subsection, insert instead :—

(2) A member of the governing body or of any committee of a registered club or an employee of a registered club may—

- (a) demand from any person who is in a bar or is using or operating a poker machine on the premises of the club and who that member or employee suspects on reasonable grounds is under the age of 18 years, particulars of the correct age, name and address of that person;

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*Registered Clubs (Amendment).*

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SCHEDULE 8—*continued.*MISCELLANEOUS AMENDMENTS TO THE REGISTERED CLUBS ACT,  
1976—*continued.*

- (b) where the club is a club to which section 30 (2) (k) applies, demand from any person who enters or is on the premises of the club and who that member or employee suspects on reasonable grounds is not—
- (i) a member of the club; or
  - (ii) a guest of a member of the club particulars of whom (referred to in section 31 (1) (c)) have been entered in the register kept for the purposes of section 30 (2) (k),  
particulars of the correct name and address of that person; or
- (c) where the club is not a club to which section 30 (2) (k) applies, demand from any person who enters or is on the premises of the club and who that member or employee suspects on reasonable grounds is not a member of the club or a guest of a member of the club—
- (i) particulars of the correct name and address of that person;
  - (ii) particulars as to whether that person is or is not a member of the club or a guest of a member of the club; and
  - (iii) where that person claims to be a guest of a member of the club, particulars of the name of that member.



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*Registered Clubs (Amendment).*

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SCHEDULE 8—*continued.*

MISCELLANEOUS AMENDMENTS TO THE REGISTERED CLUBS ACT,  
1976—*continued.*

(b) Section 67 (3) (a)—

Omit “or” where thirdly occurring.

(c) Section 67 (3) (a)—

Omit “whom”, insert instead “who”.

(d) Section 67 (3) (b), (c)—

Omit the paragraph, insert instead :—

(b) from any person who enters or is on the premises of any registered club (being a club to which section 30 (2) (k) applies) and who that member suspects on reasonable grounds is not—

(i) a member of the club; or

(ii) a guest of a member of the club particulars of whom (referred to in section 31 (1) (c)) have been entered in the register kept for the purposes of section 30 (2) (k),

particulars of the correct name and address of that person; or

(c) from any person who enters or is on the premises of any registered club (not being a club to which section 30 (2) (k) applies)

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*Registered Clubs (Amendment).*

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SCHEDULE 8—*continued.*MISCELLANEOUS AMENDMENTS TO THE REGISTERED CLUBS ACT,  
1976—*continued.*

and who that member suspects on reasonable grounds is not a member of the club or a guest of a member of the club—

- (i) particulars of the correct name and address of that person;
- (ii) particulars as to whether that person is or is not a member of the club or a guest of a member of the club; and
- (iii) where that person claims to be a guest of a member of the club, particulars of the name of that member.

## (e) Section 67 (6)—

Omit the subsection, insert instead :—

(6) A person on whom a demand is made under subsection (2) or (3) shall not—

- (a) refuse or fail to state to the person by whom the demand is made, the particulars demanded of him; and
- (b) where the person by whom the demand is made—
  - (i) informs the person on whom the demand is made that he suspects him to be under the age of 18 years; and

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*Registered Clubs (Amendment).*

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SCHEDULE 8—*continued.*

MISCELLANEOUS AMENDMENTS TO THE REGISTERED CLUBS ACT,  
1976—*continued.*

(ii) requires the person on whom the demand is made to do so,

refuse or fail, without reasonable cause, to produce evidence as to his correct age, name and address.

(10) (a) Schedule 1, Part 1—

In column 2, after paragraph (a) in the matter relating to section 3, insert :—

(aa) From the definition of "Persons authorised to sell liquor", omit "and holders of permits or certificates of registration", insert instead "registered clubs and holders of permits";

(b) Schedule 1, Part 1—

From the matter relating to section 5 (10), omit "41 (2)", insert instead "42 (2)".

(c) Schedule 1, Part 1—

From the matter relating to section 5 (12) (a), omit "41 (2)", insert instead "42 (2)".

(d) Schedule 1, Part 1—

After the matter relating to section 5 (12) (a), insert :—

- Section 10 (1) .. .. (a) Omit "permit or certificate of registration" wherever occurring, insert instead "or permit";  
(b) Omit "a permit or a certificate of registration", insert instead "or a permit";

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*Registered Clubs (Amendment).*


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**SCHEDULE 8—continued.**
**MISCELLANEOUS AMENDMENTS TO THE REGISTERED CLUBS ACT,  
1976—continued.**

- (c) Omit “except in the case of an application relating to a registered club or to prescribed premises as defined in section 152A (1), the applicant, or in the case of an application relating to a registered club or prescribed premises as defined in section 152A (1), the secretary of the registered club or the person nominated pursuant to section 152c (2) (b) (iii), as the case may be, ”, insert instead “except in the case of an application relating to prescribed premises as defined in section 152A (1), the applicant or, in the case of an application relating to prescribed premises as defined in section 152A (1), the person nominated pursuant to section 152c (2) (b) (iii).”.

**(e) Schedule 1, Part 1—**

Omit the matter relating to sections 21 (1) (d) and 22 (2).

**(f) Schedule 1, Part 1—**

After the matter relating to section 13 (7), insert :—

Section 23B (2) (b)	..	Omit “, permit or certificate”, insert instead “or permit”.
Section 29 (1)	..	.. Omit “(not being an application made by the secretary of a registered club for a permit under section 57A)”.
Section 29 (2)	..	.. Omit the subsection.

**(g) Schedule 1, Part 1—**

Omit the matter relating to section 34 (2) (c).

**(h) Schedule 1, Part 1—**

After the matter relating to section 57A (1), insert :—

Section 57A (1B) (a)	..	Omit “, as the case may be, the license or certificate of registration”, insert instead “the license”.
Section 57A (1D)	..	.. Omit the subsection.

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*Registered Clubs (Amendment).*

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SCHEDULE 8—*continued.*

MISCELLANEOUS AMENDMENTS TO THE REGISTERED CLUBS ACT,  
1976—*continued.*

(i) Schedule 1, Part 1—

After the matter relating to section 114, insert :—

- Section 125 (3) .. .. Omit “, permit or certificate of registration”, insert  
instead “or permit”.  
Section 125 (4) .. .. Omit “, permit or certificate of registration”, insert  
instead “or permit”.  
Section 125 (6) .. .. Omit the subsection.

(j) Schedule 1, Part 1—

After the matter relating to section 161 (1), insert :—

- Section 167 (4) .. .. Omit “, permit or certificate of registration” wherever  
occurring, insert instead “or permit”.

(k) Schedule 1, Part 1—

Omit the matter relating to sections 168B (1), 168C  
and 168D (1).

(11) Schedule 1, Part 2—

From the matter relating to section 1, omit “III”, insert  
instead “IIIA”.

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