

SUBSIDIARY LEGISLATION 10.21**REGISTRATION OF CLUBS REGULATIONS**

4th October, 1939

GOVERNMENT NOTICE 505 of 1939, as amended by Government Notice 535 of 1956; and Legal Notices: 148 of 1975, 69 of 1977 and Act XVI of 2018.

1. The title of these Regulations is Registration of Clubs Regulations. Title.
Added by:
L.N. 69 of 1977.
2. In these Regulations - Interpretation.
Amended by:
L.N. 69 of 1977.
 - (a) the expression "club" means only any building or part of a building used by an association of persons for their common resort;
 - (b) the expression "secretary" means any person performing the duties of secretary or any person who is declared to be the secretary in the application for registration of the club and any person responsible for the management of the club; and
 - (c) the expression "annoyance to neighbours" includes annoyance emanating from the premises of a club or caused outside or at the approaches to a club, by or in consequence of any person proceeding to or from the club, other than a club belonging to a political party.
3. No club shall be opened until it is registered at the office of the Commissioner of Police. Registration of club.
4. All applications for the registration of a club shall be forwarded by the secretary of the proposed club to the Commissioner of Police accompanied by a statement containing the following particulars: Application for registration.
 - (a) name and object of the club;
 - (b) address of club premises;
 - (c) name, surname and place of residence of the secretary;
 - (d) rules of the club relating to -
 - (i) the election of members and the admission of temporary and honorary members and guests;
 - (ii) the terms of subscription and entrance fee;
 - (iii) the cessation of membership;
 - (iv) the hours of opening and closing;
 - (v) the procedure of altering the rules;
 - (vi) the supply of intoxicants, if any.

- Refusal to register a club.
Amended by:
G.N. 535 of 1956;
L.N. 69 of 1977;
XVI.2018.
Fourth Schedule.
- Cap.583.
- Delivery of certificate.
- Statement to be furnished by secretary.
Amended by:
G.N. 535 of 1956.
- Names and addresses of members.
- Closing of club.
Amended by:
L.N. 148 of 1975;
L.N. 69 of 1977;
XVI.2018.
Fourth Schedule.
- 5.** The Commissioner of Police shall not register a club if -
- (a) the club occupies premises which have been used within the last twelve months immediately preceding the application for registration, as a wines and spirits shop, the licence whereof has been cancelled;
 - (b) he has reasons to believe that the club is intended for the purpose of gambling and provided that he has verified that prior authorisation has been issued by the Malta Gaming Authority in terms of the Gaming Act;
 - (c) the number of paying members is less than thirty;
 - (d) the total yearly subscription payable by all the members of the club does not cover the rental value of the premises;
 - (e) in the opinion of the Commissioner of Police, the proposed name of the club closely resembles or is likely to cause confusion with the name of another registered club, or is likely to occasion a breach of public good order;
 - (f) the opening of the club is deemed likely to cause annoyance to neighbours on grounds which the Director of Public Works, the Commissioner of Police and the Chief Government Medical Officer, or their respective representative, consider to be reasonable.
- 6.** A certificate of registration of the club shall be delivered to the secretary of every registered club and such certificate shall be displayed in the premises of the club.
- 7.** (1) The secretary of every club shall furnish by the 15th January of each year to the Commissioner of Police a statement signed by him containing the particulars laid down in regulation 4. Any alteration made during the year to the particulars above referred to shall also be communicated to the Commissioner of Police.
- (2) The registered name of a club shall not be changed without the previous approval in writing of the Commissioner of Police who may refuse such approval for any of the reasons mentioned in regulation 4(e).
- 8.** (1) A list containing the names and addresses of all the members of the club and the record of their latest payment of their subscription shall be kept on the premises.
- (2) A declaration that this regulation has been complied with shall accompany the statement mentioned in regulation 6.
- 9.** The Commissioner of Police may, with the approval of the Minister responsible for the Police, order the closing of any club on any of the following grounds:
- (a) that it is habitually frequented by persons under eighteen years of age;
 - (b) that the number of paying members has been reduced

to less than thirty;

- (c) that it is kept or used for any unlawful purpose or that it is not generally conducted as a *bona fide* club;
- (d) that it is frequented by persons of bad character or that frequent cases of drunkenness or excessive gambling occur on the premises provided that the Commissioner of Police has verified that prior authorisation has been issued by the Malta Gaming Authority in terms of the Gaming Act; Cap.583.
- (e) that non-members are habitually admitted to the club for the purpose of obtaining intoxicating liquor or for gambling provided that the Commissioner of Police has verified that prior authorisation has been issued by the Malta Gaming Authority in terms of the Gaming Act; Cap.583.
- (f) that applicants for membership are admitted to enjoy the privileges of membership without an interval of at least two days between their nomination and admission;
- (g) that conditions which would have impeded the registration of the club under these Regulations have supervened since the registration;
- (h) that any restriction imposed by the Commissioner of Police, in regard to the hours during which the club may be kept open, has been violated;
- (i) that annoyance to neighbours has been or is to be caused, on grounds which the Director of Public Works, the Commissioner of Police and the Chief Government Medical Officer, or their respective representative, consider to be reasonable.

10. When a club has been closed down by order of the Commissioner of Police, it shall be struck off the register and no club shall be registered on the premises until the lapse of twelve months from the date of such closing down. Striking off register.

11. It shall be lawful for the Commissioner of Police, for reasons of public order, to direct at any time the immediate temporary closing of any club. In the event of any such order being given by the Commissioner of Police, the persons present in the club shall leave the premises forthwith, and the club shall not be reopened except with the permission of the Commissioner of Police. Temporary closure of club.

12. The Commissioner of Police shall have power to restrict, from time to time, the hours during which a club may be kept open, if the Director of Public Works, the Commissioner of Police and the Chief Government Medical Officer, or their respective representative, shall deem such a measure to be necessary so as to prevent annoyance to neighbours. Opening hours.
Added by:
L.N. 69 of 1977.

13. Any person frequenting a club which is not registered in accordance with these Regulations or which has been closed down in virtue of regulation 9, shall be guilty of a contravention in Frequenting of club which is not registered.
Cap. 10.

accordance with article 318 of the Code of Police Laws.

Non-applicability
of Regulations.

14. These Regulations are not applicable to organizations which are purely of a religious nature or to juvenile clubs intended solely for sporting purposes.

Responsibility for
observance of
Regulations.

15. The secretary of a club shall be responsible for the observance of these Regulations.

Applicability of
other Regulations.
Added by:
L.N. 69 of 1977.
S.L.10.09.

16. The provisions of the Shops for the Sale of Wine, Beer or Spirituous Liquors (Licences, Good Order and Public Decorum) Regulations shall apply to any premises registered as a club, unless the Commissioner of Police, in his absolute discretion, exempts any such club from the provisions of this regulation.