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STATUTORY INSTRUMENTS

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**1991 No. 1462**

**The Cinemas (Northern Ireland) Order 1991**

*Control of exhibitions*

**Licence required for exhibitions**

3.—(1) Subject to Articles 7 to 10, no premises shall be used for a film exhibition unless they are licensed for the purpose under this Article.

(2) A district council may grant a licence under this Article to such a person as it thinks fit to use any premises specified in the licence for the purpose of film exhibitions on such terms and conditions and subject to such restrictions as, subject to regulations under Article 6, it may determine.

(3) Without prejudice to the generality of paragraph (2), it shall be the duty of a district council, in granting a licence under this Article as respects any premises,—

- (a) to impose conditions or restrictions prohibiting the admission of children to film exhibitions involving the showing of works designated, by the council or by such other body as may be specified in the licence, as works unsuitable for children; and
- (b) to consider what (if any) conditions or restrictions should be imposed as to the admission of children to other film exhibitions involving the showing of works designated, by the council or by such other body as may be specified in the licence, as works of such other description as may be so specified.

**Consent required for exhibitions for children**

4.—(1) Subject to Articles 7 and 8, no premises shall be used, except with the consent of the district council, for a film exhibition organised wholly or mainly as an exhibition for children.

(2) Subject to regulations under Article 6, a district council may, without prejudice to any conditions or restrictions imposed by it on the granting of a licence, impose special conditions or restrictions on the granting of a consent under this Article.

**Grant, renewal and transfer of licence or consent**

5.—(1) An applicant for the grant, renewal or transfer of a licence in respect of any premises shall give to—

- (a) the district council,
- (b) the Fire Authority, and
- (c) the appropriate sub-divisional commander,

not less than 28 days' notice of his intention to make the application.

(2) The district council may in such cases as it thinks fit, after consulting with the Fire Authority and the appropriate sub-divisional commander, grant an application for the grant, renewal or transfer of a licence notwithstanding the fact that the applicant has failed to give notice in accordance with paragraph (1).

(3) In considering any application for the grant, renewal or transfer of a licence, the district council shall have regard to any observations submitted to it by the Fire Authority or by the appropriate sub-divisional commander.

(4) Unless revoked under Article 14, a licence shall remain in force for one year or for such shorter period as the district council on the grant of the licence may determine.

(5) A district council may transfer any licence granted by it to such other person as it thinks fit.

(6) Where, before the date of expiry of a licence, an application has been made for its renewal or transfer, the licence shall be deemed to remain in force or, as the case may require, to have effect with any necessary modifications until the determination of the application by the district council or the withdrawal of the application.

(7) There shall be paid in respect of the grant, renewal or transfer of a licence such fees as may be fixed by the district council not exceeding—

- (a) in the case of a grant or renewal for one year, £173.50;
- (b) in the case of a grant or renewal for any less period, £58 for each month for which the licence is granted or renewed but so that the aggregate of the fees payable in any year does not exceed £173.50; or
- (c) in the case of a transfer, £35.

(8) The Department may by order amend paragraph (7)

so as to vary any sum specified in that paragraph or so as to provide that any sum payable under that paragraph shall cease to be so payable.

(9) An order under paragraph (8) shall be subject to negative resolution.

### **Regulations by Department**

6.—(1) Subject to Articles 7 and 8, no film exhibition shall be given unless regulations made by the Department under this Article are complied with.

(2) The matters for which provision may be made by regulations under this Article are—

- (a) safety in connection with the giving of film exhibitions (including the keeping and handling, in premises where other entertainments are being given or meetings held, of cinematograph film used or to be used for the purposes of film exhibitions or other articles or equipment so used or to be used);
- (b) the health and welfare of children in relation to attendance at film exhibitions.

(3) Regulations under this Article shall be subject to negative resolution.