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STATUTORY INSTRUMENTS

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**1991 No. 1462**

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

**Exempted exhibitions**

**Exhibitions in private dwelling-houses**

- 7.—(1) This Article applies to any film exhibition which—
- (a) is given in a private dwelling-house,
  - (b) is one to which the public are not admitted, and
  - (c) satisfies the condition mentioned in paragraph (2).
- (2) The condition referred to in paragraph (1)(c) is that either—
- (a) the exhibition is not promoted for private gain, or
  - (b) the sole or main purpose of the exhibition is to demonstrate any product, to advertise any goods or services or to provide information, education or instruction.
- (3) The following exemptions have effect in relation to any film exhibition to which this Article applies, that is to say—
- (a) a licence shall not be required by reason only of the giving of the exhibition;
  - (b) where the exhibition is given in premises in respect of which a licence is in force, no condition or restriction on or subject to which the licence was granted shall apply to the exhibition;
  - (c) regulations under Article 6 shall not apply to the exhibition.

**Other non-commercial exhibitions**

- 8.—(1) Subject to paragraphs (4) and (5), this Article applies to any film exhibition (other than one to which Article 7 applies) which—
- (a) is one to which the public are not admitted or are admitted without payment, or
  - (b) does not fall within sub-paragraph (a) but is given by an exempted organisation,
- and (in either case) satisfies the condition mentioned in paragraph (2).
- (2) The condition referred to in paragraph (1) is that either—
- (a) the exhibition is not promoted for private gain, or
  - (b) the sole or main purpose of the exhibition is to demonstrate any product, to advertise any goods or services or to provide information, education or instruction.
- <sup>F1</sup>(3) The following exemptions have effect in relation to any film exhibition to which this Article applies, that is to say—
- (a) a licence under Article 3 shall not be required by reason only of the giving of the exhibition unless the pictures are produced by means specified in regulations under Article 6 as means involving such risk that it is inexpedient that this sub-paragraph should have effect;

- (b) where the exhibition is given in premises in respect of which a licence under Article 3 is in force, no condition or restriction on or subject to which the licence was granted shall apply to the exhibition except so far as it relates to the matters specified in Article 6(2)(a);
- (c) a consent under Article 4 shall not be required by reason only of the giving of the exhibition;
- (d) where the exhibition is given in premises in respect of which a consent under Article 4 is in force, no condition or restriction on or subject to which the consent was granted shall apply to the exhibition;
- (e) regulations under Article 6 making such provision as is mentioned in paragraph (2)(b) of that Article shall not apply to the exhibition and regulations under that Article making such provision as is mentioned in paragraph (2)(a) of that Article shall not apply to the exhibition unless it is given in premises in respect of which a licence under Article 3 is in force.

(4) A film exhibition is excluded from being one to which this Article applies if it is organised solely or mainly as an exhibition for children who are members of a club, society or association the principal object of which is attendance at film exhibitions, unless the exhibition is given in a private dwelling-house or as part of the activities of an educational or religious institution.

(5) A film exhibition is excluded from being one to which this Article applies by virtue of sub-paragraph (b) of paragraph (1) if on more than three out of the last preceding seven days the premises in question were used for the giving of a film exhibition to which this Article applied by virtue of that sub-paragraph.

(6) In this Article “exempted organisation” means a society, institution, committee or other organisation with respect to which there is in force at the time of the exhibition in question a certificate given by the<sup>[F2]</sup> Health and Safety Executive for Northern Ireland] certifying that the<sup>[F2]</sup> Executive] is satisfied that the organisation is not conducted or established for profit; and there shall be paid to the<sup>[F2]</sup> Executive] in respect of the giving of such a certificate such reasonable fee as it may determine.

(7) The<sup>[F2]</sup> Health and Safety Executive for Northern Ireland] shall not give such a certificate with respect to any organisation—

- (a) the activities of which appear to the<sup>[F2]</sup> Executive] to consist of or include the giving of film exhibitions promoted for private gain, or
- (b) the objects of which do not appear to the<sup>[F2]</sup> Executive] to consist of or include the giving of film exhibitions to which the public are admitted;

and the<sup>[F2]</sup> Executive] may revoke such a certificate at any time if<sup>[F2]</sup> the Department] appears to the<sup>[F2]</sup> Executive] that, since the certificate was given, the activities of the organisation have consisted of or included the giving of film exhibitions promoted for private gain.

**F1** prosp. subst. by 1991 NI 12

**F2** 1998 NI 18

### **Exhibitions in premises used occasionally**

**9.—(1)** Where the premises in which it is proposed to give a film exhibition are premises used occasionally and exceptionally only, and not on more than six days in any one calendar year, for the purposes of such an exhibition, it shall not be necessary to obtain a licence under Article 3 if—

- (a) the occupier of the premises has given to the district council<sup>F3</sup>, to the [<sup>F4</sup>Fire and Rescue Service Board] and to the appropriate sub-divisional commander, not less than 14 days' notice in writing of his intention so to use the premises; and

- (b) he complies with any regulations under Article 6 and, subject to any such regulations, with any conditions imposed by the district council and notified to him in writing.
- (2) For the purposes of paragraph (1), the giving in any premises of an exhibition to which Article 7 or 8 applies shall be disregarded.

**F3** prosp. rep. by 1991 NI 12

**F4** Words in art. 9 substituted (1.7.2006) by Fire and Rescue Services (Northern Ireland) Order 2006 (S.I. 2006/1254 (N.I. 9)), arts. 1(3), 63(1), **Sch. 3 para. 17** (with arts. 49, 62); S.R. 2006/257, **art. 2(b)(d)**

### **Exhibitions in movable buildings, etc.**

**10.** Where it is proposed to give a film exhibition in any building or structure of a movable character, it shall not be necessary to obtain a licence under Article 3 from the district council in whose district the exhibition is to be given if—

- (a) the owner of the building or structure has been granted a licence under Article 3 in respect of that building or structure by the district council in whose district he ordinarily resides;
- (b) he has given to the district council in whose district the exhibition is to be given<sup>F5</sup>, to the [<sup>F6</sup>Fire and Rescue Service Board] and to the sub-divisional commander of the Royal Ulster Constabulary acting for the police sub-division in which the exhibition is to be given not less than 7 days' notice in writing of his intention to give the exhibition; and
- (c) he complies with any regulations under Article 6 and, subject to any such regulations, with any conditions imposed by the district council in whose district the exhibition is to be held and notified to him in writing.

**F5** prosp. rep. by 1991 NI 12

**F6** Words in art. 10 substituted (1.7.2006) by Fire and Rescue Services (Northern Ireland) Order 2006 (S.I. 2006/1254 (N.I. 9)), arts. 1(3), 63(1), **Sch. 3 para. 17** (with arts. 49, 62); S.R. 2006/257, **art. 2(b)(d)**

**Changes to legislation:**

There are currently no known outstanding effects for the The Cinemas (Northern Ireland) Order 1991, Exempted exhibitions.