

STATUTORY INSTRUMENTS

**1991 No. 1462**

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

Miscellaneous and general

**Meaning of promotion for private gain**

17.—(1) For the purposes of this Order an exhibition is promoted for private gain if, and only if,—

- (a) any proceeds of the exhibition, that is to say, any sums paid for admission to the exhibition, or
- (b) any other sums (whenever paid) which, having regard to all the circumstances, can reasonably be regarded as paid wholly or partly for admission to the exhibition, or
- (c) where the exhibition is advertised (whether to the public or otherwise), any sums not falling within sub-paragraph (b) which are paid for facilities or services provided for persons admitted to the exhibition,

are applied wholly or partly for purposes of private gain.

(2) If in proceedings for an offence under Article 12(1) any question arises whether an exhibition was promoted for private gain and it is proved—

- (a) that any sums were paid for admission to the exhibition or to the premises at which it was given and that the exhibition was advertised to the public, or
- (b) that any sums were paid for facilities or services provided for persons admitted to the exhibition and that the exhibition was advertised (whether to the public or otherwise), or
- (c) that the amount of any payment falling to be made in connection with the promotion of the exhibition was determined wholly or partly by reference to the proceeds of the exhibition or any facilities or services provided for persons admitted to it,

the exhibition shall be deemed to have been promoted for private gain unless the contrary is shown.

(3) Where an exhibition is promoted by a society which is established and conducted wholly for purposes other than purposes of any commercial undertaking and sums falling within paragraph (1) are applied for any purpose calculated to benefit the society as a whole, the exhibition shall not be held to be promoted for private gain by reason only that the application of those sums for that purpose results in benefit to any person as an individual.

(4) In paragraph (3) “society” includes any club, institution, organisation or association of persons, by whatever name called.

**Amendments resulting from Fire Services (Northern Ireland) Order 1984**

18. <sup>F1</sup> .....

**F1** Art. 18 repealed (15.11.2010) by [Fire and Rescue Services \(Northern Ireland\) Order 2006 \(S.I. 2006/1254 \(N.I. 9\)\)](#), arts. 1(3), 63(2), [Sch. 4](#) (with arts. 49, 62); S.R. 2010/328, [art. 2](#)

*Article 19—Amendments and repeals*

**Changes to legislation:**

There are currently no known outstanding effects for the The Cinemas (Northern Ireland) Order 1991, Miscellaneous and general.