



Cinemas Act 1985

1985 CHAPTER 13

Appeals

16 Appeals against decisions of licensing authority.

- (1) Any person aggrieved—
 - (a) by the refusal or revocation of a licence,
 - (b) by any terms, conditions or restrictions on or subject to which a licence is granted, or
 - (c) by the refusal of a renewal or transfer of a licence,may appeal to the Crown Court or, in Scotland, to the sheriff.
- (2) Any person aggrieved—
 - (a) by the refusal to allow any premises in England and Wales to be opened and used on Sundays for the purpose of film exhibitions under subsection (2) of section 9 above, or
 - (b) by any conditions imposed under that subsection,may appeal to the Crown Court.
- (3) Where the decision against which an appeal under this section is brought was given on an application of which (in accordance with section 3(1) above) notice was required to be given to a [^{F1}fire authority][^{F1}appropriate [^{F2}fire] authority] and a chief officer of police, any notice of appeal under this section against that decision shall be given to that authority and that officer as well as to any other person to whom it is required to be given apart from this subsection.
- (4) Where a licence is revoked it shall be deemed to remain in force during the period within which an appeal under this section may be brought and, if such an appeal is brought, until the determination or abandonment of the appeal.
- (5) Where an application for the renewal or transfer of a licence is refused, the licence shall be deemed to remain in force or, as the case may require, to have effect with any necessary modifications—

Changes to legislation: There are currently no known outstanding effects for the Cinemas Act 1985, Cross Heading: Appeals. (See end of Document for details)

- (a) during any period within which an appeal under this section may be brought and, if such an appeal is brought, until the determination or abandonment of the appeal; and
- (b) where such an appeal is successful, until the licence is renewed or transferred by the licensing authority.

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Textual Amendments

- F1** Words in s. 16(3) substituted (S.) (2.8.2005) by [The Fire \(Scotland\) Act 2005 \(Consequential Modifications and Amendments\) Order 2005 \(S.S.I. 2005/383\)](#), art. 1, sch. 1 para. 8(2)(3)(d)
- F2** Word in s. 16(3) substituted (S.) (1.10.2006) by [The Fire \(Scotland\) Act 2005 \(Consequential Modifications and Savings\) Order 2006 \(S.S.I. 2006/475\)](#), art. 1, sch. 1 para. 12(4)(5)(d)

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