

DEREGULATION ACT 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 76: Exhibition of films in community premises

355. The exhibition of a film is an activity for which an authorisation (i.e. a premises licence, club premises certificate or temporary event notice) may be required under the Licensing Act 2003. Where an authorisation is required in relation to an exhibition of a film, section 136(1) of the Licensing Act 2003 provides that a person who carries on, attempts to carry on or knowingly permits that exhibition without such an authorisation commits a criminal offence.
356. This section creates a new exemption in relation to the exhibition of a film by inserting a new paragraph 6A into Part 2 of Schedule 1 to the Licensing Act 2003. This provides that no authorisation in relation to the exhibition of a film is required under the Licensing Act 2003 where that exhibition takes place at community premises and the conditions referred to in the following paragraph are satisfied. The term “community premises” is defined in section 193 of the 2003 Act and means premises that are (or form part of) a church hall, chapel hall or other similar building or a village hall, parish hall, community hall or other similar building.
357. The exemption requires that the following conditions are satisfied:
- prior written consent for the entertainment to take place at the community premises has been obtained by or on behalf of a person concerned in the organisation or management of the entertainment:
 - from the management committee of the community premises (“management committee” is defined in section 193 of the 2003 Act and means a committee or board of individuals with responsibility for the management of the community premises), or
 - where there is no management committee, from a person with control of the community premises in connection with the carrying on by that person of a trade, business or other undertaking (whether or not for profit), or
 - where there is neither a management committee nor any such person with control of the community premises, from an owner of the community premises;
 - the entertainment is not provided with a view to profit;
 - the audience consists of no more than 500 persons;
 - the entertainment takes place between 8am and 11pm on the same day; and
 - a recommendation concerning the admission of children to the exhibition of the film has been made by the film classification body or relevant licensing authority, and the admission of children to that exhibition of the film is subject to such restrictions (if any) as are necessary to comply with that recommendation (or, if a

*These notes refer to the Deregulation Act 2015 (c.20)
which received Royal Assent on 26 March 2015*

recommendation has been made by the body and the authority, the recommendation made by the authority).

358. Where the premises fall within the area of more than one licensing authority, the final condition operates by reference to each of those licensing authorities. So if more than one licensing authority has made a recommendation, the admission of children will have to be subject to the restrictions necessary to ensure compliance with all of the recommendations.
359. The section, as with the Licensing Act 2003, forms part of the law of England and Wales only. It comes into force on a day to be appointed by the Secretary of State in a commencement order.