
STATUTORY INSTRUMENTS

1991 No. 1462

The Cinemas (Northern Ireland) Order 1991

Enforcement

Powers of entry

15.—(1) Where a constable or an authorised officer of the district council^{F1} or of the [^{F2}Fire and Rescue Service Board] has reasonable cause to believe that—

- (a) any premises in respect of which a licence of either kind is in force are being or are about to be used for an exhibition which requires a licence of that kind,
- ^{F1}(b) any premises in respect of which a licence under Article 3 is in force are being or are about to be used for an exhibition to which Article 8 applies, or
- (c) any premises in respect of which notice has been given under Article 9 or 10 are being or are about to be used for an exhibition which, but for that Article, would require a licence under Article 3,

he may enter and inspect the premises with a view to seeing whether the relevant provisions are being complied with.

^{F1}(2) An authorised officer of the [^{F2}Fire and Rescue Service Board] may, on giving not less than 24 hours' notice—

- (a) to the occupier of any premises in respect of which a licence is in force, or
- (b) to the occupier of any premises in respect of which notice has been given under Article 9 or 10,

enter and inspect the premises for the purpose of ensuring that there are adequate fire precautions and of seeing whether the relevant provisions, so far as they relate to fire precautions, are being complied with.

(3) A constable or authorised officer of the district council may enter and search any premises in respect of which he has reason to believe that an offence under Article 12(1) has been, is being or is about to be committed if authorised to do so by a warrant granted by a justice of the peace.

(4) The power conferred by paragraph (3) does not extend to authorising a search for material of the kinds mentioned in Article 11(2) of the Police and Criminal Evidence (Northern Ireland) Order 1989^{F3} (privileged, excluded and special procedure material).

(5) A constable or authorised officer of the district council who enters and searches any premises under the authority of a warrant issued under paragraph (3) may seize and remove any apparatus or equipment or other thing whatsoever found on the premises which he has reasonable cause to believe may be liable to be forfeited under Article 13(2).

(6) Where an authorised officer of the district council^{F1} or of the [^{F2}Fire and Rescue Service Board] enters any premises in the exercise of any power under this Article he shall, if required to do so by the occupier, produce to the occupier his authority.

(7) Any person who intentionally obstructs the exercise of any power conferred by this Article shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(8) In this Article “relevant provisions” means—

(a) in a case falling within paragraph (1)(a)^{F1} or (2)(a), regulations under Article 6 and the terms, conditions and restrictions on or subject to which the licence is held,

^{F1}(b) in a case falling within paragraph (1)(b), regulations under that Article making such provision as is mentioned in sub-paragraph (a) of paragraph (2) of that Article and the conditions and restrictions on or subject to which the licence under Article 3 is held so far as they relate to the matters specified in that sub-paragraph,

(c) in a case falling within paragraph (1)(c)^{F1} or (2)(b), regulations under that Article and any conditions notified in writing by the district council to the occupier of the premises;

and in relation to any premises in respect of which notice has been given under Article 10 any reference in this Article to the occupier shall be construed as a reference to the owner.

(9) For the purposes of this Article any conditions subject to which any premises are allowed under Article 11 to be opened and used on Sundays shall be taken to be conditions of the licence granted under Article 3 in respect of those premises.

F1 prosp. rep. by [1991 NI 12](#)

F2 Words in [art. 15](#) 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\(b\)\(d\)](#)

F3 [1989 NI 12](#)

Changes to legislation:

There are currently no known outstanding effects for the The Cinemas (Northern Ireland) Order 1991, Section 15.