



Department
for Culture
Media & Sport

Community film exhibition

A consultation

July 2013

Contents

Foreword.....	3
Introduction	4
How film licensing works: the Licensing Act 2003	5
The age classification system.....	6
The origins of film licensing and its current context.....	7
Consultation approach.....	9
Option 1: Do nothing.....	100
Option 2: (Preferred Option): Deregulate “not-for-profit” film in community premises.....	11
Variations on the Preferred Option	133
Community premises.....	133
“Not-for-profit” activities.....	133
Film classification ratings	14
Other options considered but not included	15
Incidental film exhibitions	16
Your views.....	17
Annex A: How to Respond	19
Annex B: List of Consultees.....	200
Annex C: Draft amendment to implement the preferred option	211

Foreword

Watching a film in a group is very different experience to watching it on your own. Sharing a response to a film - whether it be to laugh, cry, or jump out of your seat together - is part of a collective communal experience.

The places that we interact socially have changed a lot in recent years. Our enjoyment of cinema has not. Even though it is quite easy to watch films at home nowadays, there were still an amazing 170 million cinema admissions in 2011 in the UK. Part of that is what 21st century cinema has to offer: amazing sound, astonishing 3D, modern auditoriums, and more flavours of ice cream than you can shake a stick at. But part of it is also being able to get out of the house and share the experience with others.

Sadly, though, it's not easy for everyone to do this. In rural areas there can be very limited access to cinema. Even in densely populated areas, niche film, such as world cinema or foreign language interest, which could be incredibly popular, has surprisingly small take up. So we want to see if there is anything that we can do to help.

Advances in technology have made film exhibition far easier than it was ten years ago, so we want to look at the barriers to successful community screenings. We've found many local screenings and film clubs stop before they start, halted by costs and bureaucracy. It shouldn't be like this. Local screenings perform a great social function – they bring people together, building friendships around a shared interest.

We need to take care that unsuitable film content is not shown to children. This is an absolute. It underpins all of our thinking on community film. We therefore propose a solution that will enable film exhibition to grow in our key community venues, but which sends a *very* clear message that film exhibition must comply with age classification ratings. And if it doesn't, the exhibitor faces very serious sanctions.

So we want to do all we can to help bring about a sensible way forward for the benefit of all in our communities.

Ed Vaizey

Minister for Culture, Communications and Creative Industries

Introduction

1. In January this year, the Department for Culture, Media and Sport announced measures to remove unnecessary licensing bureaucracy from community entertainment activities, to help release volunteers' time and community organisations' money for things that really matter.
2. Before the announcement, the Department consulted on the removal of licensing requirements in England and Wales from a wide range of entertainment activities such as dance, plays and live music which, like film exhibition, required a licence under the Licensing Act 2003 (the 2003 Act). Different arrangements apply in Scotland and Northern Ireland and are not part of this consultation.
3. Whilst we felt that it was appropriate to deregulate various other activities, we were keen to exercise the utmost care in respect of film exhibition, to ensure the continuing protection of children from unsuitable content. In the 2011 consultation we said that we would:

“only take steps to deregulate film exhibition if a suitable solution to age-appropriate screenings were found”.

Our primary concern around film exhibition was, and is, to ensure that children do not access unsuitable material.

4. The vast majority of respondents to the consultation agreed. They agreed that deregulation should only happen to the extent that some form of control parameter was retained as a deterrent, to help ensure age appropriate screenings.
5. The consultation that we held in 2011 brought little in the way of new thinking to resolve the issue of how to retain controls yet remove cost burdens on exhibitors and local authorities. So in our announcement in January 2013 we committed to retaining the existing general licensing system for film exhibition across England and Wales.
6. In the announcement we said that we would still be interested in helping remove burdens from organisations that make a positive contribution to community life. Whilst widespread deregulation is a step too far, we said that we would be interested in exploring ways to help out premises and venues that play an integral role in community life - such as church or village halls, and community centres.
7. But whilst we considered exempting certain types of organisation that, on the balance of all reasonable likelihood, could be trusted to hold film events we still

felt that, even within tightly drawn exemptions, we would prefer to have a suitable robust sanction in place, so that those showing film would be in no doubt as to the seriousness in which we were placing trust in their capability.

8. So during 2013 we have been busy looking at creative ways to address this problem. We therefore propose, at Annex C to this document, a solution that we think may allow film screenings to take place in community settings without the initial cost and time burden barriers that comes with the current licensing system - but which retains a very potent sanction if a film exhibition were to be screened in a manner that was inappropriate. Failure to exhibit film according to age classification ratings would risk an offence being committed under the Licensing Act 2003 and the possibility on conviction of up to six months in prison or a £20,000 fine.
9. We believe that this solution is an important step forward - and we would like your views as to whether you agree. This consultation therefore offers two simple options:
 - to keep things as they are, or;
 - to allow “not-for-profit” film exhibitions in community venues between 8am and 11pm, *provided that the exhibitor ensures that the screening abides by any age classification ratings.*
10. We also ask a series of questions around key variations on the second option. We would be very grateful to hear your views so that final decisions can be made in the light of the best possible evidence.

How film licensing works: the Licensing Act 2003

11. Here is a brief explanation of the current film licensing regime that applies in England and Wales. Currently, film which is exhibited to the public - or to a private audience with the intention of making profit – is licensable under the 2003 Act. The 2003 Act sets out two ways for this to happen:
 - *Temporary Events Notices (TENs)*: A TEN can be obtained by notifying the local Licensing Authority in writing a minimum of ten working days ¹in advance of the intended film exhibition. The notification uses a form set out by the 2003 Act, which must be sent to the local Licensing Authority and to the local police, along with a fee of £21.

¹ Five working days in the case of a “late TEN” – details set out on the www.gov.uk website.

- *Premises Licences/Club Premise Certificate*: To obtain a premises licence, an applicant will need to apply in full to the local Licensing Authority, specifying the particulars of the venue in question, and provide full operational details of the activities in question. An initial fee, which recurs annually, is charged according to the venue's Non Domestic Rateable Venue (typically fees cost £180 -600)². Additional costs to advertise the application apply, usually costing several hundred pounds.

The age classification system

12. Every film that is intended for national distribution in the UK, whether for exhibition purposes or private sale, must obtain an age classification rating³. The body entrusted to deliver a formal recommendation for age classification is the British Board of Film Classification⁴ (BBFC).
13. In relation to England and Wales, the Licensing Act 2003 sets out a mandatory condition⁵ that licensees must ensure that child admission to film screenings take place in accordance with the film's age classification rating.. Most licensing authorities (mainly English and Welsh local authorities) make automatic use of any BBFC recommendation, but can also adopt their own rating if:
- the film to be displayed does not have a BBFC rating, or;
 - the local Licensing Authority does not agree with the BBFC recommendation.
14. In the case of the first bullet point, for films lacking a BBFC recommendation, such as locally produced films, films made on small budgets, foreign films, and films at pre-production stage (as can occur at film festivals) an exhibitor may apply to the local Licensing Authority for a classification rating that applies in the Licensing Authority's geographical jurisdiction.
15. In the case of the second bullet point, Licensing Authorities can also choose to adopt their own local classification rating should they disagree with the BBFC's recommendation. This does not happen often, but can happen if a film's content is particularly sensitive in a certain local area, or if the authority in question simply feels that the BBFC have got the recommendation wrong. Similarly, a lower classification could be set if a particular licensing authority feels that this is more appropriate.

² Currently certain venues are exempt from this fee.

³ Section 4, Video Recordings Act 1984.

⁴ Ibid

⁵ Section 20 in respect of premises licences or section 74 in respect of private clubs.

16. This element of local democracy has been felt to be a valuable and appropriate local judgment, and was supported in responses to the 2011 consultation.

The origins of film licensing and its current context

17. The evolution of film licensing is very much one of a regime that has evolved through changes in technology and societal views, and which mainly relates to fire, child safety and protection from unsuitable content. A quick examination of the various developments over the years, in the context of the patchwork of protections that were available to address risks at any given time, is useful.

18. *Fire*: In the early years of film, film was extremely dangerous, due to the highly flammable cellulose nitrate present in film celluloid. Because of this, the first film laws - the *Cinematograph Act 1909* - predominantly addressed fire safety issues. The 1909 Act specified that film projectors must be contained within a fire resisting enclosure, which must be licensed by the local authority.

19. Further fire measures were introduced through Acts in the 1920s (such as the provision of fire exits and exit push bars, and further celluloid restrictions) and in the 1950s. Flammable celluloid has not been produced since the 1950s and is no longer thought a risk.

20. Fire controls then started to become more centralised, first through the Fire Precaution Act 1971, then to a much greater extent, in the Regulatory Reform (Fire Safety) Order 2005, which now requires every responsible person operating a building for public admission to carry out a written risk assessment and satisfy themselves that the building is fit for purpose.

21. *Content*: The regulation of film content first became a regular practice partly through case law which in 1910 established a precedent for individual local authorities to place controls on exhibition content via the 1909 Act. The film industry at the time were keen to have consistency in any system of censorship, so the British Board of Film Censors was founded as a private company in 1912 to examine and certify films according to nationally agreed criteria. The BBFC was financed by fees paid by film-makers to have their films examined.

22. Councils eventually began to issue cinema licences with a provision stating that they may show only films which had been passed by the BBFC, rather than censoring films themselves. The BBFC was given statutory powers for the first time in 1985, when designated as the classifying authority under the Video Recordings Act 1984, in respect of most commercial video recordings sold or hired in the UK. The definition was used in the Cinemas Act 1985, which consolidated the various previous Acts of Parliament to provide a new regulatory framework for local controls over film exhibition. This arrangement was then

revoked by, but echoed in, the current regulatory system under the Licensing Act 2003.

23. *Other child protection issues in Cinemas:* Key historic laws around child protection at entertainment events are still in force under the Children and Young Person's Act 1933, which place a number of safety duties on organisers in respect of children at entertainments. Similarly, the Obscene Publications Act 1959 is still in force which contains severe penalties on conviction for persons who have knowingly published obscene materials, including film.

Consultation approach

24. As explained above, the consultation asks for your views on two main options:

- i) do nothing;
- ii) deregulate “not-for-profit” film exhibition in community venues between 8am and 11pm, *provided that the exhibitor ensures that each such screening abides by age classification ratings.*

25. The consultation asks for your views on a range of variations on the preferred option (Option 2), which are addressed in paragraphs 36-44. These variations are around issues such as:

- Are the premises that are captured in the definition of “community premises” the right ones?
- Do you agree that the deregulatory proposal should apply only to “not-for-profit” film activity?

26. So if you are generally in favour Option 2, but have views on the some of the key parameters involved, you can express your thoughts in the questions provided. If you think other options should be considered – either similar to options 1, 2 or the variations on option 2, or very different to them – again, you can set out your views when responding to the questions provided.

27. Finally the consultation also includes questions relating to the potential for unintended consequences.

Option 1: Do nothing

28. The current regime provides that where film is exhibited to a public or “for-profit” audience, a licence is required from the local licensing authority. The particulars of the current regime are set out in paragraphs 11 to 16.

29. Some of the benefits of the existing system are:

- a track record of child protection from unsuitable public content
- an existing facility for notification of film exhibition events to relevant authorities
- an existing framework for legal action against exhibitors that fail to adhere to child admission policies

30. Some of the downsides of this option are:

- the costs of film exhibition licensing are burdensome to small community-focussed organisations (either TENs or premises licences)
- the associated bureaucracy is off-putting to small organisations
- the current system whereby community premises are exempt from fees for entertainment licences places a burden on Licensing Authorities who are not remunerated by licensing fees for their functions under the 2003 Act in relation to those premises.

Option 2: (Preferred Option): Deregulate “not-for-profit” film in community premises

31. This option would remove the requirement for a licence for film exhibition in “community premises” where the exhibition:

- takes place between 08:00-23:00; and
- is “not-for-profit”; and
- takes place to audiences of 500 or less; and
- is held in accordance with any age classification recommendations set by the BBFC, or where different, any age rating set by the Licensing Authority in whose area that exhibition takes place.

32. As explained at paragraph 8, we attach at Annex C a draft amendment to the existing licensing law to illustrate the potential implementation of the preferred option. The draft clause is included as clause 34 of the draft Deregulation Bill published by the Cabinet Office on 1 July (CM 8642) <http://www.official-documents.gov.uk/document/cm86/8642/8642.pdf>

33. Some potential benefits of this approach are:

- that community premises would no longer need to engage in time-consuming licensing administration;
- that community premises would no longer need to pay for any of the associated costs from the licensing process;
- that community premises would not be put off from hosting film activities when other entertainment activities that were previously regulated are deregulated under Government proposals⁶; and
- that community premises could be encouraged by the removal of bureaucracy to engage in film education work or to otherwise begin community screenings of positive social value.

34. Some potential downsides of this approach are:

⁶ Entertainment Deregulation, Government Response to Consultation, January 2013. Available at www.gov.uk.

- less notification to responsible authorities of the premises exhibiting film in their area; and
- less direct licensing authority control over the operation of film content in the venues in question.

35. We hope that the draft amendment at Annex C will be helpful in promoting a detailed understanding of the effect of Option 2. We would wish to be absolutely clear that this amendment is for illustration purposes only and is subject to change pending the views and evidence received from this consultation.

Variations on the Preferred Option

36. If you support Option 2 in principle, we would also be interested to hear your views on the issues below.

Community premises

37. Under the Licensing Act 2003, “community premises” are defined as:

“premises that are or form part of (a) a church hall, chapel hall or other similar building, or (b) a village hall, parish hall, community hall or other similar building”.

38. Guidance made under section 182 of the Act sets out that:

“It will be for the Licensing Authority to determine whether a premises comes within this definition. Where the premises are genuinely made available to a wide range of persons for purposes beneficial to the community as a whole, then such premises are likely to fall within this definition”.

39. You may feel that other types of premises could be safely included within a similar arrangement to the one we propose at Option 2 without causing undue risk to the Licensing Act 2003’s four licensing objectives. If you think other premises should be included please answer question 2 in the question sheet at the end.

“Not-for-profit” activities

40. The principle of regulating private events in which profit is made is longstanding and relates to a number of risks to the Licensing Act’s four licensing objectives. Throughout the years, the issue of profit at certain events has occasionally been a cause for concern when it has led to overcrowding in non-bespoke venues due to a desire to generate additional revenue. This risk is less likely to apply at events that do not aim to generate profit.

41. The definition of “not-for-profit” in our proposal, in common with other activities in Schedule One to the 2003 Act, relates to the activity of exhibiting the film in question, rather than the objects of the organisation exhibiting the film – i.e. to allow charging to self-fund the particular exhibition, but not to allow charging where the intention is to generate income and/or profit from the exhibition. If the exhibiting of the film is organised and promoted primarily to raise money, then it is primarily a fund-raising or income-raising event and people attending will be aware that this is the primary purpose, rather than the activity of exhibiting a film as a social event. Whereas, if the intention is to meet the costs

of exhibiting the film and the social event incidentally makes a profit, then the activity would still fall within the definition of a 'not for profit' activity.

42. We have though considered a broader exemption around charitable activities, similar to the exemption for garden fêtes in Schedule One to the Licensing Act. That exemption provides that activities for *“charitable purposes, for the purpose of enabling participation in, or of supporting, sport, athletics or a cultural activity, or for any other non-commercial purpose other than that of private gain”* are exempt from licensing.
43. So, in respect of film exhibition in community premises, we are open to being persuaded that there can be a workable charitable exemption for film exhibition as an indoor event. Presently, given that charitable organisations vary considerably in size and the complexity of their operations and administration, we remain to be convinced that there is a clear enough distinction – in terms of satisfying the Licensing Act objectives - between a film exhibition put on by a charity and that same event being organised by a commercial entity. So presently, the preferred option proposal suggests that an activity that seeks only to recover the costs of hosting a film exhibition (such as hire of a projector, film copyright payment, venue hire) is exempt from licensing, but one that seeks to raise money for commercial benefit (even for good causes) would not be exempt. If you disagree on this last point, please feel free to answer question 3, setting out your rationale.

Film classification ratings

44. The preferred option is predicated on the fact that the only films permitted for exhibition under the exemption would be those that have formal age classifications from either the BBFC or the Licensing Authority in which the film would be screened. Films that do not have such a classification would not be permitted for exhibition⁷. However if you think that there should be exceptions to this rule please answer question 6 in the question sheet at the end of this document, providing your ideas as to how such an exemption could work and the rationale for doing so.

⁷ Unless they fall under a wider exemption listed in Part 2 of Schedule One to the 2003 Act, such as product demonstration, advertising, education, instruction, information, or as part of an exhibit at a museum or gallery

Other options considered but not included

45. Following the consultation that Government launched in 2011, we examined a range of additional options, taking into careful account views raised in the 2011 consultation. The options that were considered, but not included were:

- Deregulate film in nationally approved community organisations

46. We examined an option that created a power for the Secretary of State to approve the exemption of certain trusted organisations from film exhibition licensing. A secondary power to make this kind of exemption for community organisations could be built into the Licensing Act so that the list can occasionally be updated by Order. Inclusion on such a list could be subject to the agreement of the organisation involved that they would take legal responsibility for any activity.

47. While this would provide community benefits, the Government has already committed to exempting local authority premises, schools and hospitals from a range of entertainment licensing requirements, including film exhibition, so the additional benefits would be limited. Additionally, the creation of this kind of system would likely require a burdensome system of applications and approvals, and which would focus upon approval of organisations rather than the venues in which the organisations operate. It is for these reasons that we have chosen not to include this as a consultation option.

- Deregulate film exhibited by organisations permitted by local licensing authorities

48. This option would allow local licensing authorities to exempt certain organisations that are trusted to run public or “for-profit” activities. Such a system could utilise local knowledge and could be augmented by the signature of a light touch Memorandum of Understanding between the licensing authority and the lead individual of the organisation in question.

49. This option would, though, be likely to impose an administrative burden on local authorities that could not be recovered from licensing fees. As with the idea of a national list, above, this system would probably require application and approval mechanism (and potentially also an appeals mechanism) as well as legal work around the production of Memoranda of Understanding. For all these reasons we do not feel that this idea is suitable for inclusion as a consultation option.

- Deregulate films with lowest age-rating in all locations

50. The age classification system adopted by the BBFC is based upon an ongoing system of public consultation that aims to ensure that the framework for age

classification is in line with public opinion. Changes are occasionally made to the system to reflect changes of public viewpoint. A constant in film age classification has been the “U” (Universal” rating, which recommends that the film is suitable to be seen by all). Using the BBFC universal rating as a guide, this option would allow film screening in any location, unless that location was not permissible under other legislation (such as planning).

51. While this would be a relatively simple measure, it would be limited in its benefits, particularly given the Government’s existing proposals in relation to schools and local authority premises. “U” rated films now make up only a small number of films – around 12% of those approved for commercial release in 2012 – and because of this would not achieve the policy objectives set out in the introduction to the consultation.

Incidental film exhibition

52. An ‘exhibition of a film’ in the 2003 Act means “any exhibition of moving pictures”. There are existing exemptions in relation to film exhibitions that are for advertisement, information or education, or part of an exhibit for a museum or art gallery. Otherwise, this is a broad definition that might include moving images shown as part of a performance of a play, a dance performance or during live music. The Government is currently in the process of deregulating these activities in wider circumstances than is proposed for the deregulation of film exhibition. However, the benefit of that deregulation would be negated if the inclusion of a minor element of film meant that an entertainment licence would still be required under the 2003 Act.
53. The Government would therefore welcome views, at question 4, on whether film that is incidental to an activity that is not in itself regulated entertainment under the 2003 Act should be exempt from licensing requirements. This is similar to the exemption for incidental live and recorded music that has been in place since the 2003 Act came into effect in 2005, and the basis on which an activity may be considered ‘incidental’ is well-established.

Your views

We would be very grateful for your views on the issues raised in this consultation.

Your name:

Organisation represented: (if any)

Question	Your views				
<p>1 Do you support the ‘do nothing’ proposal (Option 1, as set out in paragraphs 28-30) or the Government’s proposal (Option 2, “deregulate not-for-profit film exhibition in “community premises” as set out at paragraphs 31-35. If not, please explain why.</p>	<p>Please tick your preferred response in the box below and add any additional information in the relevant area. You can continue your response on additional sheets of paper if required.</p> <table border="1" data-bbox="671 943 1390 1084"> <tr> <td data-bbox="671 943 1265 1010">Option 1</td> <td data-bbox="1265 943 1390 1010"></td> </tr> <tr> <td data-bbox="671 1010 1265 1084">Option 2</td> <td data-bbox="1265 1010 1390 1084"></td> </tr> </table> <p>Please explain why</p>	Option 1		Option 2	
Option 1					
Option 2					
<p>2 If you generally support Option 2, do you agree with the Government’s suggested definition of community premises? If not, please explain why.</p>					
<p>3 If you support option 2, do you agree with the Government’s proposals that the exemption should only extend to “not for profit” activities? If not, please explain why.</p>					

4.	Do you agree that exhibition of film that is incidental to other entertainment activities that are not regulated under the 2003 Act should be exempt?	
5	Do you agree that the Government's draft clause at Annex C will achieve the deregulation outlined in Option 2?	
6	Do you agree that films that do not have an age classification rating should not be exhibited in community venues without a licence? If you do not agree, please explain why.	

Annex A: How to Respond

You can respond to the consultation in the following ways:

Online:

To Communityfilmconsultation@culture.gsi.gov.uk

By post:

You can print out the summary list of questions above and fill in responses by hand. Please send these to: Nigel Wakelin, Community Film Consultation Co-ordinator, Department for Culture, Media and Sport, 100 Parliament Street, London SW1A 2BQ

Closing date:

The closing date for responses is **28 August 2013**.

After the consultation:

We will post a summary of answers on the GOV.UK website (www.gov.uk) after the consultation closes, together with an analysis of responses. We will publish the Government's response in due course.

Freedom of Information:

We are required to release information to comply with the Environmental Information Regulations 2004 and Freedom of Information Act 2000. We will not allow any unwarranted breach of confidentiality, nor will we contravene our obligations under the Data Protection Act 1998, but please note that we will not treat any confidentiality disclaimer generated by your IT system in e-mail responses as a request not to release information.

Compliance with the Code of Practice on Consultation:

This consultation complies with the Code.

Complaints:

If you have any comments or complaints about the consultation process (as opposed to comments on these issues that are part of the consultation) please send them to: Complaints Department (Consultations), Department for Culture, Media and Sport, 100 Parliament Street, London SW1A 2BQ

Annex B: List of Consultees

We welcome all views to this consultation. The list below indicates a selection of organisations that we will contact to suggest that they may wish to respond, but we welcome views from the public and other organisations.

<ul style="list-style-type: none"> ▪ ACEVO ▪ Action with Communities in Rural England ▪ Arts Council England ▪ Arts Council of Wales ▪ Arts Development UK ▪ Association of British Insurers ▪ Association of Chief Police Officers ▪ Association of School and College Leaders ▪ British Arts Festivals Association ▪ British Board of Film Classification (BBFC) ▪ British Film Institute (BFI) ▪ British Federation of Film Societies ▪ Business in Sport and Leisure ▪ Film Distributors' Association ▪ Charity Commission ▪ Chartered Institute of Environmental Health ▪ Chief Fire Officers' Association ▪ Children's Society 	<ul style="list-style-type: none"> ▪ Cinema Advertising Association ▪ Cinema Exhibitors' Association ▪ Commission for Rural Communities ▪ Community Matters ▪ Equity ▪ Fire Officers Association ▪ Health and Safety Executive (HSE) ▪ Independent Theatre Council (ITC) ▪ Independent Cinema Office ▪ Institute of Licensing ▪ Justices Clerk Society ▪ Licensing Act Active Residents Network ▪ Local Government Association (LGA) ▪ Magistrates Association ▪ Metropolitan Police ▪ National Association of Head Teachers ▪ Paterson's Licensing Acts ▪ Police Federation ▪ Police Superintendents' Association 	<ul style="list-style-type: none"> ▪ National Association of Local Councils ▪ National Campaign for the Arts ▪ National Confederation of Parent Teacher Associations ▪ National Governors' Association ▪ National Neighbourhood Watch Association ▪ National Organisation of Residents Associations ▪ National Village Halls Forum ▪ NCVO ▪ Noise Abatement Society ▪ Society of Local Council Clerks ▪ Sports and Recreation Alliance ▪ Trading Standards Institute ▪ UK Music ▪ Voluntary Arts Network ▪ Welsh Local Government Association ▪ Welsh Music Foundation ▪ Welsh Council for Voluntary Action
--	---	--

Annex C: Draft amendment to implement the preferred option

1 Exhibition of films in community premises

In the Licensing Act 2003, in Schedule 1 (provision of regulated entertainment), in Part 2 (exemptions), after paragraph 6 insert –

“Film exhibitions: community premises

- 6A (1) The provision of entertainment consisting of the exhibition of a film at community premises is not to be regarded as the provision of regulated entertainment for the purposes of this Act if the following conditions are satisfied.
- (2) The first condition is that the entertainment takes place between 8am and 11pm on the same day.
- (3) The second condition is that (where the entertainment is provided as described in paragraph 1(2)(a) or (b)) the entertainment is not provided with a view to profit.
- (4) The third condition is that the audience consists of no more than 500 persons.
- (5) The fourth condition is that the film classification body or the relevant licensing authority has made a recommendation concerning the admission of children to an exhibition of the film and –
- (a) where a recommendation has been made only by the film classification body, the admission of children is subject to such restrictions (if any) as are necessary to comply with the recommendation of that body;
 - (b) where a recommendation has been made only by the relevant licensing authority, the admission of children is subject to such restrictions (if any) as are necessary to comply with the recommendation of that authority;
 - (c) where recommendations have been made both by the film classification body and the relevant licensing authority, the admission of children is subject to such restrictions (if any) as are necessary to comply with the recommendation of the relevant licensing authority.
- (6) For the purposes of sub-paragraph (5) –
- (a) “children” and “film classification body” have the same meaning as in section 20;
 - (b) the “relevant licensing authority”, in relation to the exhibition of a film at particular community premises, is the licensing authority in whose area the premises are located.”