



ANALYSIS

Title	1. Short Title 2. Temporary exhibitors' licences
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1962, No. 60

An Act to amend the Cinematograph Films Act 1961

[6 December 1962]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title—This Act may be cited as the Cinematograph Films Amendment Act 1962, and shall be read together with and deemed part of the Cinematograph Films Act 1961 (hereinafter referred to as the principal Act).

2. Temporary exhibitors' licences—The principal Act is hereby amended by inserting, after section 42, the following section:

“42A. (1) Where application is made for a temporary exhibitor's licence, and in the opinion of the Licensing Authority no current licence is held by any person authorising the exhibition of films in the locality to which the application relates, then, subject to the provisions of subsection (3) of this section, the Licensing Authority may—

“(a) Grant the application or, notwithstanding anything in section 41 of this Act, refuse the application; or

“(b) Where two or more such applications are made, grant one or more of the applications or, notwithstanding anything in section 41 of this Act, refuse all the applications.

“(2) Where application is made for an exhibitor’s licence (not being an application for a temporary licence), and the Licensing Authority proposes to refuse the application upon the ground that it is not satisfied as to any of the matters specified in section 40 of this Act, it may treat the application as an application for a temporary exhibitor’s licence, and the provisions of subsection (1) of this section shall apply accordingly.

“(3) The Licensing Authority shall not grant a temporary exhibitor’s licence under subsection (1) of this section, unless it is satisfied that—

“(a) The public interest justifies the grant of a temporary exhibitor’s licence, having regard to the population of the locality and the expected growth thereof and such other matters as the Licensing Authority considers relevant; and

“(b) The proposed premises will provide reasonably adequately for the immediate requirements of the locality in respect of design, seating accommodation, general amenities, and such other matters as the Licensing Authority considers relevant.

“(4) A temporary exhibitor’s licence may be granted under this section, notwithstanding that the matters specified in section 40 of this Act, or any of them, have not been complied with to the satisfaction of the Licensing Authority.

“(5) Every temporary exhibitor’s licence granted under this section shall remain in force for such period as the Licensing Authority determines (being a period expiring not later than the thirtieth day of September next following the date of the issue of the licence), but may be renewed from time to time by the Licensing Authority for a further period expiring on a date determined by the Licensing Authority (being a period expiring not later than the thirtieth day of September next following the date of its renewal).

“(6) Every application for the renewal of a temporary exhibitor’s licence shall be dealt with by the Licensing Authority as if it were an application for a new licence.

“(7) A temporary exhibitor’s licence granted under this section shall be deemed not to be a current exhibitor’s licence for the purposes of section 41 or section 42 of this Act and of subsection (1) of this section, and nothing in section 103 of this Act shall confer on the holder of any such temporary exhibitor’s licence a right to the renewal thereof.

“(8) Subject to the provisions of this section, the provisions of this Act in respect of exhibitor’s licences shall apply to every application under this section for a temporary exhibitor’s licence and to every such licence.”

This Act is administered in the Department of Internal Affairs.
