

1961/52



**THE CINEMATOGRAPH FILMS (STORAGE, EXHIBITION,
AND RENTING) REGULATIONS 1929, AMENDMENT NO. 6**

COBHAM, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 17th day of May 1961

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Cinematograph Films Act 1928, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. (1) These regulations may be cited as the Cinematograph Films (Storage, Exhibition, and Renting) Regulations 1929, Amendment No. 6, and shall be read together with and deemed part of the Cinematograph Films (Storage, Exhibition, and Renting) Regulations 1929* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the day after the date of their notification in the *Gazette*.

2. Regulation 2 of the principal regulations is hereby amended by inserting in its appropriate alphabetical order the following definition:

“Licensing Authority” means the Cinematograph Films Licensing Authority appointed under the Cinematograph Films Amendment Act 1960.

3. Subclause (1) of regulation 12 of the principal regulations is hereby amended by omitting the words “form No. 3”, and substituting the words “form No. 3A”.

4. Regulation 12 of the principal regulations, as amended by regulation 2 of the Cinematograph Films (Storage, Exhibition, and Renting) Regulations 1929, Amendment No. 5, is hereby amended by revoking paragraphs (d) and (e) of subclause (2), and substituting the following paragraphs:

**Gazette*, 1929, Vol. III, p. 2519 (Reprinted with amendments Nos. 1 to 3: S.R. 1952/50)
Amendment No. 4: S.R. 1953/91
Amendment No. 5: S.R. 1959/213

- “(d) Where it is proposed that a charge should be levied upon members of a society for admission to projections of film by that society, the Licensing Authority may in its discretion vary the charge or forbid the levying of any charge, and there shall be endorsed on the licence any such prohibition against levying a charge, or any subsequent revocation of any such prohibition:
- “(e) Notwithstanding anything in paragraph (c) of this subclause, where a film society has been issued with a licence under this regulation, the society may from time to time make application to the Licensing Authority for approval of the holding by the society of a film festival for the purpose of bringing to public notice films of special interest from educational, artistic, or technical aspects of film production, either in the premises specified in the licence or in some other approved premises. Upon the approval of any such application, subject to such conditions as the Licensing Authority may think fit to impose, the licence issued under this regulation shall, for the duration of the festival, be deemed to be an exhibitor’s licence for the purpose of the Cinematograph Films Act 1928 in relation to the premises in which the festival is to be held.”.

5. Regulation 12 of the principal regulations, as amended by regulation 2 of the Cinematograph Films (Storage, Exhibition, and Renting) Regulations 1929, Amendment No. 5, is hereby further amended by omitting from paragraph (f) of subclause (2) the words “Theatre Licensing Officer”, and substituting the words “Licensing Authority”.

6. Regulation 23 of the principal regulations is hereby amended by omitting the words “Chief Inspector may impose as being in his opinion”, and substituting the words “Licensing Authority, after considering the recommendations of the Chief Inspector, may impose as being in its opinion”.

7. The principal regulations are hereby amended by revoking regulation 33, and substituting the following regulation:

“33. If the holder of any licence granted under these regulations fails to comply with any of the general or special conditions subject to which the licence is issued the licence may be revoked—

“(a) In the case of any exhibitor’s or renter’s licence, by the Licensing Authority:

“(b) In the case of any storage or projection licence, by the Chief Inspector.”

8. The principal regulations are hereby amended by inserting, after regulation 34, the following heading and regulation:

“Oath or Affirmation of Fidelity and Secrecy

“35. The oath or affirmation of fidelity and secrecy required to be taken under paragraph (b) of subsection (1) of section 6 of the Cinematograph Films Amendment Act 1960 shall be in the Form No. 7A in the First Schedule hereto.

9. The principal regulations are hereby amended by revoking forms Nos. 1 to 7 in the First Schedule, and substituting the forms set out in the Schedule to these regulations.

SCHEDULE

NEW FORMS

Form No. 1

FORM OF APPLICATION FOR LICENCE TO STORE CINEMATOGRAPH FILM
Under the Cinematograph Films Act 1928

The Chief Inspector of Explosives,
Post Office Box 6338,
Te Aro, Wellington.

I HEREBY apply for a licence to store cinematograph film in accordance with the particulars specified below:

- 1. Applicant's name (in full)
 - 2. Address of premises where film is to be stored:
 - 3. Description of portion of premises where film is to be stored:
(A sketch plan, drawn to scale, showing construction of all workrooms and storerooms and their situation in relation to the remainder of the building must be attached to the application.)
 - 4. Maximum quantity of film to be stored on the premises at any time:
 - 5. (a) Whether projection of film is to be carried out on premises: Yes.
..... .. No.
(b) If so, details of arrangements proposed:
 - 6. Number and make of fire extinguishers kept in storeroom and workroom:
 - 7. Description of arrangements (if any) made for heating workrooms:
- Date of application: Signature:

Form No. 2

Cinematograph Films Act 1928

LICENCE TO STORE CINEMATOGRAPH FILM

PURSUANT to the Cinematograph Films Act 1928 and the regulations made thereunder, licence is hereby granted to the under-named to store cinematograph film in quantity not exceeding ft on the premises specified herein and under the conditions set out in clause(s) A of the Special Conditions enfaced hereon.

.....
..... } Licensee.
..... }
..... Premises.

Dated: 19.....

For Chief Inspector of Explosives

.....
Inspector under the Cinematograph Films Act 1928.

SCHEDULE—*continued*

Unless sooner surrendered or revoked this licence shall remain in force until 30 September 19..... or for such periods, each of one year, as may be endorsed hereunder.

LICENCE RENEWAL ENDORSEMENTS

Date:	Date:	Date:	Date:	Date:

SPECIAL CONDITIONS

- A. All film to be kept in approved closed metal containers in an approved vault or other approved storage space constructed and situated in accordance with plans deposited by the licensee with his application.
- B. No examination, rewinding, repair, or other work involving the exposure of film to be done on the premises.

Form No. 3

FORM OF APPLICATION FOR EXHIBITOR'S LICENCE

Under the Cinematograph Films Act 1928

To the Secretary, Cinematograph Films Licensing Authority,
Wellington.

I HEREBY apply for a projection licence in accordance with the particulars specified below.

1. Applicant's name (in full) :
- Address :
2. Particulars of premises to be licensed, namely, (a) Name of theatre: (b) Street: (c) Town: (d) Seating capacity:
3. State whether 16 mm or 35 mm film to be projected:
4. Details of cinematograph film stored on the premises, namely, (a) Maximum quantity: ft (b) Exact position where spare programmes stored:
5. Interior construction of projection room, namely, Walls: Floor: Ceiling: Door:
6. Method of ventilating projection room:
7. Number of days in each week on which screenings are to be held: (a) Maximum: (b) Minimum:
8. Number and make of cinematograph machines in use, also sound equipment (if any) :
9. Number and make of fire extinguishers kept in projection room:
10. Where exhibitor's record under section 34 of the above Act is to be kept:

I hereby certify that the premises and equipment comply with the requirements of the Cinematograph Films (Storage, Exhibition, and Renting) Regulations 1929.

Date of Application: Signature:

SCHEDULE—continued

Form No. 3A

FORM OF APPLICATION FOR PROJECTION LICENCE

Under the Cinematograph Films Act 1928

To the Chief Inspector of Explosives,
Wellington.

I HEREBY apply for a projection licence in accordance with the particulars specified below.

1. Applicant's name (in full) :
- Address:
2. Particulars of premises to be licensed, namely, (a) Name of theatre: (b) Street: (c) Town: (d) Seating capacity:
3. State whether 16 mm or 35 mm film to be projected:
4. Details of cinematograph film stored on the premises, namely, (a) Maximum quantity: ft (b) Exact position where spare programmes stored:
5. Interior construction of projection room, namely, Walls: Floor: Ceiling: Door:
6. Method of ventilating projection room:
7. Number of days in each week on which screenings are to be held: (a) Maximum: (b) Minimum:
8. Number and make of cinematograph machines in use, also sound equipment (if any) :
9. Number and make of fire extinguishers kept in projection room:
10. Where exhibitor's record under section 34 of the above Act is to be kept:

I hereby certify that the premises and equipment comply with the requirements of the Cinematograph Films (Storage, Exhibition, and Renting) Regulations 1929.

Date of Application: Signature:

Form No. 4

PROJECTION LICENCE

Under the Cinematograph Films Act 1928

IN pursuance of the Cinematograph Films Act 1928,, of, is hereby licensed to cinematograph film, subject to the following conditions:

This licence, unless sooner surrendered or revoked, shall continue in force until the 30th day of September 19....., and shall then expire.

Dated at Wellington this day of 19.....

For Chief Inspector of Explosives

.....
Inspector under the Cinematograph Films Act 1928.

SCHEDULE—*continued*

Form No. 5

RENTER'S LICENCE

Under the Cinematograph Films Act 1928

IN pursuance of the Cinematograph Films Act 1928, of, is hereby licensed to carry on business as a renter of cinematograph films in premises situated at

This licence authorises the storage of a quantity of film not exceeding ft at any one time.

This licence is issued subject to the condition that the licensee in respect of all films for the time being in his possession or under his control shall at all times comply with the requirements of Part I of the Cinematograph Films (Storage, Exhibition, and Renting) Regulations 1929, and subject also to the following special conditions, namely:

1. That the number of "quota" films to be acquired by the licensee during the currency of this licence shall not exceed 12.
2. That the licensee shall not enter into any agreement out of New Zealand with respect to the exhibition of cinematograph films in New Zealand, if such agreement, if made in New Zealand, would be in contravention of any of the provisions of Part V of the Cinematograph Films Act 1928, or if the effect of such agreement would be to restrict in any way any right of rejection or other right which an exhibitor would, by virtue of that Act, have if the agreement were made in New Zealand; and, further, that the licensee shall not, in the conduct of his business as a renter, receive or distribute films if he has reason to believe that in relation to such films any exhibitor has entered into an agreement out of New Zealand, with any person other than the renter, whereby he has been deprived of any right of rejection or other right that he would have had by virtue of the said Act if the agreement were made in New Zealand.

This licence, unless sooner surrendered or revoked, shall continue in force until the 31st day of December 19....., and shall then expire.

Dated at Wellington this day of 19.....

For the Cinematograph Films Licensing Authority
..... Secretary.

Form No. 6

Cinematograph Films Act 1928

EXHIBITOR'S LICENCE

PURSUANT to the Cinematograph Films Act 1928 and the regulations made thereunder, licence is hereby granted to the under-named to exhibit cinematograph film at the theatre specified herein in accordance with the terms of clause(s) A, B, of the conditions set out hereunder.

SCHEDULE—*continued*

..... }
 } Licensee.
 }

..... }
 } Name and situation of theatre.
 }

Dated: 19.....

For the Cinematograph Films Licensing Authority
 Secretary.

Unless sooner surrendered or revoked, this licence shall remain in force until 30 September 19..... or for such periods, each of one year, as may be endorsed hereunder.

LICENCE RENEWAL ENDORSEMENTS

Date:	Date:	Date:	Date:	Date:
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CONDITIONS OF LICENCE

A. The licensee shall observe the operating conditions scheduled hereunder:

Approved Frequency of Screenings (Days per Week)		Approved Seating Capacity (Persons)	Maximum Quantity of Film Permitted to be Stored on the Premises (ft)
Maximum	Minimum		

B. Not more than sufficient film for one performance shall be kept in the projection room. All other film on the premises shall be kept in approved containers in an approved storage place.

- C. (1) Only films prepared on approved non-flam stock shall be projected.
 (2) During screening, projection machines and sound-reproducing equipment shall be stationed in a room separate from the auditorium or in an approved projection booth.
 (3) All leads, cables, and similar connectors to and from projection machines and sound-reproducing equipment shall be so run and permanently fixed as not to be liable to constitute an obstruction to the audience in any circumstances.

D. Not fewer than 75 per cent of the number of "quota" films exhibited by the licensee during a licence year shall be films that have not previously been exhibited at any theatre within the city in which the above theatre is located.

SCHEDULE—*continued*

Form No. 7

Cinematograph Films Act 1928

ITINERANT EXHIBITOR'S LICENCE

PURSUANT to the Cinematograph Films Act 1928 and the regulations made thereunder, licence is hereby granted to the under-named to exhibit cinematograph film in the premises scheduled hereunder and in accordance with the terms of clause(s) A, B, C, of the conditions set out hereunder.

.....
 } Licensee.

Dated: 19.....

For the Cinematograph Films Licensing Authority
 Secretary.

Unless sooner surrendered or revoked, this licence shall remain in force until 30 September 19..... or for such further periods, each of one year, as may be endorsed hereunder.

LICENCE RENEWAL ENDORSEMENTS

Date:	Date:	Date:	Date:	Date:

SCHEDULE OF PREMISES LICENSED

Name:	Situation:	Name:	Situation:
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CONDITIONS OF LICENCE

A.	Film Storage	Exhibitor's Record Book Kept At
Maximum Quantity Permitted (ft)	Storage Place	

B. Not more than sufficient film for one performance shall be kept at any of the theatres named in this licence except that nominated in clause A above, and such film shall be kept in approved containers placed in the projection room. All film permitted to be stored under authority of clause A above shall be kept in approved containers (exchange transport containers) held in an approved storage place at the theatre specified in clause A of the conditions of licence.

SCHEDULE—*continued*

- C. Exhibitions shall not be given on more than two days per week in any one of the premises scheduled above nor in more than one of them on the same day.
- D. (1) Only films prepared on approved non-flam stock shall be projected.
- (2) During screening, projection machines and sound-reproducing equipment shall be stationed in a room separate from the auditorium or in an approved projection booth.
- (3) All leads, cables, and similar connectors to and from projection machines and sound-reproducing equipment shall be so run and permanently fixed as not to be liable to constitute an obstruction to the audience in any circumstance.

Form No. 7A

OATH OR AFFIRMATION OF FIDELITY AND SECRECY

To be taken and subscribed by all members of the Licensing Authority established under section 3 of the Cinematograph Films Amendment Act 1960 and all persons engaged or employed in connection with the work of that Licensing Authority.

I, of do hereby swear by Almighty God (*or solemnly, sincerely, and truly affirm*) that I will truly and faithfully, according to the best of my knowledge and skill, perform the duties imposed on or required of me under or for the purposes of the Cinematograph Films Act 1928, and I do further swear that I will not, without lawful authority, communicate to any person any matter relating to that Act which comes to my knowledge except for the purpose of carrying into effect that Act. SO HELP ME GOD!*

Signature:

Sworn (*or affirmed*) before me, at this day of 19.....

.....
Solicitor
or Justice of the Peace.

*The words "So help me God" should be omitted from an affirmation.

T. J. SHERRARD,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations are consequential on the establishment of the Cinematograph Films Licensing Authority by the Cinematograph Films Amendment Act 1960, and clarify the functions of the Authority.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 18 May 1961.

These regulations are administered in the Department of Internal Affairs.