

Serial Number 182/1937.



THE CINEMATOGRAPH FILMS (ISSUE OF EXHIBITORS' LICENSES) REGULATIONS, 1937.

Enacting authority : His Excellency the Governor-General in Council.

Date on which the regulations were made : 10th day of June, 1937.

Date of notification in *Gazette* : 17th day of June, 1937.

IN pursuance and exercise of the power and authority conferred upon him by section 26 of the Board of Trade Act, 1919, the Cinematograph Films Act, 1928, and section 13 of the Cinematograph Films Amendment Act, 1934, and of every other power and authority enabling him in this behalf, His Excellency the Governor-General of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council, doth hereby, on the recommendation of the Minister of Industries and Commerce, revoke the Board of Trade (Cinematograph Films) Regulations, 1935, published in the *New Zealand Gazette*, 1935, Vol. I, page 1025, and doth make the following regulations relating to the regulation and control of the exhibition of cinematograph films.

REGULATIONS.

1. These regulations may be cited as the Cinematograph Films (Issue of Exhibitors' Licenses) Regulations, 1937, and shall come into force on the date following the publication hereof in the *Gazette*.

2. In these regulations, if not inconsistent with the context,—

“Licensing officer” means the officer appointed to receive applications for and to issue Exhibitors' Licenses under the Cinematograph Films Act, 1928 :

“Theatre” means a cinematograph theatre as defined in the Cinematograph Films (Storage, Exhibition, and Renting) Regulations, 1929.*

3. If in any locality there are one or more theatres where public exhibitions of films are given by an exhibitor or exhibitors licensed under the Cinematograph Films Act, 1928, and an application is

received by the licensing officer for license for an additional theatre, or for an increase in the number of seats in any existing licensed theatre, which increase involves a structural alteration to the building, or an increase in the number of nights per week on which exhibitions of film are licensed to take place, the licensing officer may refuse to issue such license where he is satisfied :—

- (a) That the existing theatre or theatres provide adequately for the requirements of the locality having regard to the entertainment value and date of release of the films exhibited, the seating accommodation and general amenities provided, the number of nights per week on which exhibitions are given, the prices charged for admission, and any other relevant considerations affecting the public interest ; or
- (b) That in view of the conditions existing in the industry or the limited number of films of reasonable exhibition value obtainable in the market, the granting of further licenses in the locality or the licensing of additional seating accommodation or of exhibition on additional nights would cause undue hardship to such existing licensed exhibitor or exhibitors or would result in unreasonable economic waste.

4. If any application is received by the licensing officer for a license for an existing licensed theatre from any person other than the existing holder or, in the case of an expired license, the previous holder, he may refuse to issue such license where he is satisfied that the issue would involve an unreasonable hardship on such existing or previous holder, or where in his opinion the issue is not in the public interest, having regard to the conditions existing in the industry.

5. Every exhibitor's license issued under the Cinematograph Films Act, 1928, shall, for the purposes of these regulations, be deemed to involve an obligation on the licensed exhibitor to carry out exhibitions of films on the number of nights set out in the license. In the event of failure by any licensed exhibitor to carry out such exhibitions the licensing officer may, on the expiration of the existing license, refuse to issue a further license, or may issue a further license in accordance with the normal practice of the exhibitor during the six months preceding the application for such license.

6. Where the licensing officer is satisfied that in any licensed theatre the conditions existing with respect to—(i) The quality or date of release of the films exhibited or of the films which the licensee has contracted to exhibit ; or (ii) the nature of the seating or general conditions or amenities of the theatre ; or (iii) the standard of projection and sound reproduction provided ; or (iv) the prices charged for admission to the theatre—do not provide adequately for the requirements of the locality with regard to public entertainment, he may require the licensed exhibitor to improve such conditions to any standard deemed necessary by him, and in default of compliance with such requisition he may on expiration of the existing license refuse to issue a further license in respect of that theatre.

7. Every applicant for a license under the Cinematograph Films Act, 1928, in respect of whose application an investigation into the matters referred to in these regulations is deemed necessary by the licensing

officer shall, on requisition by the licensing officer, issued at or subsequent to the date of application, pay an application fee in accordance with the scale set out below:—

- (a) Where the application refers to a theatre to be used for first-run exhibition in the cities of Auckland, Wellington, Christchurch, or Dunedin, £25 :
- (b) Where the application refers to a theatre to be used for exhibitions on six nights per week in a city other than those set out in paragraph (a) of this clause or in a borough having a population exceeding 10,000, £15 :
- (c) In the case of any other application, £10.

8. Every application for an exhibitor's license under the Cinematograph Films Act, 1928, received prior to the date of these regulations and in respect of which a license has not yet been issued shall be deemed to be subject to the conditions contained in these regulations.

Issued under the authority of the Regulations Act, 1936.

These regulations are administered by the Office of the Chief Inspector of Films.