



**THE CINEMATOGRAPH FILMS REGULATIONS 1977,
AMENDMENT NO. 1**

DAVID BEATTIE, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 22nd day of December
1980

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 106 of the Cinematograph Films Act 1976, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Cinematograph Films Regulations 1977, Amendment No. 1, and shall be read together with and deemed part of the Cinematograph Films Regulations 1977* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 1st day of January 1981.

2. Applications for exemption from examination, and notices of submission for examination—Regulation 5 of the principal regulations is hereby amended by revoking subclause (2), and substituting the following subclauses:

“(2) Subject to subclause (2A) of this regulation, the fee payable on submission of a film for examination shall be 25 percent of the fee specified in the said Second Schedule in each of the following cases:

“(a) Where the film is—

“(i) Submitted by an approved film society or any other incorporated body approved for the purpose by the Minister having for its objects anything other than private gain; and

“(ii) Intended only for exhibition at a film festival of which the film, in the opinion of the Chief Censor having regard to the provisions of section 26 (4) of the Act, would form a proper part:

“(b) Where the film is submitted by any approved film society, or by any body or organisation, and is intended for exhibition only to members of the society, body, or organisation, and—

“(i) The primary purpose of the body or organisation is the exhibition of films to its members otherwise than for private gain; and

“(ii) Membership of the body or organisation is by subscription, and limited to persons who have attained the age of 18 years; and

“(iii) No person (other than a member) will be present at the exhibition unless he has been introduced by a member; and

“(iv) The number of persons so introduced at the exhibition does not exceed 10, or 10 percent of the membership, whichever is the greater; and

“(v) The body or organisation does not publicly advertise the exhibition otherwise than by public notification for the information of members or intending members of the date, time, and place of the exhibition, the titles of the films to be exhibited, and the matters specified in section 35 (2) of the Act:

“(c) Where the film is submitted by any body or organisation, and—

“(i) The body or organisation is of a charitable, philanthropic, religious, educational, recreational, or social nature; and

“(ii) The primary object of the body or organisation is other than private gain, whether or not an admission fee is charged and whether or not the general public is admitted; and

“(iii) No consideration (whether in money or money's worth) given directly or indirectly for admission to the exhibition of any film is appropriated for the private gain of any individual, unless the films are exhibited in premises owned or usually occupied by a person or persons other than the organising body or organisation, or by means of equipment owned by any such person or persons in which case a reasonable amount may be paid to such person or persons for the use of the premises or the operation or use of the equipment; and

“(iv) No person who arranges or conducts any exhibition of films receives any payment or reward for conducting the exhibition.

“(2A) If, in any case to which subclause (2) of this regulation applies, the film is subsequently exhibited otherwise than in accordance with the relevant provisions of that subclause, the balance of the fee specified in the said Second Schedule shall become payable.”

3. Amendments consequential upon delicensing—(1) Part II of the principal regulations is hereby revoked.

(2) Regulation 24 (4) of the principal regulations is hereby revoked.

(3) The First Schedule to the principal regulations is hereby amended by revoking Forms 9 and 10.

(4) The Second Schedule to the principal regulations is hereby amended by revoking the heading "Licences" and all the items under that heading.

4. Fees payable on application for review of films and posters— Regulation 23 (2) of the principal regulations is hereby amended by revoking the proviso, and substituting the following proviso:

"Provided that, if the film is subsequently exhibited otherwise than in accordance with the said regulation 5 (2), the balance of the fee specified in that Schedule shall become payable."

5. Transitional—Where, before the commencement of these regulations, a fee has been paid or was payable for an exhibitor's licence or the renewal of an exhibitor's licence in respect of the licensing year that commenced on the 1st day of October 1980, three-quarters of that fee shall be refunded or credited to the exhibitor as soon as practicable after the commencement of these regulations.

P. G. MILLEN,
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 made pursuant to the Cinematograph Films Act 1976, and amend the Cinematograph Films Regulations 1977.

Regulation 1 relates to the Title and commencement.

Regulation 2 prescribes the circumstances in which a reduced fee may be paid for examination of a film.

Regulation 3 is consequential upon the abolition of exhibitor and renter licensing by the Cinematograph Films Amendment Act 1980.

Regulation 4 is consequential upon regulation 2.

Regulation 5 is consequential upon the abolition of exhibitor licensing.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 23 December 1980.

These regulations are administered in the Department of Internal Affairs.