

- (c) Approve the film after making such excisions therefrom as, in the exercise of the discretionary powers conferred on him by the said Act, he considers proper; or
- (d) Refuse his approval of the film either absolutely or until such alterations as he directs have been made therein by the applicant. In any such case the Censor, on being satisfied that the required alterations have been made in the film, shall approve the same in accordance with paragraph (a) or paragraph (b) of this subclause as in the circumstances of the case he thinks fit.
- (2) On the approval of any film by the Censor he shall give to the applicant a certificate in such one of the forms No. 2, or No. 2A, or No. 2B in the First Schedule hereto as may be appropriate.

(3) A photographic reproduction of the certificate of the Censor and Registrar, made as required in terms of section 16 of the said Act, shall be incorporated in the film to which it relates, so as immediately to precede the cast of characters, or, where there is no such cast, so as immediately to precede the picture.

(4) Such photographic reproduction shall be not less than 6 ft. in length in the case of a film exceeding 3,000 ft. in length, and not less than 3 ft. in length in every other case.

7. (1) Where pursuant to the authority of subclause (1) of the last preceding clause, the Censor makes excisions from any film, he shall forthwith give notice thereof to the applicant in the form No. 3 in the First Schedule hereto, and the applicant shall thereupon be required to forward to the Censor all copies of the film in his possession or under his control, in order that the Censor may make corresponding excisions therefrom.

(2) If there are no such copies, the applicant shall within ten days after receipt of the notice referred to in the last preceding subclause give notice in writing to the Censor accordingly.

8. Where, pursuant to the foregoing provisions of these regulations, the Censor has issued a certificate of approval in respect of any film, subject to the condition or with the recommendation that it be exhibited to adults only, it shall be the duty of the renter of the film, before he delivers the same to any exhibitor, to give notice in writing of such condition or recommendation to every exhibitor to whom the film is rented, and it shall be the duty of the exhibitor, before exhibiting such film, to publicly notify the conditions or recommendations of the Censor by means of effective notices displayed at the entrance to or in the lobby of the theatre. A statement of such conditions or recommendations shall also be included in every advertisement of the film inserted by direction of the exhibitor in any newspaper.

(2) For the purposes of these regulations, and of any certificate of approval given by the Censor, the term "adult" shall include all persons over sixteen years of age.

9. If any excisions have been made from a film prior to its submission to the Censor, the applicant shall, with the film, forward the portions so excised to the Censor.

10. On the completion of the censorship of any film, the Censor shall, if the applicant so desires, give to the applicant, for the purposes of any claim that may be made for a refund of Customs duty in respect of the film, a certificate addressed to the Collector of Customs at Wellington, in the form No. 4 in the First Schedule hereto, specifying the lengths excised from the film by the Censor, and also the lengths excised by the applicant and delivered to the Censor, as provided for in the last preceding clause.

11. The Censor shall be entitled to retain possession of all portions excised by him from any film, and also of all portions excised by the applicant and delivered to the Censor as hereinbefore in these regulations provided.

12. (1) If the Censor refuses to approve any film submitted for censorship, he shall give to the applicant or his agent notice of such refusal in the form No. 5 in the First Schedule hereto.

(2) Notice of refusal under this clause shall be given whether the refusal of the Censor is absolute or is specified to operate until the applicant has made such alterations in the film as the Censor may require and specify.

#### REGISTER OF FILMS.

13. The Register of Films to be kept as required by section 21 of the said Act shall contain the several particulars specified in the form No. 6 in the First Schedule hereto.

#### APPEALS FROM DECISIONS OF CENSOR AND REGISTRAR.

##### *Appeals from Censor.*

14. If any applicant for the approval of a film is dissatisfied with the decision of the Censor with respect thereto, he may, within fourteen days after the notification to him of the decision of the Censor, appeal therefrom to a Board of Appeal

consisting of three persons to be from time to time appointed by the Minister of Internal Affairs, one of whom shall be appointed by the said Minister as Chairman. The decision of not less than two members of the Board of Appeal shall constitute the decision of the Board, and the decision of the Board on any matters submitted to it under these regulations shall be final.

15. The Minister may appoint some person to act as substitute in the place of any member of the Board who may, through illness or for any other cause, be unable to be present at a meeting of the Board. Such appointment shall be subject to such conditions as the Minister may impose.

##### *Appeals from Registrar.*

16. If any applicant for the registration of a film is dissatisfied with the decision of the Registrar with respect thereto, he may, within fourteen days after the notification to him of the decision of the Registrar, appeal therefrom to a Stipendiary Magistrate.

##### *General as to Appeals.*

17. Every appeal from a decision either of the Censor or of the Registrar shall be instituted by delivering or posting to the Under-Secretary of the Department of Internal Affairs, at his office at the Government Buildings, Wellington, a notice of appeal in the form No. 7 or the form No. 8 in the First Schedule hereto, as the case may require.

18. Every such notice of appeal shall be accompanied by the appropriate fee as prescribed in the Second Schedule hereto, and the film in respect of which the appeal is lodged shall be delivered either to the Under-Secretary aforesaid or to such address as he may direct.

19. (1) Forthwith on the receipt by him of a notice of appeal as aforesaid, the Under-Secretary of the Department of Internal Affairs shall cause the same to be transmitted, in the case of an appeal against censorship, to the Chairman of the Board of Appeal, and, in the case of an appeal against registration, to the principal Magistrate for the time being exercising jurisdiction in the Magistrate's Court at Wellington, who shall arrange for the hearing of the appeal.

(2) Every appeal under these regulations shall be determined as soon as practicable.

(3) The procedure in the hearing of any appeal under these regulations in respect of the registration of a film shall, so far as practicable, be in accordance with the ordinary procedure of the Magistrate's Court.

20. In any case where the action of the Censor or Registrar with respect to any film is not upheld on appeal, a certificate in accordance with the finding of the Board of Appeal or Magistrate, as the case may be, shall be forthwith given. If the decision of the Censor or Registrar is reversed with respect to any film, the fee payable by the applicant on appeal shall be refunded to the applicant, unless, in case of an appeal against registration, the Stipendiary Magistrate is of the opinion that the full facts of the case were not disclosed to the Registrar.

#### FEES.

21. The fees specified in the Second Schedule hereto shall be payable in respect of the several matters therein referred to.

#### PENALTIES.

22. If any person fails to comply with the requirements of these regulations he commits an offence, and is liable to a fine of £5, but nothing herein shall affect the liability of any person for any act or default for which a penalty is expressly provided by the said Act.

#### FIRST SCHEDULE.

##### Form No. 1.

#### APPLICATION FOR CENSORSHIP AND REGISTRATION OF FILM.

Under the Cinematograph Films Act, 1928.

To the Censor and Registrar of Cinematograph Films, Wellington.

I SUBMIT herewith for censorship and registration the films described on the back hereof.

The films are intended for exhibition to the public generally [or are intended for exhibition only to (specify clearly the class or classes of persons to whom exhibition is intended)].

After examination the films will be called for [or, as the case may require, Necessary postage fees or stamps for return of films are enclosed].

No excisions have been made from the films prior to submission for censorship [or, as the case may require, Excisions have been already made from the films as follows:]

Name of film: \_\_\_\_\_ Number of feet excised: \_\_\_\_\_

The portions so excised from the said films are forwarded herewith in compliance with the requirements of clause 9