(2) These Regulations may be cited as the British Film Fund Agency Regulations, 1957, and shall come into operation on the 1st day of July, 1957.

Dated this 21st day of June, 1957.

F. J. Erroll,
Parliamentary Secretary
to the Board of Trade.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations deal with the appointment of the members of the British Film Fund Agency, and their tenure and vacation of office; with the execution of instruments and the mode of entering into contracts by or on behalf of the Agency; and with the proof of certain documents.

1957 No. 1341

The Cinematograph Films (Collection of Levy) Regulations, 1957

Made - - - -	30*th July*, 1957
Coming into Operation	20*th October*, 1957

The Board of Trade in pursuance of the powers conferred upon them by section 2 of the Cinematograph Films Act, 1957(a), hereby make the following Regulations:—

Persons to whom the Regulations apply

1. These Regulations shall apply to every person who is, on the 20th day of October, 1957, carrying on the business of exhibiting cinematograph films to the public or who thereafter commences to carry on such a business.

Payment of levy

2. Every person to whom these Regulations apply shall, in respect of the period of fifty-two weeks commencing on the 20th day of October, 1957, and in respect of each of the following nine consecutive periods of fifty-two weeks in which at any time he carries on such a business, pay to the Commissioners of Customs and Excise an amount computed in accordance with the provisions of Regulation 3 of these Regulations.

Computation of levy

3.—(1) Subject to the provisions of this Regulation, the levy shall be computed at the rates set out in the Schedule hereto by reference to the payments, less the entertainments duty (if any) chargeable thereon, received by the person liable to pay the levy for admission to entertainments taking place during any period mentioned in Regulation 2 of these Regulations at any theatre in respect of which that person is licensed.

(a) 5 & 6 Eliz. 2. c. 21.

(2) In computing the amount of the levy under paragraph (1) of this Regulation the following payments for admission to entertainments shall be left out of account, that is to say,—

(*a*) any payment for admission to an entertainment in respect of which exemption from entertainments duty has been allowed by the Commissioners of Customs and Excise;

(*b*) payments for admission during a week to entertainments at a theatre if the total of the payments, less the entertainments duty (if any) chargeable thereon, for admission during that week to entertainment at that theatre does not exceed £150.

(3) Where the total of the payments, less the entertainments duty (if any) chargeable thereon, for admission during a week to entertainments at a theatre exceeds £150 but the excess is less than an amount computed by reference to those payments in accordance with the preceding provisions of this Regulation, the levy payable by reference to those payments shall be a sum equal to the excess and not the amount computed as aforesaid.

(4) Where exemption from entertainments duty in respect of an entertainment has been allowed by the Commissioners of Customs and Excise after the payments for admission thereto have been taken into account in computing levy which has already been paid, the person who has paid the levy shall be entitled—

(*a*) to deduct, from the amounts paid by him in pursuance of these Regulations next following the date of repayment, the excess (if any) of the amount of the levy actually paid over the amount which would have been paid if, in computing the levy, those payments had been left out of account; or

(*b*) if there are no further amounts to be paid by him in pursuance of these Regulations, to repayment of the excess (if any) by the Commissioners of Customs and Excise.

Time for payment

4. Each amount of levy shall be paid within the period of 5 days after the end of the week in which the entertainments, by reference to the payments for admission to which that amount is computed, took place:

Provided that, where at the end of that period a claim for exemption from entertainments duty in respect of an entertainment is under consideration by the Commissioners of Customs and Excise, the amount of levy (if any) to be paid by reference to the payments for admission to that entertainment shall be paid within 5 days after the date on which the decision of the Commissioners on that claim is notified to the claimant.

Interpretation

5.—(1) In these Regulations—

"entertainment" means an entertainment at which films are exhibited to the public;

"week" means a period of 7 days ending at the end of a Saturday.

(2) For the purposes of these Regulations, a person shall be taken to be licensed in respect of a theatre if—

(*a*) there is in force a licence under section 9 of the Cinematograph Films Act, 1938(**a**), authorising him to carry on business as an exhibitor at that theatre, or

(*b*) an application for such a licence as aforesaid has been duly made, and the determination of the application is still pending.

(3) The expression "film" and other expressions used in these Regulations have the same meanings as in the Cinematograph Films Act, 1938.

(4) Any reference in these Regulations to the Cinematograph Films Act, 1938, shall be construed as a reference to that Act as set out in the Second Schedule to the Cinematograph Films Act, 1948(**b**).

(5) The Interpretation Act, 1889(**c**), shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

Citation and commencement

6. These Regulations may be cited as the Cinematograph Films (Collection of Levy) Regulations, 1957, and shall come into operation on the 20th day of October, 1957.

Dated this 30th day of July, 1957.

F. J. Erroll,
Parliamentary Secretary to the
Board of Trade.

SCHEDULE

Amount of payment for admission (less the entertainments duty (if any) chargeable thereon)	*Amount of levy*
Not less than 10d. and not more than 1s. 1d.	½d.
More than 1s. 1d. but not more than 1s. 2½d.	½d.
More than 1s. 2½d. but not more than 1s. 4d.	¾d.
More than 1s. 4d. but not more than 1s. 5½d.	1d.
More than 1s. 5½d. but not more than 1s. 7½d.	1½d.
More than 1s. 7½d. but not more than 1s. 9½d.	1½d.
More than 1s. 9½d.	1¾d.

EXPLANATORY NOTE

(*This Note is not part of the Regulations, but is intended to indicate their general purport.*)

These Regulations provide for the imposition of a levy on exhibitors of cinematograph films the proceeds of which are to be distributed to the makers of certain British films under the Cinematograph Films (Distribution of Levy) Regulations, 1957 (S.I. 1957/1342).

(**a**) 1 & 2 Geo. 6. c. 17. (**b**) 11 & 12 Geo. 6. c. 23. (**c**) 52 & 53 Vict. c. 63.