The Cinematograph Films (Registration) Regulations, 1948

1948 No. 634

Made - - - - 25*th March*, 1948
Coming into Operation 1*st April*, 1948

The Board of Trade in pursuance of the powers conferred upon them by Section 40 of the Cinematograph Films Act, 1938(a) (hereinafter called " the Principal Act ") as amended by the Cinematograph Films Act, 1948(b), and all other powers in that behalf enabling them hereby make the following regulations:—

APPLICATIONS

1. Every application for registration of a film shall be made to the Board of Trade by the maker or renter in writing in the form set out in Registration Form A in the Schedule hereto.

2. Each application shall relate to one film only, or to one part only of a serial film or of a series of films, and shall be accompanied by a fee of:—

In the case of an application for registration of:

	£. s. d.
(i) a long film	1 10 0
(ii) a short film	1 0 0

3. Within fourteen days after a film in respect of which an application for registration is made has been trade shown, evidence thereof shall be furnished to the Board in the form set out in Registration Form B in the Schedule hereto.

4. An application for the registration of a film as a British film shall be accompanied by evidence of the British nature of the film in the form set out in Registration Form C in the Schedule hereto.

A statutory declaration verifying the particulars given in Registration Form C shall be furnished by the maker of the film.

The particulars as to salaries, wages and payments indicated in paragraph 8 of Registration Form C shall be verified by an accountant being a member of an incorporated body of accountants.

5. A statutory declaration made by the applicant that there has not been made in relation to the film any such agreement as is declared by Part II of the Principal Act, as amended, to be invalid in any respect, shall be furnished not earlier than with the last of the Registration Forms to be submitted in connection with the application.

6. Applications and evidence in respect of the registration of films shall be addressed to the Assistant Secretary, Films Branch (Registration Section), Board of Trade.

THE REGISTER

7. The particulars to be entered in the Register in relation to each film registered are:—(*a*) the title of the film and, in the case of a part of a serial or series, the title of the serial or series of which it is part; (*b*) the name and

(a) 1 & 2 Geo. 6. c. 17. (b) 11 & 12 Geo. 6. c. 23.

address of the maker; (*c*) the name of the renter who will distribute the film in Great Britain; (*d*) the name of the applicant for registration; (*e*) whether registered as British or foreign; (*f*) if British, whether registered for exhibitors' quota; (*g*) the registered length of the film in feet; (*h*) the registration number; (*i*) the date of registration.

8. In the event of correction of the Register in respect of any film, if the Board of Trade think proper to issue a corrected certificate the original certificate shall be surrendered to the Board.

9. The Register may be inspected at the offices of the Films Branch (Registration Section), Board of Trade on any day, Sundays and holidays excepted, between the hours of 10 a.m. and 4 p.m. or on Saturdays 10 a.m. and 12 noon.

10. A fee of one shilling for each half-hour shall be payable by each person on each occasion of inspecting the register.

11. Applications for a certified copy of any entry in the Register shall be made in writing to the Assistant Secretary, Films Branch (Registration Section), Board of Trade, and shall be accompanied by a fee of five shillings in respect of each entry of which a certified copy is desired.

NOTIFICATION TO EXHIBITORS OF THE REGISTRATION PARTICULARS OF FILMS

12.—(1) The notification which by the provisions of Section 33 of the Principal Act, as amended, a renter is required to send to an exhibitor in Great Britain to whom he delivers a registered film for public exhibition therein, shall be sent on or before the date on which he delivers such film in an invoice or other document setting out the title, registered number and registered length of the film, the words " registered as a British film, but NOT as an exhibitors' quota film ", " registered as an exhibitors' quota film ", or " registered as a foreign film " as the case may be.

(2) If the film is a British film the notification shall also state whether, having regard to the provisions of Section 3 (1) of the Cinematograph Films Act, 1948, the film counts for exhibitors' quota in the quota period in which it is to be exhibited, or where such a film is to be exhibited before the first day of October, 1948, whether, having regard to Section 7 (4) of the Principal Act and Section 9 (2) of the Cinematograph Films Act, 1948, the film counts for exhibitors' quota in the exhibitors' quota year in which it is to be exhibited.

(3) If, after the invoice has been sent, the registration of the film is corrected in a manner affecting the particulars given therein, a new invoice setting out the correct particulars shall be sent.

STATUTORY DECLARATIONS

13. Any statutory declaration which is required to be made for the purposes of these Regulations shall be made by the person in whose name the renter's licence has been issued, or by the person who is the maker of the film, as the case may be, or, in the case of a partnership, by one of the partners, or, in the case of a company, by the secretary or by one of the directors of the company.

14. The Cinematograph Films (Registration) Regulations, 1938(**a**), the Cinematograph Films (Registration) Amendment Regulations, 1941(**b**), the Cinematograph Films (Registration) Amendment Regulations, 1945(**c**), are hereby revoked.

(**a**) S.R. & O. 1938 (No. 266) I, p. 471. (**b**) S.R. & O. 1941 (No. 1854) I, p. 99.
(**c**) S.R. & O. 1945 (No. 276) I, p. 104.

15. These regulations may be cited as the Cinematograph Films (Registration) Regulations, 1948, and shall come into force on the 1st day of April, 1948.

Dated this 25th day of March, 1948.

R. G. Somervell,
An Under Secretary of the Board of Trade.

Approved, so far as relating to fees.

C. James Simmons,
Wm. Hannan,
Two of the Lords Commissioners of His Majesty's Treasury.

SCHEDULE

Registration Form A

Application for the Registration of a Film

This Form when completed should be sent to the Assistant Secretary, Films Branch (Registration Section), Board of Trade, accompanied by a remittance for the appropriate fee. If the film has been trade shown Registration Form B should accompany this Form; if the film has not been trade shown Registration Form B should be forwarded separately as soon as practicable after the trade show has taken place. If the application is for the registration of a film as a British film, Registration Form C should also be completed and should, if possible, accompany this Form, but may be sent separately if desired. A statutory declaration as required by the proviso to Section 24 (3) of the Cinematograph Films Act, 1938, as amended by the Cinematograph Films Act, 1948, should be furnished not earlier than with the last of the above-mentioned Forms to be submitted.

1. $\frac{\text{I,}}{\text{We}}$ the undersigned apply for the registration under Part III of the Cinematograph Films Act, 1938, as amended by the Cinematograph Films Act, 1948, of the film entitled.....
.....

2. The maker(s) $\frac{\text{is}}{\text{are}}$ .....
of .....

3. The length of the film to be offered for projection at public exhibitions is ..... feet.

4. Under Section 25 (3) of the Cinematograph Films Act, 1938, as amended, $\frac{\text{I}}{\text{we}}$ request that those portions of the film, being a British film, of which particulars are given in paragraph 7 of the Registration Form C and the total length of which is ..... feet, shall be treated as not forming part of the film.

5. The film

(*a*) was *not* registered under Part II of the Cinematograph Films Act, 1927,

(*b*) was *not* exhibited to the public before the 1st April, 1938.

(*Delete the word " not " in italics in the appropriate heading when this does not apply.*)

6. The film does *not* belong to any of the following classes:—

(*a*) films consisting wholly or mainly of photographs which, at the time when they were taken, were means of communicating news, or

(*b*) films made wholly or mainly for the purpose of commercial advertisement, or

(*c*) films certified under subsection (2) of Section 7 of the Finance Act, 1935, as being entitled to exemption from customs duties under the convention for facilitating the international circulation of films of an educational character, which is referred to in that subsection.

7. *Where the film is a part of a serial or series within the meaning of the Cinematograph Films Act,* 1938, *as amended, the following information should be given.*

(*a*) The film is Part ..... of a serial film or a series of films consisting of a number of parts not exceeding thirteen (none of which exceeds two thousand feet in length) intended to be exhibited on successive dates at intervals not exceeding fourteen days.

(*b*) Description of the serial or series
.....
.....
.....

(*c*) Title of the serial or series
.....
.....

(*d*) Registered numbers of the parts of this serial or series already registered .....
.....

(*e*) Dates on which application was made for the registration of ..... other parts of this serial or series which have not yet been registered
.....
.....

8. $\frac{\text{I}}{\text{We}}$ hereby apply for the registration of the above film as a *..... film.

(* Here insert " British " followed by the initials of whichever of the following classes is appropriate or " Foreign ".)

Br/E indicates that the film is an exhibitors' quota film.
Br/NQ ,, that the film is a British film but NOT an exhibitors' quota film.

Signature of Applicant(s) .....
Address .....
Date .....

If Applicant is the renter of the film, the number of renter's licence .....

REGISTRATION FORM B

Evidence of Trade Show

The expression " trade shown " in relation to a film means

(*a*) displayed within the administrative county of London to exhibitors or their agents in a building and under conditions allowing for the satisfactory viewing of the film, after announcement to such persons at least seven days before the display, the display not being open to any member of the public on payment, or

(*b*) displayed to exhibitors or their agents on one occasion on which the film is exhibited to the public at a theatre in Great Britain during the first four consecutive days on which the film is so exhibited, the display taking place after announcement to such persons at least seven days before the display.

1. Title of film .....
2. Date of application for registration ....., 19 .....
3. Whether trade shown in accordance with paragraph (*a*) or (*b*) above .....
4. Trade papers in which announcement of trade show was published (give names, dates and pages)
   .....
   .....
   .....
5. Any other method adopted of announcing trade show
   .....
   .....
6. Date of trade show ....., 19.....
7. Place of trade show .....
   .....

Signature of Applicant .....

Address .....

.....

Date ....., 19.....

REGISTRATION FORM C

Evidence of British Nature of Film

This Form must be completed by the maker of the film and the particulars given in it must be verified by him by a statutory declaration. The report at the end of paragraph 8 must be made by an accountant being a member of an incorporated body of accountants.

[NOTE.—*By virtue of subsection* (2) *of Section* 25 *of the Cinematograph Films Act,* 1938, *as amended by the Cinematograph Films Act,* 1948, *any film used for making photographs depicted as part of any scene in the film, which is the subject of the application for registration, is for the purposes of paragraphs* (*a*) *and* (*c*) *of subsection* (1) *of that Section to be deemed to be part of that film; and by virtue of the provisions of subsection* (1) *of Section* 44 *of the Cinematograph Films Act,* 1938, *as amended, a studio is deemed to be used in making a film if any part of that film or any other film used in making it consists of photographs taken in that studio.*]

1. Title of film .....

2.—(1) Name(s) and nationality of the maker(s) of the film (*in the case of a partnership state the name of the partnership as well as the name and nationality of each partner; in the case of a company state the name of the company*):—

Name	*Nationality throughout the time the film was being made*
.....	.....
.....	.....
.....	.....
.....	.....

(2) Address of maker's principal place of business and, in the case of a company, also its registered office throughout the time the film was being made .....

.....

.....

(3) If the maker is a company, state below the part of His Majesty's dominions under the laws of which the company was incorporated and the names and nationalities of the persons who were its directors during any part of the time the film was being made:—

Part of His Majesty's dominions: .....

Names of Directors	*Nationality during the time the film was being made*
.....	.....
.....	.....
.....	.....
.....	.....
.....	.....

3. The photographing was begun on ....., 19....., and the film was completed ready for delivery to a renter on ....., 19.....

4. The total length of the film as ready for delivery by the maker(s) to a renter is ..... feet.

5.—(1) The scenes which were arranged and photographed by the maker(s) or under $\frac{\text{his}}{\text{their}}$ direction in a building constructed or adapted for the purpose of making films therein and including any land occupied with such a building

(i) were photographed in the following places (*give detailed addresses*) and nowhere else: —

.....

.....

.....

and (ii) their length is ..... feet.

(2) The remaining scenes which were arranged and photographed by the maker(s) or under $\frac{\text{his}}{\text{their}}$ direction, the places where they were made, and their lengths, were as follows:—

..... feet.

..... feet.

..... feet.

(3) The total length of that portion of the completed film which was arranged and photographed by the maker(s) or under $\frac{\text{his}}{\text{their}}$ direction is .....

..... feet.

6.—(1) The scenes arranged and photographed other than by the maker(s) or under $\frac{\text{his}}{\text{their}}$ direction in a building constructed or adapted for the purpose of making films therein and including any land occupied with such a building

(i) were made by (*give name(s) and address(es) of the person(s), partnership(s) or company(ies) who made them, and the length made by each*):—

..... feet.

..... feet.

and (ii) were photographed in the following places (*give detailed addresses*) and nowhere else:—

.....

.....

(2) The remaining scenes arranged and photographed other than by the maker(s) or under $\frac{\text{his}}{\text{their}}$ direction were as follows (*state the scenes, the name(s) and address(es) of the person(s), partnership(s) or company(ies) who made them, the dates when and the places where photographed and the number of feet occupied by them*):—

..... feet.

..... feet.

..... feet.

(3) The total length of that portion of the completed film which was arranged and photographed other than by the maker(s) or under $\frac{\text{his}}{\text{their}}$ direction is, ... feet.

7. If, under Section 25 (3) of the Cinematograph Films Act, 1938, as amended, it is requested that certain portions of the film, not exceeding ten per cent. of the total length of the film or twenty per cent. of so much of its total length as consists of studio scenes (whichever percentage is the less) be treated as if those portions did not form part of the film, indicate such portions by reference to the relative particulars given under sub-paragraphs 5 (1), 5 (2), 6 (1) and 6 (2).

.....

.....

and state

(1) the aggregate length of such portions ... ... feet.

(2) the aggregate length of such portions as consist of photographs of studio scenes ... ... feet.

(3) the net length of the film for the purpose of registration (i.e. the length given in paragraph 4 diminished by the length given in (1) or (2) of this paragraph whichever is the less) ... . feet.

8. *Labour Costs.*

[NOTES.—1. "*Labour costs,*" *in relation to a film means the total amount of the payments paid or payable by the maker of the film in respect of the labour or services of persons directly engaged in the making of the film, in so far as those payments are attributable to the making of that film, but does not include payments in respect of copyright; and for the purposes of this definition—*

(*a*) *the author of the scenario of a film shall be deemed to be a person directly engaged in the making of the film, and*

(*b*) *a person shall not be taken to be directly engaged in the making of a film by reason only—*

(*i*) *that he is financially interested in the making of a film, or is engaged, in an administrative or clerical capacity, as an officer or servant of an undertaking concerned with the making of the film, or*

(*ii*) *that he supplies goods used in the making of the film or is in the employment of a person who supplies such goods.* (*Section* 44 (1) *of the Cinematograph Films Act,* 1938, *as amended*).

2. *No amount should be returned as "payable" on this form unless the amount of the payment is* **definite** *and fell due or will fall due, for payment on some* **definite** *date. All* **contingent** *payments (e.g., percentages of anticipated receipts, or fixed amounts which will not be payable unless and until receipts accrue) must therefore be* **EXCLUDED.**]

(1)		Amounts paid or payable in respect of the labour or services of: British subjects or persons domiciled in His Majesty's dominions (2)	Amounts paid or payable in respect of the labour or services of: Other persons (3)
		£	£
(1) Persons [subject to any exclusions under (3) below] in respect of whom the total amount paid or payable amounts to at least— £450 if the total labour costs are at least £56,250 £300 if the total labour costs are at least £33,750 £150 if the total labour costs are at least £11,250 £10 if the film is a short film should be entered separately under sub-paragraphs (*a*), (*b*) and (*c*) in the spaces provided on page 435. Foreign persons domiciled in His Majesty's dominions should also be entered separately. The totals should be entered in the appropriate columns in this table.			
(*a*) Production Staff (including producer, director, production manager, editors, art directors, cameramen, author of the scenario, &c.). (Totals brought from detailed lists on page 435)		.....	.....
(*b*) Actors, actresses and musicians. (Totals brought from detailed lists on page 435)		.....	.....
(*c*) Any other persons not included under (*a*) and (*b*) above. (Totals brought from detailed lists on page 435)		.....	.....
	No. of persons		
(2) Persons [subject to any exclusions under (3) below] other than those mentioned under (1) above—			
(*a*) Production staff	.....	.....	.....
(*b*) Actors, actresses and musicians	.....	.....	.....

(1)		Amounts paid or payable in respect of the labour or services of	
		British subjects or persons domiciled in His Majesty's dominions (2)	Other persons (3)
	No. of persons	£	£
(*c*) Other persons photographed for the picture :—			
(i) in scenes taken in His Majesty's dominions	.....	.....	.....
(ii) in scenes taken outside His Majesty's dominions... ...	.....	.....	.....
(*d*) Other staff (including scenery craftsmen and labourers, seamstresses, electricians, etc.) :—			
(i) Wages for services rendered in His Majesty's dominions	.....	.....	.....
(ii) Wages for services rendered outside His Majesty's dominions... ...	.....	.....	.....
A. Totals under sub-paragraphs (1) and (2) ...		£	
(3) The following are particulars of amounts paid or payable in respect of one (two) foreign person(s) who have been excluded from sub-paragraphs (1) and (2) above (if two persons be excluded, at least one must be an actor or actress) in accordance with the provisions of Section 25 (2) of the Cinematograph Films Act, 1938, as amended :—			
Name / *Function* / *Nationality* / *Permanent place of residence*			
....		.....	.....
....		.....	.....
B. Totals under sub-paragraphs (1), (2) and (3)...		£	

C. Total of columns (2) and (3) under A. £.....
D. Percentage which total of column (2) under A. is of C. .....
E. Total of columns (2) and (3) under B. £.....
F. Cost of film per foot (Divide E. by number of feet in paragraph 4, or, if desired, by number of feet in paragraph 7 (3)) £.....

(1)	Amounts paid or payable in respect of the labour or services of: British subjects or persons domiciled in His Majesty's dominions (2)	Other persons (3)
(1) (*a*) Production Staff (including producer, director, production manager, editors, art directors, cameramen, author of the scenario, &c.)	£	£
Name. *Function.* *Nationality.* *Permanent place of residence.*		
....	.....	.....
....	.....	.....
....	.....	.....
....	.....	.....
....	.....	.....
....	.....	.....
....	.....	.....
....	.....	.....
....	.....	.....
....	.....	.....
....	.....	.....
....	.....	.....
Carried to page 8	£	
(1) (*b*) Actors, actresses and musicians.		
Name. *Function.* *Nationality.* *Permanent place of residence.*		
....	.....	.....
....	.....	.....
....	.....	.....
....	.....	.....
....	.....	.....
....	.....	.....
....	.....	.....
....	.....	.....
....	.....	.....
Carried to page 8	£	
(1) (*c*) Any other persons not included under 1 (*a*) and 1 (*b*).		
Name. *Function.* *Nationality.* *Permanent place of residence.*		
....	.....	.....
....	.....	.....
....	.....	.....
....	.....	.....
....	.....	.....
....	.....	.....
....	.....	.....
....	.....	.....
....	.....	.....
Carried to page 8	£	

ACCOUNTANTS' REPORT TO THE BOARD OF TRADE

I/we have examined the books of the makers of the film herein referred to insofar as they relate to the making of the said film, and have received all the information and documents necessary to enable me/us to ascertain the amount of the labour costs (as defined in Section 44 (1) of the Cinematograph Films Act, 1938, as amended) of the said film (including a proper and reasonable proportion of any annual salaries or fees to be attributed directly to the making of the said film) and the allocation thereof in accordance with the requirements of subsections (1) and (2) of Section 25 of that Act, as amended, regarding a film to be registered as a British film. On the basis of such examination I/we report that in our opinion the amounts entered in the foregoing tables of this paragraph are correct, and in particular, that the amounts returned as "payable" do not conflict with the directions set out in Note 2 at the head of paragraph 8.

Dated this.....day of.....19...

Signature .....

Qualification .....

Address.....

.....

2. PRESCRIBED QUOTAS

The Cinematograph Films (Quotas) Order, 1948*

1948 No. 1687

Made - - - -	*11th June*, 1948
Laid before Parliament	*15th June*, 1948
Coming into Operation	*1st October*, 1948

1. The Board of Trade pursuant to subsection (1) of section 2 of the Cinematograph Films Act, 1948(a), hereby order that the prescribed percentage for the purpose of subsection (2) of section 1 of that Act shall be 45 per cent. and for the purpose of subsection (3) of that section 25 per cent.

2. This Order may be cited as the Cinematograph Films (Quotas) Order, 1948, and shall come into operation on the first day of October, 1948.

Dated this 11th day of June, 1948.

Harold Wilson,
President of the Board of Trade.

EXPLANATORY NOTE

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

Subsection (2) of Section 1 of the Cinematograph Films Act, 1948, provides that where the films exhibited to the public at any theatre in Great Britain in any quota period include films registered as long films, the film so exhibited

(a) 11 & 12 Geo. 6. c. 23.

* In accordance with Section 2 (4) of the Cinematograph Films Act, 1948, this Order has been approved by each House of Parliament. The necessary Resolutions were passed by the House of Lords on the 29th June, 1948, and by the House of Commons on the 17th June, 1948.