STATUTORY INSTRUMENTS

1961 No. 1824

CINEMATOGRAPHS AND CINEMATOGRAPH FILMS

EXHIBITION OF FILMS

The Films (Exhibitors) Regulations, 1961

Made - - - - *25th September*, 1961
Coming into Operation *1st October*, 1961

The Board of Trade in pursuance of the powers conferred upon them by section 44 of the Films Act, 1960(a) (hereinafter called "the Act"), and, so far as they prescribe fees, with the consent of the Treasury, hereby make the following Regulations:—

Licences

1.—(1) Any application for the issue of a licence authorising a person to carry on business as an exhibitor (hereinafter called a "licence") shall be made to the Board of Trade in the form set out in the First Schedule hereto and shall be addressed to the Assistant Secretary, Films Branch, Board of Trade, London, S.W.1.

(2) An application for a licence shall relate to one cinema only except where the application is in respect of the exhibition of films at more than one cinema by virtue of subsection (2) of section 26 of the Act.

(3) An application shall be signed by the person in whose name the licence is to be issued and shall be accompanied by the fee prescribed in paragraph 4 of this regulation. Where the licence is to be issued in the name of a partnership, the application shall be signed by one of the partners or, where in the name of a company, by the secretary or by one of the directors of that company.

(4) The fee referred to in paragraph (3) of this regulation shall be in the case of a licence to be issued

(*a*) for a calendar year	£6	6s. 0d.
(*b*) for a quarterly period	£1	17s. 6d.
(*c*) for 2 quarterly periods	£3	15s. 0d.
(*d*) for 3 quarterly periods	£5	12s. 6d.

Records

2. The particulars specified in subsection (3) of section 30 of the Act and required by subsection (2) of that section to be recorded, other than the registered playing time of a first feature film, shall be recorded by the exhibitor in the form set out in the Second Schedule hereto.

Returns

3.—(1) The return required to be made in respect of a cinema by subsection (1) of section 31 of the Act shall be made by sending to the Board of Trade within the time specified by subsection (2) of that section, a copy of the record referred to in the foregoing regulation.

(2) Each such return shall be accompanied by the statutory declaration, required by subsection (4) of that section as to the truth of the particulars

(a) 8 & 9 Eliz. 2. c. 57.

contained in the return, made by the exhibitor in whose name the licence in respect of the cinema to which the return relates was issued. Where the licence has been issued in the name of a partnership the declaration shall be made by one of the partners, or where in the name of a company, by the secretary or by one of the directors of that company.

(3) A statutory declaration may relate to more than one return.

4. The Cinematograph Films (Exhibitors) Regulations, 1960(a), are hereby revoked.

5.—(1) The Interpretation Act, 1889(b), shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament, and as if these Regulations and the Regulations hereby revoked were Acts of Parliament.

(2) These Regulations may be cited as the Films (Exhibitors) Regulations, 1961, and shall come into operation on the 1st day of October, 1961.

Dated this 25th day of September, 1961.

G. J. MacMahon,
An Under Secretary of the
Board of Trade.

The Treasury hereby consent, so far as prescribing fees.

Dated this 25th day of September, 1961.

Michael Hughes-Young,
John Hill,
Two of the Lords Commissioners of
Her Majesty's Treasury.

FIRST SCHEDULE

APPLICATION FOR EXHIBITOR'S LICENCE

Name of Applicant(s).....

(i.e. the person or partnership or company being the proprietor of the business of exhibiting films at the cinema in respect of which the licence is desired, whether the owner of the cinema or not).

Address of place of business within Great Britain.....

(In the case of a company, the address of the registered office.)

.....

Name of Cinema.....

Address of Cinema.....

(a) S.I. 1960/1338 (1960 I, p. 544). (b) 52 & 53 Vict. c. 63.

(If the applicant desires a licence to authorise the exhibition of registered films at more than one cinema but on not more than six days in the year at any cinema and at not more than one cinema at the same time the words "Section 26 (2) Licence" should be inserted here.)

Number of licence now held in respect of above cinema E.L.....

If the applicant(s) has/have not previously held a licence for this cinema, state the date on which the exhibition of registered films to the public was commenced by him/them there.....196

Is this cinema controlled by a person who controls* more than two hundred cinemas in Great Britain?.....

(Any cinema which is so controlled may be required by the Board of Trade to exhibit specified British films which have been recommended by the Selection Committee appointed under section 27 (2) of the Films Act, 1960. If the cinema is NOT so controlled, the applicant should sign the Declaration to that effect which is printed below.)

I/We, the above named applicant(s) hereby apply for the issue of an exhibitor's licence authorising me/us to carry on the business of exhibiting registered films to the public at the cinema above described during the

(*a*) year commencing.....and ending.....

(*b*) period commencing.....and ending { 31st March, 196 / 30th June, 196 / 30th September, 196 / 31st December, 196 }

Delete (a) or (b) whichever does not apply. If (b) applies strike out dates not applicable.

I/We enclose the licence fee.

Date..... Signature of applicant.....

(In the case of partnership, of a partner; or, in the case of a company, of the secretary or a director.)

DECLARATION

I hereby declare that to the best of my knowledge and belief the cinema named in the application above is NOT, within the meaning of section 27 (4) (*a*) of the Films Act, 1960, controlled* by a person who controls more than two hundred cinemas in Great Britain.

Date..... Signature.....

Proprietor, Partner, Director, Secretary.

(Delete words inapplicable)

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* Section 27 (4) (*a*) of the Films Act, 1960, provides as follows:

"For the purposes of this section,—

(*a*) *a cinema shall be deemed to be controlled by any person who has the right to exhibit films there or the right to control or direct the exhibition of films there (whether by making contracts with renters or otherwise), and any right vested in a company shall be treated for the purposes of this paragraph as vested also in any company of which that company is a subsidiary, or which is a subsidiary of that company, within the meaning of the Companies Act, 1948;".*

SECOND SCHEDULE
EXHIBITOR'S RECORD
WEEKLY DETAILS

Name and Address of Cinema.....

Particulars of films shown during the Week Ending.....

TITLE OF REGISTERED FILM *All registered films, British or foreign, must be entered in this return except British films which do not count for quota*	Registered Number	QUOTA PARTICULARS						
		FIRST FEATURE FILMS			SUPPORTING PROGRAMME FILMS (*Particulars of each film listed in Col. 1, if the film was exhibited in the supporting programme*)			
		Number of days, if any, on which the film listed in Col. 1 was exhibited as the first feature film		Total number of times exhibited in week	Registered playing time to the nearest minute	Total number of times exhibited in week	*Total exhibited playing time to the nearest minute (i.e. multiply the figure in Col. 6 by the figure in Col. 7)*	
		British	Foreign				British	Foreign
		Number of days	Number of days					
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
TOTAL for week.....				TOTAL for week.....				

Time at which the exhibition of cinematograph films normally began.....

Time at which the exhibition of cinematograph films normally ended.....

S.I. 1961/1824

SUMMARY

Name and Address of Cinema.....

FIRST FEATURE FILM QUOTA:—

Total of column 3	Days (A)
Total of column 4	Days
Combined total of columns 3 and 4...	Days (B)

FIRST FEATURE FILM QUOTA.....per cent
(*percentage which (A) is of (B)*)

SUPPORTING PROGRAMME FILM QUOTA:—

Total of column 8	Minutes (C)
Total of column 9	Minutes
Combined total of columns 8 and 9...	Minutes (D)

SUPPORTING PROGRAMME FILM QUOTA.....per cent
(*percentage which (C) is of (D)*)

EXPLANATORY NOTE

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

These Regulations replace the Cinematograph Films (Exhibitors) Regulations, 1960. The principal change is that the fees prescribed by the earlier Regulations have been increased by fifty per cent. The other amendments effect changes of references in the forms prescribed consequential on the coming into force of the Films Act, 1960.