STATUTORY INSTRUMENTS

1978 No. 1632

CINEMATOGRAPHS AND CINEMATOGRAPH FILMS

REGISTRATION OF FILMS

The Films (Registration) (Amendment) Regulations 1978

Made - - - - 14*th November* 1978

Coming into Operation 1*st January* 1979

The Secretary of State in exercise of powers conferred by section 44 of the Films Act 1960(**a**), as amended by section 20 of the Films Act 1970(**b**), and as further amended by section 8 of the European Communities Act 1972(**c**), and now vested in him(**d**), and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

1. These Regulations may be cited as the Films (Registration) (Amendment) Regulations 1978 and shall come into operation on 1st January 1979.

2. The Films (Registration) Regulations 1970(**e**), as amended(**f**), shall have effect as if:—

(1) in Regulation 4, the words from "except in the case of a film" to the end were omitted;

(2) in each of Regulations 5(2) and 7(1) for the words "by evidence to show that the film is a Community film" there were substituted the words "by a certificate of nationality issued by the Member State concerned."; and

(3) for Schedule 1 thereto there were substituted the Schedule to these Regulations.

3. The Films (Registration) (Amendment) Regulations 1972(**g**) shall have effect as if Regulation 3(7) and (8) were omitted.

D. G. Hyde,
An Assistant Secretary,
Department of Trade.

14th November 1978.

(**a**) 1960 c. 57. (**b**) 1970 c. 26. (**c**) 1972 c. 68.
(**d**) S.I. 1970/1537. (**e**) S.I. 1970/1858.
(**f**) The relevant amending instrument is S.I. 1972/1925. (**g**) S.I. 1972/1925.

SCHEDULE 1

REGISTRATION FORM A

Application for the Registration of a Film

This Form when completed should be sent to Films Branch, Department of Trade, accompanied by a remittance for the appropriate fee. If the film has been trade-shown, complete Registration Form B, if the film has not been trade-shown, 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 submitted by the maker unless the film is a co-production made under the terms of an Agreement between the U.K. and another Government, in which case the Final Co-Production Form should have been submitted. If the application is for the registration of a film as a Community Film, a certificate of nationality issued by the member state concerned must be provided.

Title of film.....

Alternative title if required.....

Name and address of maker; or in the case of a co-production film of the co-producers.....

Playing time of film to be offered for projection at public exhibition (.....) minutes

Alternative time to be offered for projection at public exhibition (.....) minutes

*Portions of film which may be treated under Section 18 of the Films Act 1960 as not forming part of a film total (*see paragraph* 8(i) *of Form C* (.....) minutes

**to be completed in respect of British films only*

TO BE COMPLETED WHERE FILM IS PART OF A SERIAL OR OF A SERIES OF FILMS WITHIN THE MEANING OF THE 1960 ACT

This film is part.....of a serial or series of films not exceeding fifteen parts (none of which has a playing time exceeding 33⅓ minutes), intended to be exhibited on successive dates at intervals not exceeding 14 days.

Description of serial or series.....

Title of serial or series.....

Registered No.(s) of parts already registered.....

Dates on which application was made to register.....parts not yet registered

.....

Was the film registered under Part II of the Cinematograph Films Act 1927? YES/NO

Was the film exhibited to the public before 1st April 1938? YES/NO

Does the film consist wholly or mainly of photographs which, at the time when they were taken, were means of communicating news? YES/NO

Was the film wholly or mainly for the purpose of commercial advertisement? YES/NO

(*please delete as appropriate*)

The application is made for the above film to be registered as a:—

BRITISH QUOTA FILM	}	Form C attached/has been/will be provided/Final Co-Production Form has been provided
BRITISH NON QUOTA FILM.....	}	
COMMUNITY FILM		Certificate of nationality attached/has been/will be provided
FOREIGN FILM		

(*tick appropriate film*) (*delete inappropriate words*)

Signature of applicant(s).....

Date of application.....

Name and address of applicant(s).....

No. of renters licence*.....
**If applicant is renter of film*

FOR OFFICIAL USE ONLY

I hereby certify that the above named film has been registered as a.....film and that it is/is NOT a QUOTA film.

Registered number .....

Registration date .....

Signed by .....
(for Secretary of State for Trade)

REGISTRATION FORM B

Evidence of a Trade Show

The expression "trade shown", in relation to a film, means displayed to exhibitors or their agents, either:—

(a) in a building within the administrative County of London under conditions allowing for the satisfactory viewing of the film, the display not being open to any member of the public on payment;
[If this method is used the entire application form (Forms A and B) and the registration fee should be sent to the Department within 14 days after the trade show but *before the film is delivered for public showing*.]

or (b) at a cinema on an occasion when the film is exhibited there during the first six weeks that the film is exhibited at a cinema.
[If this method is used Form A and the registration fee should be sent to the Department *before delivery of the film to a cinema*. The film must then be trade shown within 6 weeks from the date on which application was made on Form A.
Form B must be sent to the Department within 14 days after the trade show. The public showing must be confined to one cinema until the film has been trade shown.]

Whichever method is adopted the trade show must be announced to exhibitors at least 7 days before the display of the film to them.

NOTE: In the case of a serial or series of films only the first three parts need be trade shown.

Title of Film.....

	(a)	(b)
Was the film shown in accordance with (a) or (b) above? (*please tick*)	.....	.....

Trade paper in which announcement of trade show was published.....

Dates published in trade paper.....

Pages.....

Enter any other method adopted of announcing trade show.....

Date of trade show.....

Place of trade show.....

REGISTRATION FORM C

Evidence of British Nature of a 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 accountant's report at the end of paragraph 12 (on the back of this form) must also be completed.

NOTE:—*By virtue of sub-section* (4) *of section* 17 *of the Films Act* 1960, *any other 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 sub-section* (2) *of that section treated as part of that film; and by virtue of the provisions of sub-section* (1) *of section* 50 *of that Act, a studio is deemed to be used in making a film if any part of that film, or of any other film used in making it consists of photographs taken or sound recordings made 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 country 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:

Country .....

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 playing time of the film (including credits, titles, etc.) as ready for delivery by the maker(s) to a renter is.....minutes (to nearest minute).

5.—(1) The scenes which were arranged and photographed by the maker(s) or under $\frac{\text{his}}{\text{their}}$ direction in a studio, i.e. a building or group of buildings constructed or adapted for the purpose of making films therein and including any land occupied with such a building or group of buildings, were photographed in the following places and nowhere else (*give detailed addresses and the playing time shot at each address*)

Address	*Playing time*
.....	.....minutes .....seconds
.....	.....minutes .....seconds
.....	.....minutes .....seconds

(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 playing times, were as follows:

.....	.....minutes .....seconds
.....	.....minutes .....seconds
.....	.....minutes .....seconds

(3) The total playing time 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

.....minutes .....seconds

6.—(1) The scenes arranged and photographed, other than by the maker(s) or under $\frac{\text{his}}{\text{their}}$ direction, in a studio, i.e. a building or group of buildings constructed or adapted for the purpose of making films therein and including any land occupied with such a building or group of buildings, were as follows (*give name(s) and address(es) of the person(s), partnership(s) or company(ies) who made them, the places where each scene was photographed and the playing time of each scene*):

.....	.....minutes .....seconds
.....	.....minutes .....seconds

(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 playing time of each*):

.....	.....minutes .....seconds
.....	.....minutes .....seconds
.....	.....minutes .....seconds

(3) The total playing time 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

..... minutes .....seconds

7.—(1) If sound recordings of the film, or of any other film used in making that film, were made in a film studio, i.e. in a building or group of buildings constructed or adapted for the purpose of making films therein and including any land occupied with such a building or group of buildings, state the address(es) of the studio(s) used and the playing time of the recordings made at each studio:

.... minutes ..... seconds

.... minutes ..... seconds

.... minutes ..... seconds

(2) If any of the sound recordings listed under sub-paragraph (1) were not made in the United Kingdom or any other Commonwealth country or the Republic of Ireland, state to which photographic scenes shown under sub-paragraphs 5(1), 5(2), 6(1) and 6(2) they relate:

.....

.....

8.—(1) If, under section 18 of the Films Act 1960, it is requested that, for the purpose of determining whether the film is to be registered as a British film, certain portions of the film be treated as if those portions did not form part of that film, indicate such portions by reference to the relative particulars given under sub-paragraphs 5(1), 5(2), 6(1), 6(2) and 7(1), giving the playing time of each portion and the aggregate playing time of all such portions:

.... minutes ..... seconds

.... minutes ..... seconds

.... minutes ..... seconds

Aggregate playing time..... minutes (to nearest minute)

(2) The net playing time of the film for purposes of registration, i.e. the playing time given in paragraph 4 less the aggregate playing time shown in (1) of this paragraph is:

..... minutes (to nearest minute)

NOTE:—*The aggregate playing time of the portions that can be treated as not forming part of the film must not exceed* 7½ *per cent. of the total playing time of the film* (*as shown in paragraph* 4).

9. If any parts of the film (including any parts shown in sub-paragraph 8(1)) were derived, as regards the photographs comprised therein, from a previously registered film, or from any film (whether a standard film or not) the maker of which was not the maker of the film named in paragraph 2, state the playing time of those parts:

..... minutes ..... seconds*

*NOTE:—*If this playing time exceeds* 10 *per cent. of the playing time of the whole film* (*as shown against paragraph* 4) *the film cannot be registered as a quota film except on the recommendation of the Cinematograph Films Council* (*see section* 20(3) *of the Films Act* 1960).

10. Was the film made wholly or mainly for the purpose of commercial advertisement?

Please answer Yes or No.....

11. Under the provisions of section 17 of the Films Act 1960, a long film (i.e. one with a playing time of not less than 33⅓ minutes) may not be registered as British unless the name and address* of the studio used in making the film or, if none was used, the name and address* of the maker of the film, are included at the beginning or at the end of the film so as to be displayed, when the film is exhibited, for not less than ten seconds in letters clearly legible to the audience. State below the name and address* of the studio or, if appropriate, of the maker of the film which has been so included in the film:

(*Including country)

Name .....

Address (including country).....

.....

.....

.....

12. LABOUR COSTS

NOTES:—1. *For short films (i.e. those with a playing time of less than 33⅓ minutes) in which no foreign labour at all was directly engaged in the making of the film only Part A need be completed. In all other cases Part B must be completed.*

2.—(1) *The labour costs of a film shall be taken to be the total amount of the payments paid or payable 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 shall not be taken to include payments in respect of copyright unless it is copyright in a work created for the purpose of its use in the film.*

(2) *For the purposes of* (1)—

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

(*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 a clerical capacity as a 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;*

(*c*) *payments paid or payable to a person who is engaged in an administrative capacity as an officer or servant of an undertaking concerned with the making of a film shall not be taken to be attributable to the making of the film except in so far as they are payments in respect of services directly concerned with the making of that film.* (*Section* 21 *of the Films Act* 1960).

3. *ALL PAYMENTS in respect of the labour or services of ALL PERSONS directly engaged in the making of the film must be entered below, including deferred and contingent payments. In cases where the amount of any payment will not be known precisely till a later date a figure representing as nearly as possible the estimated value of labour or services in respect of which such payment was made must be entered together with any other payment.*

PART A

(1) No foreign labour was directly engaged in the making of the film, and the total amount paid or payable in respect of the labour or services of British persons is £.....

(2) Labour cost per minute of playing time (divide (1) by the number of minutes in paragraph 4 on page 2 or, if desired, by the number of minutes in paragraph 8(2) on page 3) £.....

PART B

1	Amounts paid or payable in respect of the labour or services of	
	British subjects or citizens of the Republic of Ireland, or other persons ordinarily resident in a Commonwealth country or the Republic of Ireland 2	Other persons 3
	£	£
(1) Persons (subject to any exclusions under (4) below) in respect of whom the total amount paid or payable amounts to at least— £2,000 if the total labour costs are at least £200,000 £1,000 if the total labour costs are at least £100,000 £500 if the total labour costs are at least £50,000 £250 if the total labour costs are at least £20,000 £150 if the total labour costs are at least £10,000 £100 if the total labour costs are under £10,000 £25 if the film is a short film should be entered separately under sub-paragraphs (a), (b) and (c) in the spaces provided on pages 6 and 7. Foreign persons ordinarily resident in a Commonwealth country or the Republic of Ireland should also be entered separately. The totals should be entered in the appropriate columns in this table.		
(a) Production staff (including executive producer, producer, director, production manager, editors, art directors, cameramen, author of the scenario etc.) (Totals brought from detailed lists on pages 6 and 7)	.....	.....
(b) Actors, actresses and musicians (Totals brought from detailed lists on pages 6 and 7)	.....	.....
(c) Any other persons not included under (a) and (b) above (Totals brought from detailed lists on pages 6 and 7)	.....	.....

1		Amounts paid or payable in respect of the labour or services of: British subjects or citizens of the Republic of Ireland, or other persons ordinarily resident in a Commonwealth country or the Republic of Ireland 2	Amounts paid or payable in respect of the labour or services of: Other persons 3
		£	£
(2) Persons (subject to any exclusions under (4) below) other than those mentioned under (1) above.	No. of persons		
(a) Production staff	.....	.....	.....
(b) Actors, actresses and musicians (excluding crowd artists)	.....	.....	.....
(c) Other persons photographed for the picture		.....	.....
(d) Other staff (including scenery craftsmen and labourers, seamstresses, electricians, etc.)		.....	.....
(e) Living expenses		.....	.....
(3) Labour charges for processing and titling		.....	.....
A. Totals under sub-paragraphs (1), (2) and (3)		£	.....
(4) The following are particulars and amounts paid or payable in respect of one (two) foreign person(s) who have been excluded from sub-paragraphs (1) and (2) above in accordance with the provisions of section 22(2) of the Films Act 1960 (if two persons be excluded, at least one must have been engaged in the capacity of an actor or actress and in no other capacity).			
Name ..... Functions ..... Nationality		—	.....
....		—	.....
B. Totals under sub-paragraphs (1), (2), (3) and (4)		£	.....

C. Total of columns 2 and 3 at A £.....

D. Percentage which total of column 2 at A is of C .....

E. Total of columns 2 and 3 at B £.....

F. Labour cost per minute of playing time (divide E by number of minutes in paragraph 4 on page 2 or, if desired, by number of minutes in paragraph 8(2) on page 3) £.....

Name Function Nationality Permanent place of residence 1	Amounts paid or payable in respect of the labour or services of British subjects or citizens of the Republic of Ireland, or other persons ordinarily resident in a Commonwealth country or the Republic of Ireland 2	Other persons 3
1.—(a) Production Staff (including executive producer, producer, director, production manager, editors, art directors, cameramen, author of the scenario, &c.)	£	£
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
Totals carried to page 9	£.....	.....
(b) Actors, Actresses and Musicians		
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
Totals carried to page 9	£.....	.....
(c) Any other persons not included under 1(a) and 1(b)		
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
Totals carried to page 9	£.....	.....

ACCOUNTANTS REPORT TO THE SECRETARY OF STATE

I
——have examined the books of the makers of the film herein referred to in so far as
We
they relate to the making of the said film, and have received all the information and
me
documents necessary to enable——to ascertain the amount of the labour costs (as
us
defined in section 21 of the Films Act 1960) 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 subsection (2)(c) of section 17 and section 22 of that Act, regarding a film to be
I my
registered as a British film. On the basis of such examination,——report that in——
we our
opinion the amounts entered in the foregoing tables of this paragraph are correct, and in particular that the amounts returned do not conflict with the directions set out in Note 3 at the head of paragraph 12.

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

Signature .....

Qualification .....

Name and Address (Block capitals).....

.....

.....

(NOTE 1:—" The particulars as to salaries, wages and payments indicated in paragraph 12 of Registration Form C shall be verified by an accountant being a member of a body of accountants for the time being recognised for the purposes of section 161(1)(a) of the Companies Act 1948, or by a person authorised under section 161(1)(b) of that Act to be appointed as auditor of a company, who, in either case, is not, and was not at any time while the film was being made, a partner of, nor in the employment of, the maker of the film, or, where the maker of the film is a company, is not, and was not at any time while the film was being made—

(*a*) an officer or servant—

(i) of that company; or

(ii) if that company is a member of a group of companies, of any other company in that group;

(*b*) a partner of, or in the employment of, any such officer or servant.

For the purposes of these Regulations "group of companies" means a company and all other companies which are its subsidiaries within the meaning of section 154 of the Companies Act 1948").

(NOTE 2:—References in this form to the provisions of the Films Act 1960 are, where appropriate, references to those provisions as amended by the Films Act 1970 and by section 8 of the European Communities Act 1972.)

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These Regulations further amend the Films (Registration) Regulations 1970 by prescribing a new form of application for the registration of films.

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