1960 No. 2291

The Films (Registration) Regulations, 1960

Made - - - - 9*th December*, 1960
Coming into Operation 1*st January*, 1961

The Board of Trade in pursuance of the powers conferred upon them by section 40 of the Cinematograph Films Act, 1938(a), as amended by the Cinematograph Films Act, 1948(b), and the Cinematograph Films Act, 1960(c), and, so far as they prescribe fees, with the consent of the Treasury, hereby make the following regulations :—

Applications

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

2.—(1) Each application for registration 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 £4 4s. 0d.

(2) Any application to amend the register shall relate to one film only or to one part of a serial film or of a series of films, and shall be accompanied by a fee of £2 2s. 0d.

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.—(1) 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.

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

(3) The particulars as to salaries, wages and payments indicated in paragraph 11 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(d), 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 : or

(a) 1 & 2 Geo. 6. c. 17. (b) 11 & 12 Geo. 6. c. 23. (c) 8 & 9 Eliz. 2. c. 14.
(d) 11 & 12 Geo. 6. c. 38.

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

(4) 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.

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 IV of the Films Act, 1960(a), 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, Board of Trade.

The Register

7. The particulars to be entered in the register in relation to each film are:—

(*a*) the title(s) of the film and, in the case of a part of a serial film or of a series of films, the title of the serial or series of which it is part;

(*b*) the name and 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 the film is registered as British or foreign;

(*f*) if British, whether the film is registered as a quota film;

(*g*) the registered playing time(s) of the film in minutes;

(*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, Board of Trade, on any day except Saturdays, Sundays and holidays, between the hours of 10.0 a.m. and 4.0 p.m.

10. A fee of 1s. 0d. 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, Board of Trade, and shall be accompanied by a fee of 5s. 0d. 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 32 of the Films Act, 1960, a renter is required to send to an exhibitor to whom he delivers a registered film for public exhibition, 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 playing time of the film and the words: "registered as a British film, but NOT as a quota film", "registered as a quota film", or "registered as a foreign film" as the case may be.

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

(2) If the film is a British film, the notification shall also state whether, having regard to the provisions of section 2 (2) of the Films Act, 1960, the film counts for quota in the 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 within seven days of the date on which the registration was corrected.

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 or by a person duly authorised by the company to make the declaration on its behalf.

14. The Cinematograph Films (Registration) Regulations, 1948(**a**), the Cinematograph Films (Registration) Amendment Regulations, 1953(**b**), the Cinematograph Films (Registration) (Amendment) Regulations, 1957(**c**), and the Cinematograph Films (Registration) (Amendment) Regulations, 1960(**d**), are hereby revoked.

15.—(1) The Interpretation Act, 1889(**e**), 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 (Registration) Regulations, 1960, and shall come into operation on the first day of January, 1961.

Dated this 9th day of December, 1960.

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

The Treasury hereby consent, so far as prescribing fees.

Dated this 9th day of December, 1960.

Michael Hughes-Young,
J. D. Gibson-Watt,
Two of the Lords Commissioners of Her Majesty's Treasury.

(a) S.I. 1948/634 (Rev. III, p. 968 : 1948 I, p. 426). (b) S.I. 1953/980 (1953 I, p. 226).
(c) S.I. 1957/1199 (1957 I, p. 339). (d) S.I. 1960/1669.
(e) 52 & 53 Vict. c. 63.

SCHEDULE

REGISTRATION FORM A

Application for the Registration of a Film

This Form when completed should be sent to the Assistant Secretary, Films Branch, 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 Section 9 (7) of the Films Act, 1960, should be furnished not earlier than with the last of the above-mentioned Forms to be submitted.

1. I, / We, the undersigned, apply for the registration under Part II of the Films Act, 1960, of the film entitled .....
.....

2. The maker(s) is / are .....
of .....

3. The playing time of the film to be offered for projection at public exhibitions is ..... minutes.

4. Under Section 18 of the Films Act, 1960, I / we request that those portions of the film, being a British film, of which particulars are given in paragraph 8 (1) of the Registration Form C and the total playing time of which is ..... minutes, 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.

6. The film does *not* belong to either 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.

7. *Where the film is a part of a serial film or of a series of films within the meaning of the Films Act, 1960, the following information should be given.*

(*a*) The film is Part ..... of a serial film or of a series of films consisting of a number of parts not exceeding fifteen (none of which has a playing time exceeding thirty-three and one-third minutes) 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. Where it is desired that more than one title or playing time be recorded as alternatives in the register with respect to the film, the title(s) and the playing time(s) other than those given in 1 and 3 above should be stated here:

Title(s) .....

Playing time(s) .....minutes.

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

* Here insert "British" or "Foreign", as the case may be, followed by the initials of whichever of the following classes is appropriate.

Br/E indicates that the film is a quota film.

Br/NQ indicates that the film is a British film but NOT a quota film.

Signature of Applicant(s) .....

Name of Applicant(s) .....

Address .....

Date .....

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

.....

REGISTRATION FORM B

Evidence of 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; 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;

and after announcement to them 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 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 11 *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 the 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 and 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-paragraph 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* 10% *of the total playing time of the film (as shown in paragraph* 4) *nor must it exceed* 20% *of the playing time of all studio scenes (as shown in paragraphs* 5 (1) *and* 6 (1)).

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% *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. 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 33¼ 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:

Name .....

Address (including country) .....

.....

.....

.....

11. **Labour Costs**

NOTES. 1. *For short films (i.e. those with a playing time of less than* 33¼ *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;*

(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 or, if desired, by the number of minutes in paragraph 8 (2)) ... ... £.....

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— £600 if the total labour costs are at least £75,000 £400 if the total labour costs are at least £45,000 £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 £20 if the film is a short film should be entered separately under sub-paragraphs (*a*), (*b*) and (*c*) in the spaces provided on page 11. 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 page 11)	.....	.....
(*b*) Actors, actresses and musicians. (Totals brought from detailed lists on page 11)	.....	.....
(*c*) Any other persons not included under (*a*) and (*b*) above. (Totals brought from detailed lists on page 11)	.....	.....

1	No. of persons	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
		£	£
(2) Persons (subject to any exclusions under (4) below) other than those mentioned under (1) above.			
(*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.)	.....	.....	.....
(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 be an actor or actress): *Name* ..... *Function* ..... *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 6, or, if desired, by number of minutes in paragraph 8 (2) on page 8). £.....

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, etc.)	£	£
Name *Function* *Nationality* *Permanent place of residence*		
....	.....	.....
....	.....	.....
....	.....	.....
....	.....	.....
....	.....	.....
....	.....	.....
....	.....	.....
....	.....	.....
....	.....	.....
Totals carried to page 9 ...	£	
(*b*) Actors, Actresses and Musicians:		
Name *Function* *Nationality* *Permanent place of residence*		
....	.....	.....
....	.....	.....
....	.....	.....
....	.....	.....
....	.....	.....
....	.....	.....
....	.....	.....
....	.....	.....
....	.....	.....
Totals carried to page 9 ...	£	
(*c*) Any other persons not included under 1 (*a*) and 1 (*b*):		
Name *Function* *Nationality* *Permanent place of residence*		
....	.....	.....
....	.....	.....
Totals carried to page 9 ...	£	

ACCOUNTANTS' REPORT TO THE BOARD OF TRADE

I / We have examined the books of the makers of the film herein referred to in so far 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 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 registered as a British film. On the basis of such examination, I / we report that in my / 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 11.

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

Signature .....

Qualification .....

Address .....

.....

.....

EXPLANATORY NOTE

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

These Regulations consolidate the Cinematograph Films (Registration) Regulations, 1948, and the Regulations amending them, and make further amendments to those Regulations and to the forms which they prescribe, mainly in order to take account of amendments in the law introduced by the Cinematograph Films Act, 1960.

Although the powers under which these Regulations are made are derived from the Cinematograph Films Acts, 1938 to 1960, references are made in them and in the forms which they prescribe, to the Films Act, 1960, since that Act which comes into force on the same date as these Regulations consolidates and repeals the former Acts.

The main changes made by these Regulations are as follows:—

(1) a person authorised under the provisions of section 161 (1) (*b*) of the Companies Act, 1948, to be appointed as auditor of a company, may now verify the particulars of salaries etc., furnished in Registration Form C;

(2) a time limit of seven days is prescribed for furnishing to exhibitors notices of corrections in the Register;

(3) persons duly authorised by the company as well as the secretary or a director may now make statutory declarations on its behalf;

(4) in Registration Form C:—

(*a*) references to "ordinary residence" have been substituted for references to "domicile";

(*b*) the playing time of any parts of the film which are derived from certain other films must be shown;

(*c*) only Part A need be completed for short films, in the making of which no foreign labour was directly engaged.