

REGULATIONS

1. These regulations may be cited as the Cinematograph Films (Issue of Exhibitors' Licences) Regulations, 1937, and shall come into force on the date following the publication hereof in the *Gazette*.

2. In these regulations, if not inconsistent with the context,—

“Licensing officer” means the officer appointed to receive applications for and to issue Exhibitors' Licences under the Cinematograph Films Act, 1928:

“Theatre” means a cinematograph theatre as defined in the Cinematograph Films (Storage, Exhibition, and Renting) Regulations, 1929.*

3. If in any locality there are one or more theatres where public exhibitions of films are given by an exhibitor or exhibitors licensed under the Cinematograph Films Act, 1928, and an application is received by the licensing officer for licence for an additional theatre, or for an increase in the number of seats in any existing licensed theatre, which increase involves a structural alteration to the building, or an increase in the number of nights per week on which exhibitions of film are licensed to take place the licensing officer may refuse to issue such licence where he is satisfied:—

(a) That the existing theatre or theatres provide adequately for the requirements of the locality having regard to the entertainment value and date of release of the films exhibited, the seating accommodation and general amenities provided, the number of nights per week on which exhibitions are given, the prices charged for admission, and any other relevant considerations affecting the public interest; or

(b) That in view of the conditions existing in the industry or the limited number of films of reasonable exhibition value obtainable in the market, the granting of further licences in the locality or the licensing of additional seating accommodation or of exhibition on additional nights would cause undue hardship to such existing licensed exhibitor or exhibitors or would result in unreasonable economic waste.

4. If any application is received by the licensing officer for a licence for an existing licensed theatre from any person other than the existing holder, or, in the case of an expired licence, the previous holder, he may refuse to issue such licence where he is satisfied that the issue would involve an unreasonable hardship on such existing or previous holder, or where in his opinion the issue is not in the public interest, having regard to the conditions existing in the industry.

5. Every exhibitor's licence issued under the Cinematograph Films Act, 1928, shall, for the purposes of these regulations, be deemed to involve an obligation on the licensed exhibitor to carry out exhibitions of films on the number of nights set out in the licence. In the event of failure by any licensed exhibitor to carry out such exhibitions the licensing officer may, on the expiration of the existing licence, refuse to issue a further licence, or may issue a further licence in accordance with the normal practice of the exhibitor during the six months preceding the application for such licence.

6. Where the licensing officer is satisfied that in any licensed theatre the conditions existing with respect to—(i) The quality or date of release of the films exhibited or of the films which the licensee has contracted to exhibit; or (ii) the nature of the seating or general conditions or amenities of the theatre; or (iii) the standard of projection and sound reproduction provided; or (iv) the prices charged for admission to the theatre—do not provide adequately for the requirements of the locality with regard to public entertainment, he may require the licensed exhibitor to improve such conditions to any standard deemed necessary by him, and in default of compliance with such requisition he may on expiration of the existing licence refuse to issue a further licence in respect of that theatre.

7. Every applicant for a licence under the Cinematograph Films Act, 1928, in respect of whose application an investigation into the matters referred to in these regulations is deemed necessary by the licensing officer shall, on requisition by the licensing officer, issued at or subsequent to the date of application, pay an application fee in accordance with the scale set out below:—

(a) Where the application refers to a theatre to be used for first-run exhibition in the cities of Auckland, Wellington, Christchurch, or Dunedin, £25:

(b) Where the application refers to a theatre to be used for exhibitions on six nights per week in a city other than those set out in paragraph (a) of this clause or in a borough having a population exceeding 10,000, £15:

(c) In the case of any other application, £10.

8. Every application for an exhibitor's licence under the Cinematograph Films Act, 1928, received prior to the date of these regulations and in respect of which a licence has not yet been issued shall be deemed to be subject to the conditions contained in these regulations.