

SCHEDULE 5—THE CINEMATOGRAPH FILMS (ISSUE OF EXHIBITORS' LICENCES)
REGULATIONS 1937, AMENDMENT No. 1

GALWAY, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington, this 11th day of May, 1938
Present :

THE RIGHT HON. M. J. SAVAGE PRESIDING IN COUNCIL

PURSUANT to the Board of Trade Act, 1919, the Cinematograph Films Act, 1928, and section 13 of the Cinematograph Films Amendment Act, 1934, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby on the recommendation of the Minister of Industries and Commerce, make the following regulations.

REGULATIONS

1. These regulations may be cited as the Cinematograph Films (Issue of Exhibitors' Licences) Regulations 1937, Amendment No. 1.

2. These regulations shall come into force on the date following notification hereof in the *Gazette*.*

3. In these regulations unless inconsistent with the context—

“Exhibition area” in respect of any licensed premises means any area in which such premises are situate and which is from time to time for the time being generally recognized by persons engaged in the trade of hiring and exhibiting cinematograph film as constituting a single locality so as to produce the result that if film has at any time been publicly exhibited anywhere in that area it is no longer regarded as first-run film when exhibited anywhere else in that area :

“First-run film” in respect of any exhibition area means hired film which has not previously been publicly exhibited in that exhibition area :

“First-price film” means film which is for the time being offered for hire by any renter at the highest price which he is charging for the hire of film ; “second-price film” means film which is for the time being offered for hire by any renter at the next to highest price which he is charging for the hire of film : and “third-price film” means all film offered for hire which is not “first-price film” or “second-price film” :

“Separate film” means a length of film in respect of which a separate approval has been given by the Censor or on appeal from the Censor.

4. Notwithstanding anything contained in the Cinematograph Films (Storage Exhibition and Renting) Regulations 1929,* any exhibitor's licence hereafter issued under the Cinematograph Films Act, 1928, may contain a condition specifying the maximum quantity or proportion of first-run film or number of separate first-run films or (in either case) of first-run film being first-price film, second-price film, or third-price film respectively that may during the currency of the licence be exhibited pursuant to the licence or may specify that no first-run film or no first-run film being first-price film or second-price film or either may be so exhibited.

5. In any exhibitor's licence hereafter issued for any premises first licensed prior to the 1st day of October, 1937, the said condition relating to first-run film shall be in accordance with the practice of those premises with respect to the quantity and number of first-run films exhibited during the two years immediately prior to that date, or during the period of licence if less than two years.

6. In any exhibitor's licence hereafter issued for any premises first licensed on or after the 1st day of October, 1937, the said condition relating to first-run film shall be in such terms as the Licensing Officer thinks proper.

7. Any exhibitor's licence current at the coming into force of these regulations may be amended by the Licensing Officer of his own motion by adding thereto a condition relating to first-run film in the same terms as might be inserted pursuant to the preceding provisions of these regulations in any exhibitor's licence hereafter issued.

8. Any application for amendment of the condition in any licence relating to first-run film may be declined by the Licensing Officer where he is satisfied that in view of the conditions existing in the industry or the limited number of films of reasonable exhibition-value obtainable in the market such amendment would cause undue hardship to any person already holding a licence in respect of premises in the neighbourhood or would result in excessive economic waste.

C. A. JEFFERY,

Clerk of the Executive Council.

* *Gazette*, 23rd September, 1929, Vol. III, page 2519.