

(11) This agreement shall be deemed to operate in the first instance for a period of five years from the date hereof and in the event of neither of the parties having at least six calendar months before the expiry of that period signified in writing to the other party its desire that the same should terminate at the end of the said period of five years shall continue thereafter until terminated by at least six calendar months' notice given by either party to the other.

(12) And lastly it is hereby declared and agreed that all the parties hereto shall maintain the principle of regulation and control of licensing of theatres.

As witness the hands of the parties hereto the day and year first above written.

N.Z. Motion Picture Exhibitors Association (Inc.).

Film Exhibitors Association (Inc.).

Film Exchanges Association of N.Z. (Inc.).

SCHEDULE 8—PROPOSALS OF THE FILM INDUSTRY BOARD FOR THE REVISION OF THE LEGISLATION RELATING TO THE LICENSING OF MOTION-PICTURE THEATRES

1. There should be a licensing tribunal located in Wellington.

2. (a) That a tribunal be appointed comprising a departmental officer, being a Government nominee, as Chairman, and two persons having no financial investment in or being on the pay-roll of the industry.

(b) That the procedure for the appointment of the two pay-members of the licensing tribunal be that the Motion Picture Distributors' Association, Motion Picture Exhibitors' Association, and the Independent Cinemas Association submit a panel of names to the Film Industry Board : trade members only of the Board select a panel of four names for submission to the Minister and the Minister appoint the two members who, associated with the Government employee representative as Chairman, would constitute the licensing tribunal.

3. That there be three trade experts appointed to advise the tribunal, but without voting-power—one to represent the Motion Picture Distributors' Association, one the Motion Picture Exhibitors' Association, and one the Independent Cinemas' Association.

4. There should be a right of appeal by way of rehearing from a decision of the tribunal, and the appeal authority should be an individual Judge or a Magistrate.

5. The right of appeal should be available to either—

(1) A dissatisfied applicant : or

(2) Any persons properly concerned and materially affected by the decision.

6. The functions of the tribunal, in addition to the consideration of applications for licences, transfers of licences, or variations in respect of the conditions of licences, should include the review of licences, authority to impose conditions, and consideration of all matters affecting the conduct of theatres, observance of number of screenings weekly in accordance with conditions of licences, the standard of entertainment, adequacy, quality, and age of films exhibited, and amenities of theatres in so far as they affect the public interest or welfare of the industry generally, and with power to issue requisitions, as necessary, to give effect to the foregoing, and authority to revoke licences during the currency of them in the event of default of the licensee.

7. The tribunal may, in conveying its decision on any application, attach such conditions thereto as it deems necessary, and may indicate that no further application should be considered for that locality for a specified period, which period could be subject to review at any time by the tribunal.

8. The tribunal should be required to give reasons for any decision given in respect of every application.

9. Provision should be made for decisions of the tribunal to be subject to revocation or variation at any time if the applicant or licensee fails to give effect to the decision of the tribunal within a specified period.

10. The regulations should provide for form of application to be completed by every applicant for a new licence, such form to tell the complete story, such as reasons why the new licence is considered necessary, approximate distance of proposed new theatre from the nearest theatres, the approximate number of people the new theatre will serve, transport facilities available, the estimated cost of building and equipping the proposed theatre, the financial position of the applicant, both in respect of theatre construction and operation, proposed screening policy and admission charges, applicant's experience and general suitability. Provision should also be made for the application to show that it is in conformity with the requirements of the town-planning authorities if in respect of a town-planned area, and, except with the approval of the tribunal, every application should be for a definite site in respect of which the applicant holds either an option or title, except where town-planning requirements are involved.

11. No licence shall be transferred or varied in terms without the authority of the tribunal, and all transfers and variations shall be the subject of application to the tribunal, and the tribunal may, at its discretion, require all or any part of the information as that called for in an application for a new licence, and may review the financial consideration involved in the conditions of transfer.