

of business premises, not one single award of monetary compensation was proved to have been made during the last ten years. On the other hand, hundreds of tenants had found the Act a great help in their negotiations for new leases. In many cases tenants had been granted new leases against the will of their landlord, and in some cases—not very many—they had secured monetary compensation for the loss of their goodwill. Lord Carson, who had opposed the Bill strenuously in the House of Lords, elicited the fact that the Bill affected 2,000,000 business premises in England and Wales. The pungent rejoinder to this reply was the grim comment that this “would mean 2,000,000 law suits,” which would “eventually fructify to the benefit of my profession.” But during the last ten years the number of actual law suits or proceedings commenced during the eight years ending December, 1935, was not more than about 1,200 in all. A large number of these were amicably settled without recourse to a final decision by the tribunal. Where the matters were contested to the bitter end, the tenants were successful in securing compensation or a new lease in 142 cases and were unsuccessful in 120.

The rest of the article deals with the difficulty in defining goodwill, and it concludes as follows: “The Act,” concluded Mr. Merlín, “as a valuable weapon of negotiation in the hands of tenants has justified itself in thousands of cases as a medium for securing new leases at fair rentals. On the landlords’ side, it has created the feeling that tenants now have certain legal rights which cannot be safely ignored possibly because they are so vague and as yet so imperfectly understood.”

SCHEDULE 10—RECOMMENDATION OF THE FILM INDUSTRY BOARD FOR THE REGULATION OF THE RENTING AND EXHIBITION OF SUB-STANDARD FILM

(1) That commercial film be defined as—

(a) All film imported into New Zealand for exhibition in 35 mm. theatres, and including sub-standard copies of such film: Provided that the Minister may on the recommendation of an appropriate trade committee authorize the exclusion from this definition of any film registered or released in New Zealand not less than twenty-four months previously; and

(b) Any other film of similar type and character to those normally released in 35 mm. theatres which has been declared by the tribunal to be for that reason an entertainment film.
(NOTE.—This proposal would involve reference by the Censor to the tribunal of any film of ordinary-release type submitted to him on 16 mm. stock.)

The question should be considered as to whether the Censor and Registrar should specifically register film as commercial or non-commercial.

(2) That all public exhibitions of film, whether standard or sub-standard size, shall be subject to licence either by or under the supervision of the tribunal. The term “public exhibition” should be defined to include exhibition by clubs, societies, &c., when more than 50 persons are likely or invited to be present. Provision should be made to exclude from this definition free exhibitions to pupils of schools, Universities, or similar educational authorities, but such authorities should be made responsible for ensuring public safety.

(3) That in order to reduce to the minimum the restrictions imposed on the exhibition of non-commercial sub-standard films compatible with public safety and the maintenance of an economic licensing system, the following provisions should apply:—

(a) That all licences for the exhibition of standard or sub-standard nitrocellulose film be under the direct control of the tribunal.

(b) That all exhibitions of commercial films be subject to all the requirements of the licensing regulations as now proposed and be under the direct control of the tribunal.

(c) That provision be made to simplify the licensing of occasional public exhibitions of non-flam film for which either no charge is made or where the proceeds, excluding actual and reasonable expenses, are devoted to some philanthropic purpose or to the funds of some religious, sporting, or cultural association. It is suggested that these licences should be issued on behalf of the tribunal by the local authority for the district, and that the following conditions should apply:—

(i) That, in the interests of public safety, such licence be issued in respect only of such premises as the local authority is prepared to licence under the Municipal Corporations Act for the purpose of public entertainment of the concert type.

(ii) That the licence contain the necessary conditions to safeguard the public particularly against the panic risk.

(iii) That the applicant for licence be required to specify the films to be exhibited and to certify that such films are not commercial films.

(iv) That the local authority be required to ensure that such occasional exhibitions do not occur within its district, otherwise than as may be specifically approved by the tribunal, with such frequency as to constitute an entertainment competitive in a business sense with the regular picture-theatre.

(v) That the licence fee be a nominal one (1s. is suggested).