

in Australia, the raw materials must come from dollar areas. It was, however, stated by the distributors that the usual practice was to have two or three and sometimes more prints of a film circulating simultaneously in New Zealand. The Committee recommends that the distributors should use every endeavour to have a minimum of three prints of feature films available, and that in general the circulation of one of them should be in the northern half of the North Island, one of them in the southern half of the North Island, and the third in the South Island. Moreover, it is felt that only some compelling urgency should result in what was disclosed in the case of one sample print of a popular film the routing of which was inquired into, where the film after finishing its showing in Christchurch on 4th November was not exhibited in the South Island again until 24th December, and had been shown only for one week in the North Island in the intervening seven weeks; it was not shown in an independent theatre until 18th February nor in any independent theatre in the South Island until 19th April. The Committee is fully cognizant of the fact that it does not follow that because a date is available in a particular district for an independent to secure the exhibition of a film it will necessarily suit the independent to book that film—he may well have booked another film for that date. But, broadly speaking, it appears that independents could get much earlier dates if opportunities were afforded to them in good time. In the illustration mentioned above, nine independent theatres in the South Island exhibited the film in the nine and a half weeks between 19th April and 25th June; and it would seem that most of them could have had the film between 4th November and 24th December of the previous year under better planning.

95. The Committee recommends that complaints as to quality, price, and exhibition dates of films should be included amongst the matters which exhibitors may refer to the Film Industry Board as a matter of right.

96. One independent exhibitor complained to the Committee that rejection rights were not properly exercised by Kerridge-Odeon, who preferred to rely upon the value of their business in the eyes of the distributor as sufficient ground for being relieved of contracts which could not conveniently be fulfilled. Section 9 (1), (2), and (3) of the Cinematograph Films Amendment Act, 1934, provides as follows:—

(1) Notice of his intention to reject any film pursuant to any right of rejection conferred on any exhibitor by the last preceding section or by any contract shall be given by the exhibitor to the renter within twenty-one days after the receipt by the exhibitor of a notification from the renter that such film will be available for exhibition by the exhibitor in terms of his contract:

Provided that in the case of a film that has not been released when such notification is given by the renter, the exhibitor may give notice of his intention to reject such film at any time within twenty-one days after its release or within twenty-one days after the film has been otherwise made available for view by the exhibitor or by some person nominated by the exhibitor to view it on his behalf at a screening arranged by the renter.

(2) Any notification given by a renter to an exhibitor for the purposes of this section with reference to a film that has been released before such notification is given shall specify the theatre in which such film was released, and such other particulars (if any) relating to prior exhibitions of the film as may be prescribed.

(3) For the purposes of this and the last preceding section the right to select any film or films from any number of films, the subject-matter of a film-renting contract, shall be deemed to be a right to reject any unselected film or films.

It is felt that this section might be strengthened by adding to the proviso to section 9 (1) the words “ whichever is the earlier ” or some such phrase as “ if such view of such film at such arranged screening takes place prior to the release of such film.” There could then be no question of a right of rejection arising months after the release of the film, by a process of arranging a special screening rather than the pre-release screening contemplated by the phrase of the proviso.

97. The Committee also feels that some, though not much, film might become available earlier to independents if the chain exhibitors were required each month to give notice to, say, the licensing officer or the Board setting out the titles of the films they had rejected under their statutory rights in the preceding month. Another exhibitor