



TRINIDAD AND TOBAGO

No. 25—1956

[L.S.]

I ASSENT,

E. B. BEETHAM

Governor.

5th June, 1956.

AN ORDINANCE to amend the Cinematograph Ordinance,
Ch. 30. No. 10.

[7th June, 1956]

Commence-
ment.

ENACTED by the Governor of Trinidad and Tobago with the
advice and consent of the Legislative Council thereof.

Enactment.

1. This Ordinance may be cited as the Cinematograph
(Amendment) Ordinance, 1956, and shall be read as one with
the Cinematograph Ordinance, hereinafter referred to as the
Principal Ordinance.

Short title.

Ch. 30. No. 10.

Section 3
of Principal
Ordinance
amended.

2. Section 3 of the Principal Ordinance is hereby amended by substituting for the words "made by the Governor in Council" the words "contained in the Schedule to, or made under, this Ordinance".

Section 4
of Principal
Ordinance
amended.

3. The following subsection is hereby substituted for subsection (2) of section 4 of the Principal Ordinance :—

"(2) Subject to the provisions of this Ordinance the Licensing Authority may grant licences—

- (a) to use the theatre specified in the licence; or
- (b) to such persons as he may think fit to hold cinematograph exhibitions throughout the Colony;

on such conditions and under such restrictions as may be laid down in the licence or in any regulations contained in the Schedule to, or made under, this Ordinance."

Section 5
of Principal
Ordinance
amended.

4. Section 5 of the Principal Ordinance is hereby amended—

(a) in subsection (1) thereof by inserting immediately after the words "Commissioner of Police" occurring in the last line the words "and on the Commissioner of Inland Revenue";

(b) in subsection (3) thereof—

(i) by inserting between the word "for" and the word "and" occurring in the third line the comma and words ", the Commissioner of Inland Revenue or any officer of the Department of Inland Revenue authorised in writing by the Commissioner of Inland Revenue in that behalf"; and

(ii) by substituting the word "grant" for the word "granting" occurring in the seventh line thereof; and

(c) in subsection (5) thereof by inserting immediately before the word "such" where it occurs in the seventh and eighth lines the words "the grant of".

New section 5A
inserted in
Principal
Ordinance.

5. After section 5 of the Principal Ordinance the following section shall be inserted—

"Application
for
exhibitor's
licence.

5A. (1) Every application for an exhibitor's licence shall state the applicant's name, occupation and residence. The application shall not be heard until after

the expiration of twenty-one days from the date of its filing with the Licensing Authority who shall at least fourteen days before the date fixed for the hearing cause notice of the application and of the time and place fixed for the hearing to be published in the *Royal Gazette* and in a daily newspaper circulating in the Colony and to be served on the Commissioner of Police and on the Commissioner of Inland Revenue.

(2) The applicant shall have the right of appearing before the Licensing Authority at the hearing personally or by his counsel or solicitor, and of being heard, and of adducing evidence, in support of his application.

(3) The Commissioner of Police and the Commissioner of Inland Revenue or any person authorised in writing to appear in his stead by either of the said officers shall have the right of appearing before the Licensing Authority at the hearing, personally or by his counsel or solicitor, and of objecting to the grant of the licence and of adducing evidence in support of his objection.

(4) Any person aggrieved by any decision of the Licensing Authority approving the grant of a licence or refusing to grant a licence may appeal from such decision to the Full Court:

Provided that for the purposes of this section "any person aggrieved" shall mean the applicant or any person who is entitled under the provisions of this section to object to the grant of such licence and who shall have appeared before the Licensing Authority and objected to the grant of such licence.

(5) The procedure in respect of any application or of any appeal in respect of such application shall be such as is laid down in the Summary Courts Ordinance."

Ch. 3. No. 4.

6. Section 6 of the Principal Ordinance is hereby amended—

(a) by substituting for subsection (1) thereof the following :—

"(1) Without prejudice to the generality of the discretion vested in the Licensing Authority by section 4 of this Ordinance, the Licensing

Section 6
of Principal
Ordinance
amended.

Authority shall, before approving the grant of a licence, take into consideration—

- (a) the evidence led and the arguments adduced at the hearing;
- (b) in the case of an application for a theatre licence, the situation of the premises in relation to the amenities of the district such as its location in a residential area or in close proximity to any hospital, school, religious establishment, or private or public institution;
- (c) in the case of an application for an exhibitor's licence—
 - (i) that the applicant has been convicted of any offence under this Ordinance or any regulations made thereunder or under the Cinematograph Entertainment Tax Ordinance;
 - (ii) the question whether any duty imposed under the Cinematograph Entertainment Tax Ordinance is due and owing by the applicant;
 - (iii) that the applicant is a person applying in his own name for the purpose of procuring a licence for or to enable the exhibitions to be carried on by or on behalf of some other person.”;

- (b) by adding immediately after subsection (3) thereof the following new subsection to be numbered (4):—

“(4) The Licensing Authority shall not approve the grant of an exhibitor's licence unless he is satisfied that the applicant has paid all the duty imposed under the Cinematograph Entertainment Tax Ordinance which is due and payable by him at the date on which the

Licensing Authority considers the application for the said licence.”; and

- (c) by deleting the word “theatre” occurring in the marginal note thereto.

7. Section 7 of the Principal Ordinance is hereby amended by substituting for the words “The Licensing Authority” occurring in the first line thereof the words “Notwithstanding anything contained in this Ordinance the Licensing Authority”.

Section 7
of Principal
Ordinance
amended.

8. The Schedule to the Principal Ordinance is hereby amended—

Schedule to
Principal
Ordinance
amended.

(a) in the Cinematograph Regulations—

(i) by substituting the words “the occupier of the theatre” for the words “the holder of the theatre licence granted in respect of any building” wherever those words occur in the first two lines of Regulations 24 and 25 thereof;

(ii) by substituting the word “occupier” for the word “holder” occurring in the fourth line of Regulation 24 and in the fifth line of Regulation 25 thereof;

(iii) by substituting for the marginal notes to Regulations 24 and 25 respectively the marginal notes “Contraventions by occupier of theatre or exhibitor”; and

(b) in Form D, by substituting for the first two lines thereof the following :—

“Under section 5 of the Cinematograph Ordinance the building/place situate at _____ and known as _____ is hereby licensed for the use as a theatre for the”.

Passed in Council this eleventh day of May, in the year of Our Lord one thousand nine hundred and fifty-six.

G. E. L. LAFOREST
Clerk of the Council