

TRINIDAD AND TOBAGO.

No. 41—1932.

I ASSENT,

[L.S.]

A. C. HOLLIS,
Governor.

28th December, 1932.

AN ORDINANCE to secure the exhibition of a certain proportion of British films, and for purposes connected therewith.

[On Proclamation.]

BE it enacted by the Governor of Trinidad and Tobago with the advice and consent of the Legislative Council thereof as follows :—

1. This Ordinance may be cited as the Cinematograph Short title.
(British Films) Ordinance, 1932.

2. In this Ordinance—

“ British film ” means

Interpretation.

(a) any film depicting scenes intended for exhibition by a cinematograph apparatus which has been shown to the satisfaction of a censor to have been registered as a British film under the provisions of the Cinematograph Films Act, 1927 (17 and 18 George V, Chapter 29) ; and

[Price 3d.]

(b) any film depicting wholly or mainly news and current events (hereinafter called "news films") or any film depicting natural scenery, industrial or manufacturing processes, and any scientific film, including natural history films, which is not registered in Great Britain under the Cinematograph Films Act, 1927, where such film is shown to the satisfaction of the censor to have been photographed wholly or mainly in the British Empire and made by a maker who is a British subject, or a British Company.

"Censor" means a censor appointed under the provisions of the Cinematograph Ordinance (Cap. 253), or any Ordinance amending the same.

"British Company" means a company constituted under the laws of any part of the British Empire, the majority of the directors of which are British subjects.

"Maker" in relation to any film means the person by whom the arrangements necessary for the production of the film are undertaken.

"Exhibitor" means a person licensed under the provisions of this Ordinance to exhibit films to the public on payment for admission.

"Film" includes inflammable film, non-inflammable film, silent film and phono film.

"Length" means the total length of films as approved by a censor for projection at public exhibitions thereof.

"Prescribed" means prescribed by regulations made under this Ordinance.

Exhibitor
must be
licensed.

3. (1) No person shall carry on the business of exhibiting films to the public on payment unless he holds a licence for the purpose issued by the Inspector-General of Constabulary.

Penalty.

(2) If any person carries on such business in contravention of sub-section (1) hereof he shall be guilty of an offence and shall be liable on conviction to a penalty not exceeding twenty pounds for each day on which he so carries on business.

4. The certificate given by the Censor under section 7 (2) of the Cinematograph Ordinance (Cap. 253), or any Ordinance amending the same, shall state whether the film to which it applies is a British film, and the length thereof approved for exhibition. For the purposes of this section each part of a film intended to be shown on one occasion as a single part of a consecutive series shall be deemed to be a complete film.

Censor's Certificate to state if film British, and length approved for exhibition.

Each part of serial film to be treated as complete film.

5. (1) Every exhibitor who carries on the business of exhibiting cinematograph films to the public in a building or place licensed under the Cinematograph Ordinance (Cap. 253), or any Ordinance amending the same, shall exhibit in such building or place in any year in which he so exhibits films to the public on payment at least such proportion of British films (exclusive of news films) as is shown in the second column of the Schedule to this Ordinance, and if the films so exhibited include films of 5,000 feet or upwards in length the requirements of this section must be satisfied as respects the last-mentioned films so exhibited, as well as respects all the films so exhibited. Whenever such exhibitor shall exhibit news films, then he shall on each such occasion exhibit at least such proportion of British news films as is shown in the third column of the Schedule to this Ordinance.

Provisions as to quota.

(2) The proportion of British films so exhibited shall be ascertained by comparing the total number of feet of British film exhibited with the total number of feet of all films exhibited; provided that no film or section of film shall be reckoned more than once.

(3) Any exhibitor who fails to comply with the provisions of this section shall be guilty of an offence, except as provided by section 7 hereof, and shall be liable, on conviction, to a penalty not exceeding one hundred pounds.

Penalty.

(4) Any person convicted of an offence under sub-section (3) hereof who has been previously convicted under that sub-section shall be liable, in addition to the penalty therein provided, to have his licence cancelled.

Licence may be cancelled when offender has previous conviction.

(5) The Governor in Executive Council may make regulations providing that such part of the percentage appointed for British news films not exceeding one-fifth of such percentage, shall be apportioned to the exhibition of British West Indian films, and for regulating the price to be charged by the proprietor of such films.

Records and returns.

6. (1) Every exhibitor shall keep in respect to each licensed building or place where he carries on the exhibition of films a book in the prescribed form, and shall as soon as practicable after the conclusion of each exhibition of films record therein the title and length of such film or section of film as exhibited on the occasion in question.

Annual return to be furnished by 15th January.

(2) Every exhibitor shall furnish to the Inspector-General not later than the 15th day of January in any year a return showing the title and length of each film or section of serial film exhibited by him at each licensed building or place under his control throughout the period of one year ending on the preceding thirty-first day of December.

Requirements in case of exhibitors using moveable structures.

(3) Any exhibitor who exhibits films in a tent or other moveable structure licensed for the purpose shall not be required to keep more than one book in respect of such tent or structure.

Power to call for and examine records.

(4) The Inspector-General or any member of the Constabulary Force appointed by him may at all reasonable times enter any building or place licensed for the exhibition of films and call for and examine the book which an exhibitor is required to keep under the terms of this section.

Penalties.

(5) Any person who fails to keep a book and record therein such particulars as are mentioned in sub-section (1) hereof, or who fails to make a return in accordance with sub-section (2) hereof, or who makes any false entry in such book or return, shall be guilty of an offence, and on conviction shall be liable to a penalty not exceeding twenty pounds.

Exemption from compliance with this Ordinance in certain cases.

7. The Governor in Executive Council may issue a licence to any person to hold an exhibition of cinematograph films for charitable, educational or other special purposes exempting such person for such period as may be prescribed in such licence and subject to any conditions endorsed thereon from compliance with the provisions of this Ordinance or any of them.

Application of Ordinance.

8. This Ordinance shall apply to all cinematograph films exhibited to the public when payment for admission is charged, other than

(a) Films being wholly or mainly commercial advertisements ;

- (b) Films used wholly or mainly for educational purposes and approved as such by the Inspector-General;
- (c) Films consisting only of announcements or notices not accompanied by pictorial illustrations;
- (d) Films exhibited at a performance where the total length of film does not exceed two thousand feet.

9. The Governor in Executive Council may make Regulations. regulations for prescribing anything which under this Ordinance is to be prescribed, and generally for carrying this Ordinance into effect, and in particular as to

- (a) the particulars and evidence necessary for establishing the British nature of a film;
- (b) the form of the returns to be made, and of the records to be kept under this Ordinance;
- (c) the fees to be paid on applications for licences under this Ordinance;
- (d) the form and duration of licences issued under this Ordinance.

All such regulations shall be published in the *Royal Gazette*.

10. No prosecution shall be commenced under this Ordinance without the written consent of the Fiat of Attorney-General. Attorney-General.

11. Penalties under this Ordinance shall be recoverable before a Magistrate in the manner provided by the Recovery of Penalties. Summary Conviction Offences (Procedure) Ordinance, (Cap. 24.)

12. Save as herein otherwise provided nothing in this Ordinance shall affect the operation of the Cinematograph Ordinance (Cap. 253), or any Ordinance amending the same. Saving as to Cap. 253.

13. This Ordinance shall commence on such day as the Governor shall fix in that behalf by proclamation. Commencement.

SCHEDULE.

(SECTION 5).

	Requisite percentage of British films.	Requisite percentage of British Newsfilms.
During the year 1933	20%	50%
During the year 1934 and subsequent years	25%	50%

Passed in Council this sixteenth day of December, in the year of Our Lord one thousand nine hundred and thirty-two.

J. O'CONNOR,
for Clerk of the Council.