

CHAPTER 115.

CINEMATOGRAPH EXHIBITIONS.

ARRANGEMENT OF SECTIONS.

SECTION

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CHAPTER 115.

CINEMATOGRAPH EXHIBITIONS.

12 of 1931.
29 of 1932.
2 of 1933.
10 of 1958.

An Ordinance for the better Regulation and Control of Cinematograph and similar Exhibitions, and for purposes connected therewith.

[29TH AUGUST, 1931.]

Short title.

1. This Ordinance may be cited as the Cinematograph Exhibitions Ordinance, and shall apply to the Colony and Protectorate.

Interpretation.

2. In this Ordinance, unless the context otherwise requires—
“ Board ” means the Board of Control appointed under section 6;

“ exhibition ” means a cinematograph exhibition, and includes any other similar exhibition;

“ premises ” includes buildings and lands.

Exhibitions not to be given except on licensed premises.

3. (1) No person shall conduct, present, or give, or allow to be conducted, presented, or given, any exhibition for the purposes of which inflammable films are used, except in premises licensed under a licence granted by the prescribed authority

for that purpose under this Ordinance, and in accordance with the provisions of such licence and with the conditions and restrictions, if any, set forth therein.

(2) No licence shall be granted in respect of any premises unless the prescribed authority is satisfied that such premises are safe and otherwise suitable for the purposes of the proposed exhibition.

(3) The prescribed authority may—

(a) refuse to grant any such licence, or

(b) grant the same subject to such conditions and restrictions as the said authority may see fit to impose, and

(c) may at any time vary or revoke any such licence;

and in each case without being required to assign any reason for so doing:

Provided that an appeal shall lie to the Governor from any decision of the prescribed authority under this sub-section, and provided further that the decision of the Governor thereon shall be final.

4. Where the prescribed authority has granted a licence upon the condition that the exhibition shall be conducted under the superintendence of some public officer, it shall in such case be lawful for such public officer at any time to order such exhibition to cease, or to give any other direction which he may think necessary for the purpose of ensuring the safety from fire of the premises in which the exhibition takes place or of the people attending the exhibition.

Supervision at exhibitions to ensure safety from fire.

5. (1) The occupier (which expression in this section includes a reference to the person managing or receiving the rent thereof) of any premises at which it is proposed to give an exhibition shall ascertain whether the said premises have been duly licensed as aforesaid.

Duty of occupier of premises in which it is proposed to give an exhibition.

(2) The said occupier shall notify the prescribed authority if and so soon as he has reason to believe that there is an intention to proceed with the exhibition either without a licence granted as aforesaid, or with such licence, but contrary to any of the conditions imposed thereby.

6. (1) No person shall present or exhibit, or allow to be presented or exhibited, any film pictures or other similar optical effects unless the same shall first have been approved and passed

Censorship of films.

by the Board of Control appointed under the next succeeding sub-section.

(2) It shall be lawful for the Governor by Order to appoint a Board of Control for the purpose of viewing, examining, and censoring films, intended for use in connection with an exhibition. The Board shall be constituted in such manner as the Governor shall direct, and shall by virtue of this enactment be invested with all legal powers necessary for the proper performance of its duties and functions.

10 of 1958.

(3) Whenever the Board shall pass and approve any film, it shall signify its decision by a certificate in the prescribed form. The Board may—

(a) pass and approve part of a film whilst disapproving another part thereof; or

(b) pass and approve any film subject to special conditions and restrictions as to the Board may seem fit; or

(c) at any time revoke its decision; or

(d) give such directions in the matter;

and may so act as it shall think proper for the purpose of giving effect to its decision.

(4) A film or part of a film which has been passed and approved by the Board of Control may, subject always to the provisions of this Ordinance relating to the premises in which an exhibition is or may be given, be exhibited in any part of the Colony or Protectorate.

(5) When the Board has refused to pass and approve any film or part of a film, it may retain such film or excise and retain such part of a film until it is exported from the Colony or otherwise disposed of in accordance with the directions of the Board.

Advertisement of films not to be exhibited unless authorised.

7. No person shall display or cause to be displayed any picture, photograph, poster or figure advertising any cinematograph display unless the same has been approved by the Board and marked by it in the manner prescribed.

Power of entry.

8. Any District Commissioner or Police officer may at any time enter any premises in which an exhibition is being given, or in which he has reason to believe that an exhibition is being or about to be given, with a view to seeing whether the provisions of this Ordinance and of any licence granted thereunder have been complied with, and generally also for the purpose of inspection and control.

9. Any person who—

Offences and penalties.

(i) in any way, whether by act or omission, contravenes or fails to comply with any provision of this Ordinance, or

(ii) in any way, whether by act or omission, disobeys or fails to comply with the lawful order of the prescribed authority or of any officer charged with the execution of, or concerned in the enforcement of, any of the provisions of this Ordinance, or

(iii) in any way hinders or obstructs any such authority or officer,

shall be guilty of an offence, and on summary conviction thereof shall be liable to a fine not exceeding fifty pounds, and, in the case of a continuing offence, to a further fine not exceeding two pounds in respect of each day during which the offence continues.

10. The restrictions set forth in this Ordinance shall not apply to an exhibition given in private premises to which the public are not admitted on payment or otherwise.

Ordinance not applicable to private exhibitions.

11. (1) It shall be lawful for the Governor in Council to make rules for the further, better, or more convenient effectuation of any of the provisions or purposes of this Ordinance, and in particular, but without prejudice to the generality of the foregoing power, with respect to any of the following matters—

Rules.

(a) the appointment of a person or persons to be the prescribed authority for any purpose under this Ordinance;

(b) the prescription of fees to be charged and paid under this Ordinance;

(c) the prescription of forms to be used for any purpose under this Ordinance;

(d) the procedure with respect to the application for, and to the grant of, licences under section 3, and the conditions and restrictions relating thereto;

(e) the prescription of anything which under this Ordinance requires to be or may be prescribed; and

(f) the prescription of the duties and powers of any person engaged or employed in the administration or enforcement of the provisions of this Ordinance.

(2) Rules made under this section shall, while in force, have the same effect as if enacted in this Ordinance either immediately or on and from such other date as may therein or in their regard be provided.



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