

Order-In-Council Causes Disorder

TWO SIDES OF A FILM ARGUMENT

(Continued from page 6.)

For instance, if the owners of a theatre which had been screening a mixture of first-run and second-run (that is, return season) films, wished to modernise the building with the intention of screening only first-run films, the licensing officer has the power, it is said, to restrict the owners to screen no more new films than they had screened over the past two years—thus more or less creating a monopoly for the existing first-run theatres.

So far as the issue of licences to new theatres is concerned, the licensing officer will have almost unlimited power. He can define whether it shall be a first-run theatre or a second-run theatre.

Another aspect of the subject deals, so it is said, with the right possessed by the exhibiting companies to reject 25 per cent. of a studio's product. That right is usually exercised to the full, but up till now the practice with most of these rejected films has been to bring them on the market again and release them at one of the smaller theatres. However, with the new law in force—strictly classifying theatres as "first-run" or "second-run"—it might be almost impossible to secure a release anywhere for a film that had been rejected as being not up to the standard required by the major first-run houses. And so, if it was not given a first showing in the city, it could not be shown even in the suburbs, since suburban theatres would be for second-run films only. This would mean a considerable loss to the exchanges.

With the present merging of theatre interests, the exhibitors would be in a position to hold out for a reduction in film rentals, it was stated. If they refused to pay what was asked for top-group films, it seemed that that would automatically bring those films down to the second group.

Said one film exchange man: "It is difficult to see how these regulations can be excused on the ground of public benefit. Surely it must be to the benefit of the public's entertainment to have competition? There are thousands of pounds waiting to be put into theatre-building in this country, but it is tied up by these regulations."

"This is the first time any regulations affecting the whole film industry were not first referred to both sides. The film exchanges had no warning of this amendment. . . . It seems like the thin end of the wedge of the Industrial Efficiency Act. It is time the whole Licensing Regulations were exposed."

The Other Side

Well, that seems to be the case from the film exchanges' side. An answer to it from the film exhibitors' side was given to me by Mr. J. Robertson, M.P., who is secretary to the New Zealand Exhibitors' Association.

In the first place, Mr. Robertson pointed out that the grouping of theatres which had been mentioned had nothing to do with the Licensing Regulations.

"About 500 films come to New Zealand annually from all sources," con-

tinued Mr. Robertson. "Of these, it can safely be said that not more than 50 could be called first-grade films. Therefore, no matter how much competition set in for the buying (i.e. hiring) of films, the amount of good pictures offered to the public would not be increased.

"In Wellington, for instance, you can say that, out of the eight or so new films released each week to the public, there is one of first-grade quality. If you increased the number of first-run theatres to 10, there would still only be one film in eight that would be first-grade.

"Hence the public would not benefit in any way by an increase in the number of first-run theatres. The only effect, it is obvious, would be to increase the competition among the ten theatres to secure the first-grade films for showing each week. This in turn would have the effect of increasing the cost of films to the theatre proprietors; and consequently tend to make them pass on the increased cost to the public.

"One important consideration taken into account by the licensing authority when a theatre licence is applied for, is the availability of film supply of a good standard," continued Mr. Robertson. "The intention of the new regulation, which prevents a second run theatre becoming first-run without the approval of the licensing authority, is to stop uneconomic competition for film supply. It is quite obvious that a licence might be granted for a theatre to show second-run films, because the granting of such a licence would not affect the position of first-run theatres; but its unrestrained conversion to a first-run house could have a seriously detrimental effect on the owners of the existing first-run houses, without giving any benefit whatsoever to the public."

Control of theatre licensing was instituted by the previous Government; and, according to a statement made by Mr. R. Girling-Butcher, who is the Licensing officer, the purpose of the present amendment is merely to give effect to the existing regulations.

Finally, there is a rather sensational explanation of the whole affair that has been mentioned to me. From an authoritative source I learned that after the licensing regulations had been set up by the previous Government and had been in force for about a year, their validity was attacked and they were declared "ultra vires" the Board of Trade Act. In the period of non-control which ensued, a large number of new theatres were built; and, said my informant, "it is significant that the bulk of those theatres are now at least partly under the control of American film interests. It is quite possible that, by the constant jacking-up of film rentals through unrestricted competitive buying, theatre proprietors would be pushed into such a position that their theatres might pass under foreign control. It is the desire to remove that possibility that lies behind the present action."

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