

ACT No. XXIII OF 1919.

[PASSED BY THE INDIAN LEGISLATIVE COUNCIL.]

*(Received the assent of the Governor General on the 24th
September, 1919.)*An Act to amend the Cinematograph Act,
1918.

II of 1918. **W**HEREAS it is expedient to amend the Cinematograph Act, 1918; It is hereby enacted as follows:—

1. This Act may be called the Cinematograph Short title.
(Amendment) Act, 1919.

II of 1918. 2. For sub-section (3) of section 1 of the Cinematograph Act, 1918 (hereinafter referred to as the said Act), the following sub-section shall be substituted, Amendment of section 1, Act II of 1918.
namely:—

“(3) The Governor General in Council may, by notification in the Gazette of India, direct that the whole or any of its provisions shall come into force in any Province or part of a Province on such date as may be specified in the notification.”

3. In sub-section (2) of section 5 of the said Act, Amendment of section 5, Act II of 1918.
for the words “the prescribed authority” the words and figure “an authority constituted under section 7” shall be substituted.

4. For section 7 of the said Act the following section shall be substituted, namely:— Substitution of a new section for section 7, Act II of 1918.

“7. (1) Any Local Government authorised in Certification of films.
this behalf by the Governor General in Council may, by notification in the local official gazette, constitute

as

as many authorities as it may think fit for the purposes of examining and certifying films as suitable for public exhibition, and declare the area (hereinafter referred to as the 'local area') within which each such authority shall exercise the powers conferred on it by this Act. Where an authority so constituted consists of a Board of two or more persons, not more than one-half of the members thereof shall be persons in the service of Government.

(2) If any such authority after examination considers that a film is suitable for public exhibition, it shall grant a certificate to that effect to the person applying for the same, and shall cause the film to be marked in the prescribed manner. The certificate of any such authority shall, save as hereinafter provided, be valid throughout the territories in which this Act is in force.

(3) (a) If the authority is of opinion that a film is not suitable for public exhibition in the local area, it shall inform the person applying for the certificate of its decision, and such person may, within thirty days from the date of such decision, appeal for a reconsideration of the matter by the Local Government by which the authority was constituted.

(b) If the Local Government rejects the appeal it shall, by notification in the local official gazette, direct that the film shall be deemed to be an uncertified film in that local area, and such direction shall have effect notwithstanding the subsequent grant of a certificate in respect of the film by any other such authority.

(4) Any such authority may demand the exhibition before itself of any certified film which it has reason to believe is about to be publicly exhibited in its local area, and may by order suspend the certificate of any such film pending the orders of the Local Government, and during such suspension the film shall be deemed to be an uncertified film in that area.

(5) The District Magistrate, or, in a Presidency-town or in the town of Rangoon, the Commissioner of Police, may by order suspend the certificate of any film pending the orders of the Local Government, and during

during such suspension the film shall be deemed to be an uncertified film in that district or town.

(6) A copy of any order of suspension made under sub-section (4) or (5), together with a statement of reasons therefor, shall forthwith be forwarded by the authority or the officer making the same to the Local Government by which the authority was constituted or to which the officer is subordinate, as the case may be, and such Local Government may, in its discretion, either discharge the order or, by notification in the local official gazette, direct that the film shall be deemed to be an uncertified film in the whole or any part of the Province.

(7) A Local Government may, of its own motion, by notification in the local official gazette, direct that a certified film shall be deemed to be an uncertified film in the whole or any part of the Province.

(8) The exhibition of a film to which any order or direction under clause (b) of sub-section (3) or sub-section (4), (5), (6) or (7) is for the time being applicable shall, in the area to which such order or direction relates, be deemed to be a contravention of the condition mentioned in sub-section (2) of section 5."

5. In section 8 of the said Act—

(1) at the end of clause (b) of sub-section (2) the word "and" shall be omitted, and after the same clause, the following clause shall be inserted, namely :—

Amendment
of section 8,
Act II of
1918. *

"(bb) the appointment of officers subordinate to authorities constituted under section 7 and the regulation of the powers and duties of such officers; and"; and

(2) for sub-section (3) the following sub-section shall be substituted, namely :—

"(3) The Governor General in Council may delegate to a Local Government, subject to such conditions and restrictions as he may impose, the power to make rules regarding all or any of the matters mentioned in sub-section (2) so far as regards the territories subject to that Government."