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CHAPTER 23.07

CINEMATOGRAPH ACT and Subsidiary Legislation

Revised Edition

showing the law as at 31 December 2002

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CHAPTER 23.07

CINEMATOGRAPH ACT

AN ACT TO PROVIDE FOR THE GRANTING OF PERMISSION TO PERSONS WHO WISH TO CONDUCT CINEMATOGRAPH EXHIBITION; AND TO PROVIDE FOR RELATED OR INCIDENTAL MATTERS.

Short title.

1. This Act may be cited as the Cinematograph Act.

Interpretation.

2. In this Act, "Minister" means the Minister responsible for Social Affairs.
(Inserted by Act 7 of 1976)

Provision against cinematograph exhibition except with permission of Minister.

3. (1) No person may conduct or allow to be presented or given by means of a cinematograph, or other similar apparatus for the purposes of which inflammable films are used, any exhibition of pictures or other optical effects without the written permission of the Minister.

(2) The Minister may refuse to grant such permission or grant it subject to the regulations made under this Act and subject to such special conditions and restrictions to be specified in the permission, as to him or her may seem fit, and any such permission may be revoked by the Minister at any time.

Supervision at exhibitions to ensure safety from fire.

4. Where the Minister grants any such permission upon the conditions that the exhibition be conducted under the superintendence of some officer or person designated in the permission, then the officer or person so designated may, at any time, order such exhibition to cease or may give any other direction which he or she may think necessary for ensuring the safety from fire of the premises at which the exhibition takes place and of the people attending the exhibition.

Person conducting exhibition contrary to Act, etc., commits an offence.

5. Any person who conducts or who in any way assists in conducting any such exhibition in contravention of the provisions of this Act, or the regulations made thereunder, or of any condition or restriction specified in a permission so granted, commits an offence against this Act.

Duty of occupier, etc., of premises.

6. (1) It shall be the duty of the occupier or the person who manages or receives the rent of any premises at which it may be proposed to conduct any such exhibition, to ascertain whether the requisite permission of the Minister shall have been obtained and, if so, the terms of such permission; and it shall also be the duty of such occupier or person to give notice to the Chief of Police, if and so soon as he or she has reason to believe that there is an intention to proceed with the exhibition either without the Minister's permission or with such permission but without having everything done, which may be required under such permission to be done, previous to the exhibition taking place.

(2) Any occupier or person referred to in this section who fails to comply with the provisions of this section commits an offence against this Act.

Power of entry.

7. Any police officer or any officer appointed for the purpose by the Minister may, at all reasonable times, enter any premises in which he or she has reason to believe that any cinematograph or any similar exhibition is being or about to be given, with a view to seeing whether the provisions of this Act or any regulations made thereunder, and the conditions of any permission so granted have been complied with; and if any person prevents or obstructs anyone acting as aforesaid, he or she commits an offence against this Act.

Regulations.

8. The Minister may make such regulations as he or she may deem expedient for regulating and controlling cinematograph and other similar exhibitions.

General penal clause.

9. Any person found guilty of an offence against this Act, or against any provision of the Regulations made under its provisions shall be liable, on summary conviction, to a fine not exceeding five hundred dollars.

(Amended by Acts 7 of 1976 and 9 of 1986)

Burden of proof.

10. In any prosecution under this Act, the onus of proving compliance with the provisions of this Act or of any Regulations made thereunder shall lie on the defendant.

Penalty, how recovered.

11. All penalties incurred under this Act may be recovered summarily under the provisions of the Magistrates' Code of Procedure Act, Cap. 3.17.

SCHEDULE

(Section 8)

CINEMATOGRAPH REGULATIONS

Short title.

1. These Regulations may be cited as the Cinematograph Regulations.

Interpretation.

2. In these Regulations—

“building” means any structure used or intended to be used for the exhibition of films to the public, and includes any yard, external passageway or open space connected therewith;

“cinematograph exhibition” means any exhibition of pictures or other optical effects by means of a cinematograph or other similar apparatus, for the purpose of which cinematograph films are used;

“enclosure” means that part of a building in which cinematograph apparatus is installed and operated;

“exhibitor” means a person permitted under the provisions of the Cinematograph Act to give cinematograph exhibitions;

“exit” includes emergency exit and any passageway;

“film” means inflammable film;

“new building” means any building erected or adapted for use for the exhibition of films to the public, and put into use after the commencement of these regulations;

“re-winding room” means a room designed and constructed with the approval of the Superintendent of Public Works and used for the rewinding of film;

“Superintendent of Public Works” means the officer for the time being performing the duties of Superintendent of Public Works of the State and includes any person acting under his or her written authority;

“vault” means a vault of cement designed and constructed with the approval of the Superintendent of Public Works.

Design and construction of new buildings.

3. (1) The design and construction of all new buildings shall be subject to the approval of the Superintendent of Public Works.

(2) All buildings in use at the commencement of these regulations shall, within a period of eighteen months from the commencement of these Regulations, conform to the provisions of these regulations.

Exits.

4. (1) All exits from a building provided for members of the public or the staff employed in connection with the building or with cinematograph exhibitions in the building shall be suitably indicated by notices bearing the word “EXIT” in six inch letters and all such notices shall be tinted green and illuminated with green lights.

(2) All other doors or openings leading from the auditorium gallery or any passageway into a dead end or such other places as are unsafe or unsuitable for the purpose of egress shall be indicated by notices bearing the words "NO THOROUGHFARE" in six inch letters, and such notices shall be tinted red and illuminated by red lights.

(3) Where doubt may arise as to the direction of exit, or where persons might unwittingly move into danger, a notice bearing the word "TO EXIT" in six inch letters and tinted green or illuminated with green lights shall be provided.

(4) All notices required by the three foregoing paragraphs shall be illuminated in such manner as may be specified by the Chief Electricity Engineer and Manager.

(5) Wherever possible such notices shall be placed above the doors to which they relate, but in any case they shall not be less than 6 feet 9 inches above floor level.

Seating.

5. (1) The seating in a building shall be so arranged as not to interfere with free access of any person to the exits.

(2) Blocks of seats shall be battened together and securely fastened to the floor.

No chairs, etc., in gangways.

6. No chairs, seats or other obstructions shall be placed or allowed to remain in gangways or in any other part of a building used for the safe and speedy egress by the public or members of the staff employed in connection with any building or cinematograph exhibition.

No Standing permitted.

7. No standing of members of the audience shall be permitted in any building during any cinematograph exhibition other than for the purpose of gaining access to vacant seating or egress from the building during or at the conclusion of an exhibition.

Provisions in connection with cinematograph exhibitions.

8. (1) Whenever the public is present at any cinematograph exhibition exits shall be kept free of inflammable tapestries or any other object likely to restrict egress by the public from the building in which such cinematograph exhibition is being held.

(2) All sliding or folding shutters or roller or collapsible gates of a building shall be left fully open whilst the public is present at any cinematograph exhibition.

Provisions in connection with floor coverings and curtains.

9. (1) Floor coverings of buildings shall be fixed in such a way as to prevent rucking or obstruction, and shall be sunk to floor level, and all floors shall be maintained in a non-skid condition.

(2) All curtains shall be hung not less than 2 inches clear of floors, and shall slide freely.

Enclosures.

10. (1) Ventilation in enclosures shall be as approved by the Superintendent of Public Works.

(2) Two openings for each projector in an enclosure shall be provided and the construction thereof shall be subject to the approval of the Superintendent of Public Works.

(3) All furniture and fittings within an enclosure shall be of non-combustible material.

(4) No film cement shall be kept in an enclosure.

(5) No winding or rewinding of films shall take place in an enclosure whilst members of the public are present on the premises or the projectors are in use, and in new buildings separate rewinding rooms shall be provided and shall be subject to the approval of the Superintendent of Public Works.

(6) No smoking shall be permitted in enclosures or rewinding rooms, and notices to this effect shall be permanently affixed in a prominent position.

(7) Films other than those being projected, and being prepared for projection, shall be kept in a non-combustible container.

(8) Barriers and notices shall be provided to prevent members of the public coming into contact with enclosures.

Apparatus and installations.

11. All electrical apparatus and installations shall be of a standard and specification approved by the Chief Electricity Engineer and Manager.

Projectors.

12. Projectors shall be of a type approved by the Chief Electricity Engineer and Manager and shall be placed on firm fire-resisting supports.

Films exceeding 100,000 feet to be stored in vault.

13. Not more than 500 lbs. (100,000 ft.) of film shall be permitted to be kept in any building unless stored in a vault and in any case not more than 125 lbs. (25,000 ft.) shall be exposed at any one time.

Cementing of films.

14. (1) No collodion, any acetate or other similar inflammable substance for the cementing of film shall be kept other than in rewinding rooms, or approved fire-resisting cabinets or safes, or in any quantity exceeding one imperial pint.

(2) Splices in film shall be made by a cutting and splicing machine approved by the Superintendent of the Fire and Rescue Services.

(3) Motion picture projectors shall be operated by and be in charge of a projectionist to be licensed by the Chief Engineer and Manager.

Auditorium, provisions as to.

15. (1) The auditorium and the exits therefrom to the outside of a building, including any external courts, passageways, stairways or ramps, the notices indicating position of exits, and all parts of the building to which the public is admitted shall

throughout be adequately illuminated during the whole time the public is present at a cinematograph exhibition.

(2) In the event of the failure of the main lighting the auditorium shall be at once illuminated by a secondary lighting service, and remain so illuminated until the main lighting is repaired, or until all members of the public have left the premises.

Residence in building prohibited.

16. No person shall be permitted to reside in any building.

Fires to be reported.

17. All fires occurring in a building during the holding of any cinematograph exhibition shall be immediately reported by the exhibitor to the nearest Fire or Police Station.

Fire Equipment to be provided.

18. Fire equipment shall be provided and maintained throughout buildings in accordance with the directions of the Superintendent of the Fire and Rescue Services.

Attendants at exhibitions.

19. (1) In order to secure the safety of the audience, the exhibitor or some responsible person designated by him or her shall be in attendance throughout cinematograph exhibitions, and he or she shall be assisted by such staff as the Chief of Police shall deem necessary.

(2) All such persons shall be fully instructed in their duties and all attendants shall wear a distinctive uniform or arm-band.

(3) During cinematograph exhibitions in buildings at which children are present the number of attendants shall be such as may be required by the Chief of Police.

Notices to be affixed in building for action in event of fire.

20. There shall be in enclosures, the rewinding room, pay office and manager's office of every building a prominent notice detailing action in the event of fire or any other unusual occurrence.

Exhibition of film may be stopped by police.

21. The Chief of Police or any police officer authorized in that behalf by the Chief of Police may at any time and without prior notice require a cinematograph exhibition which is being held in a building to be stopped if in his or her opinion circumstances exist which would constitute a danger to the public should fire or other unusual happening occur.

Person Aggrieved may appeal to Minister.

22. When any person shall withhold his or her approval of the doing of or omission to do anything in connection with a building, or the furniture, fittings, electrical apparatus or installations thereof, which is subject to his or her approval under these regulations, the person aggrieved by his or her decision may, within seven days of the date of receipt of notification that such approval has been withheld, appeal against such decision to the Minister who may, in his or her discretion, authorize the doing of or the omission to do such thing either unconditionally or

subject to such conditions as he or she may think fit to impose or may confirm such decision:

Provided that if the person whose approval is withheld is of the opinion that the doing of or omission to do any such thing would constitute a danger to persons attending any cinematograph exhibition in such building he or she shall so notify the person seeking his or her approval and forward a certificate to that effect to the Minister; and thereupon such building shall cease to be used for the holding of any cinematograph exhibition until the Minister shall so authorize and, if the Minister shall so authorise, such building shall only be used for the holding of cinematograph exhibitions subject to such conditions as the Minister may impose.

Unauthorised person not allowed in enclosure.

23. No unauthorised person shall be allowed in an enclosure.
