

CAP. 43.

CYPRUS

CINEMATOGRAPH FILMS

CHAPTER 43 OF THE LAWS

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1959

CHAPTER 43.

CINEMATOGRAPH FILMS.

ARRANGEMENT OF SECTIONS.

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A LAW TO PROVIDE FOR THE BETTER REGULATION AND
CONTROL OF PUBLIC CINEMATOGRAPH EXHIBITIONS,
AND FOR THE PURPOSES CONNECTED THEREWITH.

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24 of 57.

Short title.

[29th March, 1935.]

1. This Law may be cited as the Cinematograph Films Law.

Interpre-
tation.

2. In this Law,

“ Board ” means the Board of Censors appointed by the Governor under section 3 (1) of this Law;

“ exhibition,” with its cognate expressions, of a cinematograph film means an exhibition to which the public are admitted and includes the production of any music, song, speech or other sound whatsoever which accompanies the projection of a cinematograph film;

“ poster ” means any bill, figure, notice, picture or photograph advertising any exhibition, but shall not include such classes or kinds of advertising matter as the Governor in Council may by Regulations made under this Law exempt from censorship.

Establish-
ment of
Board of
Censors.

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3. (1) There shall be established a Board of Censors consisting of such persons as may, from time to time, be

appointed by the Governor, and the Governor may at any time revoke any such appointment.

(2) The Governor shall appoint a President and a Vice-President and a Secretary of the Board from among the members and may, if he thinks fit, appoint an Assistant Secretary from among the same.

(3) In the absence of the President from any meeting of the Board, the Vice-President or, in his absence, such person as the members present may appoint, shall be the Chairman of such meeting.

(4) During the absence of any member of the Board from Cyprus the Governor may appoint any person to be temporarily a member of the Board during such absence.

(5) Any vacancy in the Board shall be filled by the Governor.

(6) The determination of any question before the Board shall be according to the opinion of the majority of the members present.

(7) In the case of an equality of votes the Chairman of the meeting of the Board shall have a casting vote in addition to his own vote.

(8) Six members of the Board shall form a quorum:

Provided that for the purpose of determining an appeal under section 9 of this Law, three members of the Board shall form a quorum.

4. (1) The Board shall appoint one or more Committees, each consisting of three of its members, to be Censorship Committees for the purposes of this Law.

Appoint-
ment of
Censorship
Committees.
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(2) Whenever for any reason a member of the Board appointed to be a member of a Censorship Committee is unable to serve on the Committee, the President or, in his absence, the Vice-President, may appoint another member of the Board as a member of the Committee to take the place of such member.

5. No person shall present or exhibit or allow to be presented or exhibited any cinematograph film or part of a film unless such film shall have been previously approved by a Censorship Committee or, on an appeal under section 9 of this Law, by the Board.

Censorship
of films.

Censorship
of posters.

6. No person shall display or distribute or cause to be displayed or distributed any poster unless the same has been approved by a Censorship Committee or, on an appeal under section 9 of this Law, by the Board.

Interdiction
of approved
films and
posters.

7. (1) The Board may at any time by notice withdraw any approval given by a Censorship Committee and thereafter no person shall present or exhibit any film or shall display or distribute any poster to which such notice relates.

(2) The notice to be given under this section shall be given to the person who submitted the film or poster to be approved or to any person in possession thereof:

Provided that if neither of such persons can be found the notice may be given by publication in the Gazette.

Duties and
powers of
Censorship
Committee.

8. (1) It shall be the duty of a Censorship Committee to examine and censor every film and poster submitted to it for approval in accordance with the Regulations made under this Law.

(2) Whenever the Censorship Committee shall approve any film or poster it shall signify its decision in the prescribed form and may also affix on such film or poster an identification mark recording its decision.

(3) The Censorship Committee may approve part of a film whilst disapproving another part thereof, and may 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 to which any matter has been added after it has been approved shall be again submitted for approval, and until it has again been approved shall be deemed not to have been approved.

(5) When a Censorship Committee has refused to approve any film or part thereof, and an appeal against such refusal has not been instituted under section 9 of this Law, the Committee may retain such film or excise and retain such part until its exportation from Cyprus or until it is otherwise disposed of in accordance with the direction of the Committee, and the Committee shall have the like powers where an appeal against such refusal has been dismissed.

Appeal to
Board.

9. (1) Any person aggrieved by any decision of a Censorship Committee may, within twenty-one days of the notification of such decision, appeal to the Board whose decision thereon shall be final and conclusive.

(2) No member of the Censorship Committee from which an appeal is made shall sit as a member of the Board for the purpose of determining such appeal.

10. Any police officer of any rank not lower than that of sergeant on being satisfied that there is reason to believe that a film or part of a film not authorized for exhibition in accordance with the provisions of this Law has been or is being exhibited in any building or place may without warrant at any time enter and search such building or place and seize any film or part of a film reasonably suspected to be exhibited without such authority.

Search for unauthorized film.

11. (1) The Governor may authorize to be paid to the Secretary and to an Assistant Secretary such remuneration as he may determine in respect of their services under this Law.

Remuneration of Secretary and Assistant Secretary. Cap. 240.

(2) Notwithstanding anything in the Municipal Corporations Law, or in any amendment thereof, contained, the Governor may by Order to be published in the Gazette direct that, in part payment of the remuneration of the Secretary and of an Assistant Secretary, such Municipal Corporations as may be named in such Order shall contribute annually a sum not exceeding sixty pounds in such proportions and in such manner and at such time as may be specified therein.

(3) Every Order made under subsection (2) hereof shall be binding on the Municipal Corporations named therein.

12. Where—

(a) a Censorship Committee has refused to approve a film and an appeal against such refusal has not been instituted under section 9 of this Law or an appeal has been instituted but has been dismissed by the Board, and

(b) the film which has not been approved is to be exported from Cyprus,

any duties of Customs which have been paid in respect of such film shall, at the request of the exporter and after the film has been exported, be refunded to the exporter:

Provided that the provisions of this section shall not apply to any film which has been partly approved and exhibited.

Refund of duties of Customs.

13. The Governor in Council may make Regulations for carrying into effect the purposes of this Law and, without

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prejudice to the generality of the power so conferred, in particular for—

- (a) prescribing the fees to be paid for any matter or thing to be done under this Law or any Regulations made hereunder;
- (b) prescribing the forms to be used for any matter or thing to be done under this Law or any Regulations made hereunder;
- (c) prescribing the conditions and the procedure with respect to the submission of films or posters for approval and to the grant of such approval and the terms, conditions and restrictions thereof or relating thereto;
- (d) exempting from censorship any kind or class of advertising matter;
- (e) prescribing any other matter required to be prescribed under the provisions of this Law;
- (f) providing for the imposition of penalties not exceeding fifty pounds fine for any contravention of, or failure to comply with, any of the Regulations made hereunder or decision taken under such Regulations and for forfeiture of any film or poster in respect of which the contravention or failure has been made.

Penalties.

14. Any person who—

- (a) acts in contravention of section 5, 6 or 7 of this Law;
or
- (b) obstructs in the lawful execution of his duty any police officer authorized to act under section 10 of this Law,

shall be guilty of an offence and shall be liable to a fine not exceeding fifty pounds and the Court may order that any film or poster in respect of which such offence has been committed shall be forfeited.

Saving.

15. Any cinematograph film in respect of which a permit has been obtained from the Board established under the Order in Council No. 1485, made the 5th day of August, 1932, and published in the Gazette of the 12th August, 1932, shall be deemed to be a cinematograph film approved and marked by a Censorship Committee under the provisions of this Law,