SAORSTÁT EIREANN.

BILLE UM SCRUDOIREACHT SCANNAN (LEASU), 1925.

CENSORSHIP OF FILMS (AMENDMENT) BILL, 1925.

Mar do ritheadh ag dhá Thigh an Oireachtais.
As passed by both Houses of the Oireachtas.

ARRANGEMENT OF SECTIONS.

Section.

1. Definitions.
2. Advertisement by extract from picture.
3. Prohibition of certain advertisements.
4. Offences in relation to prohibited advertisements.
5. Prohibition of exhibition of certain certificates.
6. Quorum, etc., of appeal board.
7. Punishment for contravention of regulations.
8. Short title, construction and citation.

[No. 18b of '25.]

SAORSTÁT EIREANN.

BILLE UM SCRUDOIREACHT SCANNAN (LEASU), 1925.
CENSORSHIP OF FILMS (AMENDMENT) BILL, 1925.

BILL

entitled

AN ACT TO PROVIDE FOR THE CONTROL OF PICTORIAL ADVERTISEMENTS OF CINEMATOGRAPH PICTURES AND FOR THAT AND OTHER PURPOSES TO AMEND THE CENSORSHIP OF FILMS ACT, 1923.

BE IT ENACTED BY THE OIREACHTAS OF SAORSTÁT EIREANN AS FOLLOWS:—

Definitions.

1.—In this Act—

the expression " Principal Act " means the Censorship of Films Act, 1923 (No. 23 of 1923);

the expression " display in public " means display in any street, way, or place, whether enclosed or unenclosed, through or to which the public have an unrestricted right of passage or access or in any place enclosed or unenclosed to which the public have access of right or by permission either generally or at specified times and whether such access is or is not subject to payment or other restriction, and all cognate expressions shall be construed accordingly;

the expression " exploitation sheet " means the document commonly known by that name amongst persons engaged in the trade of exhibiting pictures by means of a cinematograph or other similar apparatus or the making, distribution, or renting of such pictures.

Advertisement by extract from picture.

2.—(1) It shall not be lawful for any person to display in public in relation to the exhibition of a picture by means of a cinematograph or other similar apparatus any photographic or other reproduction of any part of such picture unless such picture, including the part thereof so reproduced, has been certified by the Official Censor to be fit for exhibition in public.

(2) Every person who displays in public in contravention of this section any such photographic or other reproduction as aforesaid shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding fifty pounds and, in the case of a continuing offence, to a further fine not exceeding five pounds for every day on which the offence continues.

Prohibition of certain advertisements.

3.—(1) Every application to the Official Censor for a certificate under the Principal Act shall be accompanied by a copy of the exploitation sheet relating to the picture in respect of which the application is made.

(2) Whenever the Official Censor is of opinion that any pictorial poster, card, handbill, or other pictorial advertisement mentioned in any such exploitation sheet as aforesaid is unfit for display in public by reason of its being indecent, obscene, or blasphemous, or because the display thereof in public would convey suggestions contrary to public morality or would be otherwise subversive of public morality, he shall prohibit the display in public of such pictorial advertisement and shall record such prohibition in the prescribed manner.

(3) Section 8 (which relates to appeals from the Official Censor to the Appeal Board) of the Principal Act shall apply to prohibitions by the Official Censor under this section of the display in public of a pictorial advertisement in like manner in all respects as it applies to the decisions of the official censor mentioned in that section, and every mention or reference contained in the Principal Act of or to appeals to the Appeal Board shall be

construed and take effect as including appeals under the said section 8 as applied by this sub-section.

Offences in relation to prohibited advertisements.

4.—(1) Every person who shall display or cause to be displayed in public any pictorial poster, card, handbill, or other pictorial advertisement the display of which in public has been prohibited under this Act by the Official Censor shall be guilty of an offence under this section unless he establishes to the satisfaction of the court either that he did not know and could not reasonably have known of such prohibition or that he was informed by the person from whom he obtained the advertisement that no such prohibition existed.

(2) Every person who sells to another person for the purpose of display in public any pictorial poster, card, handbill or other pictorial advertisement the display of which in public has been prohibited under this Act by the Official Censor and does not at the time of the sale inform such other person of such prohibition shall be guilty of an offence under this section.

(3) Every person who is guilty of an offence under this section shall on summary conviction thereof be liable to a fine not exceeding fifty pounds, and in the case of a continuing offence to a further fine of five pounds for every day during which the offence continues.

Prohibition of exhibition of certain certificates.

5.—(1) It shall not be lawful for any person to exhibit or cause to be exhibited with or in relation to any picture exhibited by means of a cinematograph or other similar apparatus any certificates (other than a certificate granted by the Official Censor under the Principal Act) purporting to authorise the exhibition of such picture.

(2) Every person who exhibits or causes to be exhibited in contravention of this section any such certificate as aforesaid shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding twenty-five pounds.

Quorum, etc., of appeal board.

6.—Sub-section (6) of section 5 of the Principal Act shall have effect subject to the following modifications, that is to say:—

(*a*) three members of the appeal board personally present shall form a quorum for the hearing of appeals;

(*b*) an appeal shall be re-heard whenever the majority mentioned in the said sub-section is less than three or the members present are equally divided;

(*c*) every re-hearing shall be in the presence of not less than five members of the appeal board.

Punishment for contravention of regulations.

7.—(1) The Minister for Justice may by regulations made by him under section 12 of the Principal Act do all or any of the following things, that is to say:—

(*a*) declare the contravention of all or any regulations made under section 12 of the Principal Act to be an offence under such regulations and authorise the trial by courts of summary jurisdiction of persons charged with having committed any such offence;

(*b*) prescribe the punishments which may be inflicted by courts of summary jurisdiction on persons convicted by such courts of an offence against the said regulations or any of them, so, however, that no punishment so prescribed shall exceed a fine of twenty-five pounds or imprisonment for a term of three months, and that no minimum punishment shall be so prescribed;

(*c*) regulate the procedure of the appeal board in relation to the hearing of appeals.

(2) The several provisions of section 12 of the Principal Act in relation to regulations made thereunder shall apply to regulations made under that section by virtue of this section.

Short title, construction and citation.

8.—(1) This Act may be cited as the Censorship of Films (Amendment) Act, 1925.

(2) This Act shall be construed as one with the Principal Act, and that Act and this Act may be cited together as the Censorship of Films Acts, 1923 and 1925.

Saorstát Eireann.

BILLE UM SCRUDOIREACHT SCANNAN (LEASU), 1925.

BILLE

dá ngairmtear

Acht chun socrú do dhéanamh chun smacht do chimeád ar fhógráin phictúrdha i dtaobh pictiúirí cinematografacha agus, chuige sin agus chun críocheanna eile, chun an tAcht um Scrúdóireacht Scannán, 1923, do leasú.

Do hórduíodh, ag Dáil Eireann, *do chló-bhuala,* 12*adh Meitheamh,* 1925.

BAILE ATHA CLIATH:
FOILLSITHE AG OIFIG AN tSOLATHAIR.

Le ceannach trí MESSRS. EASON AND SON, LTD., 40 agus 41 Sráid Iochtarach Uí Chonaill, Baile Atha Cliath.

Cló-bhuailte ag MESSRS. CAHILL AND CO., LTD. [*Leath-raol Glan.*]

Wt. 17-1933. 300. 6/25. C. & Co. (2339).

Saorstát Eireann.

CENSORSHIP OF FILMS (AMENDMENT) BILL, 1925.

BILL

entitled

An Act to provide for the control of pictorial advertisements of cinematograph pictures and for that and other purposes to amend the Censorship of Films Act, 1923.

Ordered, by Dáil Eireann, *to be printed,* 12*th June,* 1925.

DUBLIN:
PUBLISHED BY THE STATIONERY OFFICE.

To be purchased through MESSRS. EASON & SON, LTD., 40 and 41 Lower O'Connell Street, Dublin.

Printed by MESSRS. CAHILL AND CO., LTD. [*Threepence Net.*]