

BILL

No. 55 of 1927.

An Act respecting Theatres, Entertainment Halls, and
Cinematographs.

(Assented to _____, 1927.)

HIS MAJESTY, by and with the advice and consent of
the Legislative Assembly of the Province of Alberta,
enacts as follows:

SHORT TITLE.

1. This Act may be cited as "*The Theatres Act.*"

INTERPRETATION.

2. In this Act, unless the context otherwise requires:
 - (a) "Entertainment hall" shall mean a hall, pavilion, place or building, except such as are used in connection with churches or are owned and conducted by municipal authorities, in which public concerts, dances and other social gatherings are held;
 - (b) "Film exchange" shall mean a person renting, leasing or selling or agreeing or contracting to rent, lease or sell moving picture or cinematograph films;
 - (c) "Itinerant exhibitor" or "travelling exhibitor" shall mean a person travelling from one place to another with a moving picture or cinematograph machine, or similar apparatus, for the purpose of giving moving picture or cinematograph exhibitions;
 - (d) "Moving picture machine" shall mean a machine or device operated by or with the aid of electricity, or other illuminant, and adapted or used to project upon a screen or other surface, pictorial representations in which celluloid films are used;
 - (e) "Special feature" shall mean a film not belonging to or censored for a film exchange licensed in Alberta;
 - (f) "Theatre" shall mean a building or hall, or any premises, room or place used for giving vaudeville, dramatic or operatic performances or for the exhibition of moving pictures.

PART I.

3.—(1) No person shall keep open any building as a theatre or entertainment hall, unless he is the holder of a subsisting license therefor, from the Provincial Secretary.

(2) Any person who contravenes this section shall upon summary conviction be liable to a penalty not exceeding one hundred dollars for each day upon which such building is kept open for the purpose aforesaid.

4.—(1) For every such license, a fee not exceeding twenty-five dollars for each calendar month during which the theatre or place of entertainment is licensed to be kept open, shall be paid to the Provincial Secretary.

(2) The Lieutenant Governor in Council may fix the fee payable under the provisions of this section and may classify theatres and entertainment halls according to any plan of classification and fix a different fee for each class.

(3) No such license shall be granted to any person, except the actual and responsible manager for the time being, of the theatre or entertainment hall.

5. Any person who holds or gives any performance or entertainment in an unlicensed theatre or entertainment hall shall, upon summary conviction, be liable to a penalty of one hundred dollars for each day upon which he holds or gives any such performance or entertainment.

6. In the event of a city or town lawfully requiring a license in respect of any theatre or entertainment hall in respect of which a license is demanded under the provisions of this Act, a municipal license shall not be refused to the holder of a license from the Provincial Secretary, and shall not be granted to anyone who is not the holder of a license from the Provincial Secretary, but the possession of the last mentioned license shall not excuse a licensee under the provisions of this Act from taking out a municipal license.

7. No license shall be issued in respect of any theatre or entertainment hall until a certificate of compliance with the regulations governing the erection of theatres and entertainment halls has been obtained from the Chief Inspector of Theatres.

8.—(1) No cinematograph, moving picture machine or other similar apparatus shall be used in any theatre or entertainment hall, which has not been specially licensed by the Provincial Secretary, for that purpose.

(2) Any person who contravenes this section shall, upon summary conviction, be liable to a penalty not exceeding one hundred dollars for each day upon which such cinematograph, moving picture machine or other similar apparatus is so used.

(3) The Lieutenant Governor in Council may fix a fee payable under the provisions of this section, provided that the same shall not exceed five hundred dollars; and may classify theatres and places of entertainment according to any plan of classification and fix a different fee for each class:

Provided, however, that when a theatre or entertainment hall is licensed under the provisions of this section, no fee shall be payable in respect thereof under the provisions of sections 3 and 4.

(4) No such license shall be granted to any person except the actual and responsible manager for the time being of the theatre or entertainment hall.

9.—(1) No person shall conduct a film exchange without a license therefor from the Provincial Secretary.

(2) For every such license, a fee not exceeding two hundred and fifty dollars shall be payable.

(3) Before issuing a license to a film exchange, the Provincial Secretary may require sufficient proof of the existence of the exchange and that the number of film subjects to be handled during the license year will be sufficient to justify the issue of a license.

10. No film exchange shall rent, lease or sell or agree or contract to rent, lease or sell any film which has not been passed by the censor or board of censors, hereinafter provided for.

11.—(1) No person shall act as an itinerant exhibitor until he has received a license from the Provincial Secretary permitting him so to do.

(2) Such license shall entitle the itinerant exhibitor therein named or any duly qualified projectionist to use a cinematograph, moving picture machine or other similar apparatus in any duly licensed theatre or entertainment hall; but no such license shall entitle the holder thereof, either personally or through a duly qualified projectionist to use a cinematograph, moving picture machine or other similar apparatus, in more than one place, on one night.

12.—(1) The Lieutenant Governor in Council may appoint a censor or board of censors, of not more than three persons, and may fix his or their remuneration, and such censor or board of censors shall have power to permit or prohibit the exhibition of any film, in the Province.

(2) There shall be an appeal from the censor or board of censors to the person, body or Court designated, and subject to the conditions prescribed, by regulation of the Lieutenant Governor in Council.

13. No person shall by means of a cinematograph, moving picture machine or other similar apparatus—

- (a) exhibit any film until the same has been stamped by the censor or board of censors; or
- (b) use any such apparatus until he has complied with the regulations made by the Lieutenant Governor in Council.

14. The censor or board of censors shall cause every film which is permitted to be exhibited to be stamped with a stamp indicating his or its approval.

15. A certificate containing the name of the film, the name of the maker, and the exchange and license number shall be issued by the Provincial Secretary in respect of all films permitted by the censor or board of censors or permitted by him or it to be exhibited and such certificate shall be displayed in the box office of the theatre in such manner as to be subject to the observation of all persons entering the theatre.

16. The Lieutenant Governor in Council shall have power to make regulations respecting—

- (a) the exchanging, leasing and sale of films;
- (b) the fees to be paid to the censor by film exchanges;
- (c) the fees to be paid to the censor in respect of special features;
- (d) the persons by whom and the manner in which such fees are to be paid and collected;
- (e) the attendance of children at any entertainment hall to which this Act refers;
- (f) the destruction or removal of posters, advertisements, lithographs, notices, signs or other drawings, writings, or displays which are indecent or have an immoral, degrading or objectionable tendency and determining the persons by whom such destruction or removal is to be effected and forbidding the use of any film or slide in connection with which any such drawing, writing or display is issued, in the event of failure to comply with the order for destruction or removal.

PART II.

17. No person shall use any cinematograph or other similar apparatus in any theatre or entertainment hall until he has passed an examination as to competency and paid a license fee not exceeding the sum of ten dollars.

18. The Chief Inspector of Theatres, who shall be appointed by the Lieutenant Governor in Council, may at any time and for cause, revoke any such license or suspend the same for any period.

19. The Lieutenant Governor in Council shall have power from time to time, to make regulations the same or different for different localities, governing in general, the erection, operation and safety as regards fire and otherwise of all classes of theatres and entertainment halls; and to provide for the supervision and inspection of the same; and in particular, but without affecting the generality of the foregoing, the Lieutenant Governor in Council shall have power to prescribe—

- (a) the subjects of examination for projectionists or operators of moving picture machines;
- (b) the conditions of admission to such examinations;
- (c) the division of licenses into classes;
- (d) the work which may be performed by members of each class and the places where such work may be performed;
- (e) the ways in which theatres and projection rooms and other parts of a theatre are to be constructed;
- (f) any regulations which can be regarded as reasonable precautions against fire or other casualty;
- (g) regulations as to the use of projectors and all other machines and instruments and as to the nature of the seating and character of the aisles, entrances, exits, doorways and stairs in a theatre and also as to the construction of the stage and the adjuncts thereof;
- (h) regulations as to the keeping and storage of films;
- (i) regulations regarding the confiscation, seizure and sale of any apparatus or properties of any film exchange, owner, user or exhibitor used in contravention of this Act or of the regulations made from time to time hereunder.

GENERAL.

20. Any person violating any of the provisions of this Act, or any of the regulations of the Lieutenant Governor in Council passed hereunder, for which no express penalty is provided, shall be liable on summary conviction to a fine of not less than fifty dollars nor more than two hundred dollars, with costs, and to a further fine of twenty-five dollars per diem for so long after conviction as such violation continues, and in default of immediate payment thereof to imprisonment for a period not exceeding three months.

21. All members of the Royal Canadian Mounted Police, all members of the Alberta Provincial Police and all provincial constables, are hereby empowered at any time to inspect any cinematograph, moving picture machine, or other similar apparatus which is used or kept on premises licensed under this Act, and are directed to enforce the provisions of this Act and the regulations passed hereunder.

22. In every city, town and village, it shall also be the duty of the chief constable or chief of police to enforce the provisions of this Act and the regulations passed hereunder.

23. All penalties recovered under this Act shall be paid to the Provincial Treasurer for the use of the Province.

24. The existing regulations purporting to be made by the Lieutenant Governor in Council under the provisions of *The Theatres Act*, shall have the same effect as if they were set out in this Act, insofar as they do not contradict the provisions hereof; subject, however, to the right of the Lieutenant Governor in Council to repeal, alter or vary any or all of such regulations.

25. The Lieutenant Governor in Council shall have power to prescribe the causes for which a license may be revoked or suspended.

26. *The Theatres Act*, being chapter 188 of the Revised Statutes of Alberta, 1922, is hereby repealed.

27. This Act shall come into force

No. 55.

FIRST SESSION
SIXTH LEGISLATURE
17 GEORGE V
1927

BILL

An Act respecting Theatres, Entertainment Halls, and Cinematographs.

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. BROWNLEE.

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A.D. 1927