
S T A T U T O R Y I N S T R U M E N T S

2000 No. 756

CINEMAS AND FILMS

**The Films (Modification of the Definition
of “British Film”) Order 2000**

Made - - - - - *9th March 2000*

Coming into force - - *10th March 2000*

Whereas a draft of this Order has been laid before, and approved by resolution of each House of Parliament pursuant to paragraph 10(5) of Schedule 1 to the Films Act 1985(a);

And whereas Her Majesty’s Treasury have, pursuant to paragraph 10(2) of Schedule 1 to the Films Act 1985, approved the terms of the Order;

Now, therefore the Secretary of State, in exercise of the powers conferred upon him by paragraph 10(2) of Schedule 1 to the Films Act 1985 and all other powers enabling him in that behalf, hereby makes the following Order:

Citation, commencement and transitional provisions

1.—(1) This Order may be cited as the Films (Modification of the Definition of “British Film”) Order 2000 and shall come into force on the day after the day on which it is made.

(2) After the commencement of this Order the reference in the definition of “relevant film” in section 3(7) of the 1985 Act to the conditions that must be satisfied under Schedule 1 to the 1985 Act shall be construed as a reference to the conditions that must be satisfied under that Schedule as amended by this Order.

(3) Article 1(2) of the Films (Modification of the Definition of “British Film”) Order 1999(b) (which provides for amendments to Schedule 1 to the Films Act 1985 to be disregarded in determining certain applications for certification under paragraph 2 of that Schedule) shall not have effect in relation to amendments made by this Order.

Modification of paragraph 6 of Schedule 1 to the Films Act 1985

2.—(1) Schedule 1 to the Films Act 1985 shall be modified as follows.

(2) In sub-paragraph (1) omit the words from “but shall” to the end.

(3) After sub-paragraph (1), insert—

“(1A) The labour costs of a film shall not include payments in respect of copyright other than copyright in a work created for the purpose of use in the film.

(a) 1985 c. 21.
(b) S.I. 1999/2386.

- (1B) The labour costs of a film shall not include payments which—
- (a) are in respect of living expenses which a person incurs because it is not reasonably practicable for him to reside at his usual place of residence while directly engaged in the making of the film, and
 - (b) are reasonable in the opinion of the Secretary of State.”

6th March 2000

Chris Smith
Secretary of State for Culture, Media and Sport

We consent to this Order

9th March 2000

Bob Ainsworth
Greg Pope
Two of the Commissioners of Her Majesty's Treasury

EXPLANATORY NOTE

(This note is not part of the Order)

This Order modifies the definition of “British film” in Schedule 1 to the Films Act 1985, as modified by the Films (Modification of the Definition of “British Film”) Order 1999 (S.I. 1999/2386) (“the 1999 Order”).

The purpose of the Order is to exclude from the definition of “labour costs” any payments—

- (a) in respect of living expenses which a person incurs because it is not reasonably practicable for him to reside at his usual place of residence while directly engaged in the making of the film, and
- (b) which are reasonable in the opinion of the Secretary of State.

An election under article 1(2) of the 1999 Order does not affect the application of this Order.

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