

### WHO CAN JOIN THE FEDERATION OF VICTORIAN FILM SOCIETIES?

To join The Federation of Victorian Film Societies (FVFS) an organisation must have an appropriate constitution, rules or by-laws, and aims that focus on the art of the moving image (in any form) and must be a not-for-profit organisation. Appropriate constitutions, rules and aims are developed further in Information Sheets 03, 04A and 04B. To qualify for ACNC (Australian Charities and Not-for-Profit Commission), income tax-free status, the society must qualify as a charity – usually with the purposes of “advancing culture” and/or “beneficial to the public”. See also Info Sheet 05.

## 1 FILM SOCIETIES

Film societies are organisations formed by groups of enthusiastic people who generally like to select their own films for screening to their members.

Their objectives may be to learn more about the on-going art, history and technique of cinema, to use the film to learn more about other cultures or to help bring society together (especially the socially isolated). In addition a film society should aim to ensure the best quality films are screened to their members in the best possible environment.

The films they screen may come from commercial film distributors, government libraries, embassies or private collections and some may not have enjoyed general release at cinemas or on TV. Film distributors and DVD rights holders have different rates of hire or screening rights charges depending on the technology, the size of the organisation and whether it operates in a non-theatrical mode (members only) or in a commercial manner (ie charging for individual admission).

Films screened may be on any medium - 35mm, 16mm or 8mm film, video, DVD, MP4, streamed or on DCP (Digital Cinema Package supplied on a hard drive), but must have been obtained legally. Film screening rights for films screened from DCP are usually charged at full commercial rates.

Despite the various cinema, television, video and DVD outlets, and streaming sites available for individuals to see or hire films today, film societies continue to thrive. This is due to the atmosphere, social interaction, flexibility of programming, member participation, opportunity to learn about film making or world culture, quality of presentation and the

informative and pleasant nature of the screenings. In many cases the film society has an important role to play in bringing a community together.

## **Requirements for becoming a certified film society**

[These mandatory requirements should be covered in the society constitution or rules].

The film society will:-

1. Abide by a constitution/rules/by-laws which are adopted by members and approved by the FVFS.
2. Operate as a non-profit association administered by a committee of volunteers (themselves members) and consisting of at least a President, Secretary and Treasurer, elected annually at an AGM.
3. Maintain a list of current members which is available to any member on request (subject to privacy laws).
4. Organise finances independent of any other organisation and report on them to members annually. This may require a unique film society bank account.
5. Treat film as a serious artistic, cultural, and educational medium and have appropriate aims reflecting this.
6. Screen 16mm, DVD or DCP material non-theatrically ie screen to members only, (except for the occasional come-and-try-it visitor), and not charge anyone for admission to any screening (unless otherwise permitted by a distributor). In General, societies that screen DCPs may admit some of the audience as paying guests, but they should be in the minority.

## **Recommended, but optional**

1. Be devoted to screening critically acclaimed films with substance or with a worthwhile message.
2. Present films on a large screen in a cinematic environment with sound system to match.
3. Create an environment conducive to discussion.
4. Conduct informative discussion sessions linked to the films screened.
5. Create a comfortable, friendly social atmosphere for members.
6. Provide program notes for each film screened.
7. Provide an economical means of bringing films to members.
8. Include the term "Film society" and some indication of locality in the name.
9. Members participate in the selection of films to screen at the society.
10. Keep members informed about relevant film related activities in their local area, areas of interest and in other film societies.
11. Participate in the activities of the FVFS.
12. Apply for an ABN and register for charity status, based on the film society's support of the Arts and culture, and/or service to the socially isolated.
13. The larger societies and any that screen in a public venue should consider incorporation.

## Other Possibilities

1. Conduct film festivals for members and/or the general public.
2. Arrange special social events based around screenings which help draw the community together. This may include the local community or any others who share their particular interests.
3. As an optional extra service to members, the society might negotiate special prices at nearby cafes, bookshops or cinemas for members on showing their membership card.

An organisation does not have to use the term “film society” in its name to be considered a valid film society and to be accepted as a member of the FVFS. For example, a Film Club may still be interested in screening films for their members but choose to emphasise the social aspect of the organisation in the community and support the socially isolated. The term “film society” is used throughout the FVFS documents for membership-based organisations however, for simplicity.

## **1.1 THE TRADITIONAL FILM SOCIETY**

The screenings are run by the film society for the film society members.

Admission to the screening is by membership and involves no additional payment. Some visitors may “come and try it”, but their visits should be limited. They might come for free or offer a nominal donation.

Promotion of any screening should emphasise a period membership of the society although film titles may be quoted as a means of attracting membership of the society.

Film societies, because they screen to members only, are classified non-theatrical and so pay cheaper hire rates for the films and DVD rights obtained from commercial distributors, and also have access to the NFSA (National Film and Sound Archive) library of 16mm films and DVDs. The NFSA operates a Screen Lending Collection in Canberra.

Any group which charges admission will be required by the distributor to pay higher (commercial) rates for their film and DVD screening rights. These organisations could still join the FVFS as an NPV cinema or NPV film festival. (see below).

Films and DVDs borrowed from the NFSA may never be screened in a situation where non-members are admitted (for free or paid for), unless permission is first granted by the NFSA.

One impact of the above requirement is that when a film society screens in a public venue such as a pub, café or restaurant, it must be possible to isolate the screening. It must not be possible for non-members to participate in the screening except by special arrangement.

Some distributors regard any outdoor screening as a “commercial” rather than “non-theatrical” screening.

## **1.2 A FILM SOCIETY THAT SCREENS IN A PRIVATE HOME**

A film society that screens privately, in a private home for the benefit of friends and family, should operate in the same manner as above but they are not subject to the copyright requirement that screenings be approved by the rights owners, nor do they have to pay screening rights.

## **1.3 A FILM SOCIETY THAT SCREENS IN A NORMAL CINEMA USING 16mm or DVD**

To qualify as a film society an organisation must meet all the requirements listed in section 1, above.

Rather than have the film society committee run the screening, it is acceptable that a commercial cinema run the screening for the society and bill them for theatre hire, projectionist etc. as well as the film or DVD hire. However, if the cinema pays for DVD screening rights, they would pay commercial rates of up to \$250, whereas a registered film society (quoting the ACOFS agreement) need only pay a nominal \$55. (Perhaps a little more to some distributors). This is on the understanding that the screening is for members only, with no individual admission.

The film society hires the cinema for each screening at a flat rate, and all screening costs, projectionist fee and film cost would be borne by the cinema operator.

Neither the cinema nor the film society are permitted to admit the public by paid admission to screenings except where a commercial rate is paid for the DVD screening rights, and the distributor is aware of the arrangement. Individual paid admission should still be in the minority however.

## **1.4 A FILM SOCIETY THAT SCREENS IN A NORMAL CINEMA USING DCP (DIGITAL CINEMA PACKAGE)**

The only difference between this and Item 1.3, is the use of DCP for all screenings. The distributors will already be charging commercial rates, and the ACOFS special DVD screening rights will not apply. Admission by paid tickets to individuals is permitted to a degree, as long as the full members of the film society are in the majority, and the distributor is made fully aware of the % of non-members attending. Such a film society could also arrange regular members-only screenings.

## **2 NPV CINEMAS**

NPV, or Not-for-Profit Volunteer-run cinemas, usually run on a volunteer basis by local community members. These cinemas

generally hold screenings on a regular basis (eg a weekly or monthly screening) often in a venue that may not be purpose built as a cinema. This is a cost effective approach to providing film screenings in a small town.

The NPV cinema should meet all the requirements of a film society except they do not have defined members except for promotional reasons. All admissions are by single session or multiple session tickets. For this reason the NPV cinema can expect to pay commercial rates (either % of door sales or an agreed flat rate) for their films, DCP and/or DVD rights, and not have access to the NFSA library except by special arrangement.

The NPV cinema may be a dependent organisation, set up and operated under the guidance of a parent group such as a film society or an independent organisation which is not-for-profit and have aims and rules which do not conflict with those of the NPV cinema.

The NPV cinema would normally be run by a committee which is self-appointed or nominated by another organisation which is not a member of the FVFS. In either case the NPV cinemas must have approved rules and aims and run as a non-profit organisation.

### **3 NPV FILM FESTIVALS**

These organisations operate in exactly the same way as NPV cinemas except that all screenings are held over a short period (eg a weekend) rather than throughout the year.

NPV film festivals, as with NPV cinemas, may operate as dependent or independent organisations.

### **4 COMMERCIAL CINEMAS**

Cinemas operating as part of a chain or as independent commercial cinemas are not eligible to join the FVFS as they do not comply with the essential non-profit conditions of membership, nor do they screen non-theatrically.

### **5 DEPENDENT ORGANISATIONS**

5.1 A dependent organisation is one that operates as a sub-committee of, and usually under the rules and aims of a parent organisation. The parent may be another member of the FVFS or an independent Arts organisation such as an Arts Council, U3A, School etc. It may be a government or council organisation. The “members” of the film society may be separately

defined (by a membership list) or the society may be structured so that any member of the parent organisation may come to any screening. As this may seriously overestimate the number of “Members”, organisations in this situation are able to estimate their “effective membership” as being 1.6 times their average attendance. This recognises that the normal film society averages about 60% of their members along to any screening.

5.2 The dependent organisation must have acceptable aims and rules in itself although these rules need not be as extensive as an independent organisation. They may be presented as a separate constitution, rules, by-laws or special resolutions.

5.3 The member organisation must operate as a non-profit organisation.

5.4 The operating committee may include one or more representatives of the parent organisation.

5.5 Rules and aims of the parent organisation must not conflict in any way with those of the member organisation.

## **6 WHY JOIN THE FVFS?**

Services provided by the FVFS to member organisations include:-

- Registration, which provides status and credibility.
- Advice and help to new groups wishing to start up.
- Emergency support for member organisations struggling to survive.
- Under some circumstances, financial assistance.
- Access to the NFSA films and DVDs.
- Non-theatrical film hire rates and DVD rights charges to qualifying organisations.
- Access to film loss and damage insurance for member groups.
- Provision of the means to swap information and skills between member groups.
- Access to public liability and general insurance for member groups at special rates.
- Publication of a regular film newsletter.
- Access to a DVD library.
- Library of independent films on DVD.
- Film appraisal sessions.
- Support and expansion of technical advice to member groups.
- Arrangement of film festivals, film viewing weekends, appraisal sessions and other film events.
- Provision of general, legal and operational advice on running film organisations.
- Management of DVD screening rights agreements.
- A voice at state and national level with film distributors, government and semi-government bodies.

And of course the film society may simply wish to be part of the growing Film Society movement of Australia.

## **7 HOW TO JOIN THE FVFS**

When you have formed your organisation you should consider joining the FVFS.

1. Complete the appropriate FVFS membership application form (available on the FVFS website). The on-line version is recommended because it masks any question that becomes irrelevant, based on earlier answers.
2. Provide a copy of your rules and aims.
3. Provide a copy of the constitution of your parent organisation if relevant.
4. Forward the above, with appropriate payment, to the FVFS treasurer – to the address indicated on the application form. (Cost depends on the size of the organisation and is indicated on the application form). Most societies now pay by EFT as it is quicker and easier, after completing the application form on-line.

## **8 RIGHTS AND RESPONSIBILITIES OF DELEGATES**

All member organisations are represented at the FVFS by Delegates appointed by the organisation. The number of delegates depends on the size of the organisation. Their rights and responsibilities are contained in the FVFS Rules in Information Sheet 20.

## **9 FURTHER INFORMATION**

Other information sheets are available which expand on many of the items mentioned in this information sheet.

See also “The Regional Cinema Guide” published by the NSW Film and TV Office (FTO)

Contact the FVFS on (03) 9874 5270 or write to the FVFS at 17 Bruce St. Mitcham 3132, or email to [admin@fvfs.org.au](mailto:admin@fvfs.org.au)

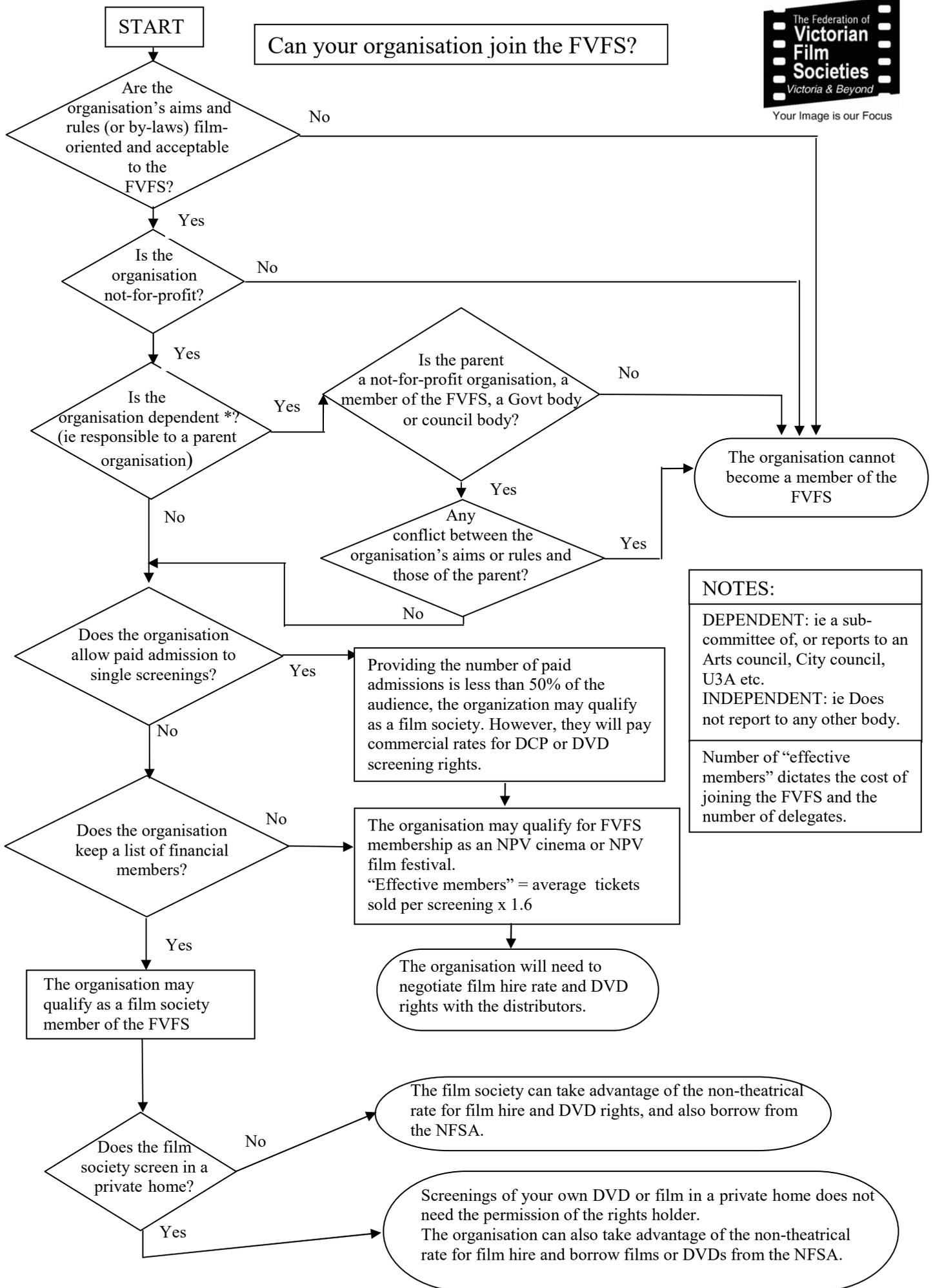
Check out our web page at [www.fvfs.org.au](http://www.fvfs.org.au) .

(See Paragraph)	1.1	1.2	1.3	1.4	2, 3	5	5	5	4
Type of Organisation.	Traditional Film society that screens in a public venue.	Film society that screens privately, in a private home.	Film society screening in a cinema.	Film society screening in a cinema with some single tickets.	Independent NPV film fest or NPV cinema.	Dependent NPV film fest or NPV cinema or council.	Dependent film society run as separate sub-committee.	Dependent film society run for all members of the parent.	Commercial cinema. (Independent or chain) **NOT An FVFS member**
Model Rules- see Info Sheet	Info Sheet 03, App B or C	Info Sheet 03, App B or C	Info Sheet 03 App B or C	Info Sheet 03, App B or C	Info Sheet 04A App A or 04B App A	Info Sheet 04A App B or 04B App B	Info Sheet 03 App D	Info Sheet 03 App E	N/a
Technology.	16mm or DVD		DVD	DCP	DVD or DCP	DVD or DCP	16mm or DVD	DVD or DCP	DCP
Who attends.	Members only.			Members + some casual.	Admission by sale of tickets only.		Members of society sub-group.	Members of the parent may attend.	No
Rights fee.	ACOFS (for DVD)	n/a	ACOFS (for DVD)	Commercial – as negotiated with distributor	commercial	commercial	ACOFS (for DVD)	ACOFS (for DVD)	commercial
Run by:-	Members	Members	Members	Members	Self	Members of Film Soc or council.	Sub-committee	Sub-committee	Private
Not-for-profit.	Y	Y	Y	Y	Y	Parent is.	Yes	Yes	No
Has ABN & Charity status.	Usually	Probably not	Usually	Usually	Y	Parent has ABN.	Parent may have ABN.	Parent may have ABN.	Y
Acceptable aims and rules.	Y	Y	Y	Y	Y	Y	Y	Y (By-laws)	No
Committee of management.	Usually	Usually	Usually	Usually	Usually	Usually	Usually	Usually	No
Democratic /AGM.	Usually	Usually	Usually	Usually	No	No	No	Yes	No
Single tickets sold by org. *	No	No	No	No more than 50% of audience.	Y	Y	No	No	Y
No. of "Effective members".	Actual number of members.			Number of members + 1.6 x "visitors".	1.6 x average audience.		Number of members in sub-group.	1.6 x average attendance.	N/A

\* If admission to the screening is by membership only (no sales) then the screening is "non-theatrical" and lower DVD rights fee applies. Film society can also access the NFSAs. For commercial screenings a flat rate or % applies for film, DVD or DCP screening rights.

\*\* **NOTE: A commercial cinema cannot become an FVFS member.**

### Possible Modes of Operation.



**NOTES:**

**DEPENDENT:** ie a sub-committee of, or reports to an Arts council, City council, U3A etc.

**INDEPENDENT:** ie Does not report to any other body.

Number of "effective members" dictates the cost of joining the FVFS and the number of delegates.