

# Federation of Victorian Film Societies Inc



INFORMATION SHEET 01 Version 12

## WHO CAN JOIN THE FEDERATION OF VICTORIAN FILM SOCIETIES (FVFS)?

### **Quick-Start Guide.**

If you are considering starting a film society, NPV film festival or NPV community cinema, this is where you start. Then see the following Information Sheets. (NPV means Not-for-Profit, Volunteer run),

To start or run a small to medium size, independent film society (the most common variety) you need to read sections 0, 1.0 and 1.1 of this Information Sheet. This type of film society is represented by column 1.1 in the diagram on page 9. For a small film society screening in a private home, read sections 0, 1.0 and 1.2. Your society is described in column 1.2 of the diagram on page 9.

Then go to Information Sheet 02 for important information, and Information Sheet 03 to design your film society constitution or rules.

Other columns of the diagram on page 9 cover other options described in section 1.3 onwards.

## **0. Introduction**

To join The Federation of Victorian Film Societies (FVFS) an organisation must have an approved 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 (Film societies), 04A (NPV Cinemas) and 04B (NPV Film Festivals).

To qualify for ACNC (Australian Charities and Not-for-Profit Commission), income tax-free status, the organisation must qualify as a charity – usually with the purposes of “advancing culture” and/or “beneficial to the public”. See details in Info Sheet 05 (Taxation issues).

## **1.0 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 a film society screens may come from commercial film distributors, government libraries, embassies or private collections and some might 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 average size of the audience and whether it operates in a non-theatrical mode (members only) or in a commercial manner (ie where some or all of the audience are charged for individual admission). There is more on non-theatrical screenings in Information Sheet 02 (Start a film society – Quick Guide).

Films screened may be on any medium - 35mm, 16mm or 8mm film, video, DVD, BluRay discs, 4K Ultra discs, MP4, streamed or on DCP (Digital Cinema Package supplied on a hard drive, USB memory or downloaded), but must have been obtained legally. Film screening rights for films screened on DCP are usually charged at commercial rates regardless of the audience.

*[Note: In this and other FVFS documents, the use of the term “DVD” now includes “BluRay and 4K Ultra” discs]*

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.

## **A. 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 (or rules or by-laws) which are adopted by members and approved by the FVFS. See examples in Information Sheet 03.
2. Treat film as a serious artistic, cultural, and educational medium and have appropriate aims reflecting this.
3. 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.
4. Maintain a list of current members which is available to any member on request (subject to privacy laws).
5. Organise finances independent of any other organisation and report on them to members annually. This may require a separate film society bank account.
6. Adhere to Australian copyright laws, which require that anyone screening a movie to the public, or in a public place must first get permission from the rights owners. This usually results in a fee.

*[Note that the special ACOFS DVD screening rights agreement (with special reduced prices for screening rights) is only applicable for film*

*societies who screen non-theatrically (100% members only with no-one charged for admission). See note below, and Information Sheet 02.]*

## **B. Notes on charges for screening rights.**

- DVDs, BluRays and 4K Ultra discs. The FVFS is a member of ACOFS (The Australian Council of Film Societies), who have negotiated an arrangement which will allow a registered film society to screen their own copies of DVDs, BluRays and 4K Ultra discs to their members at special, reduced prices. These prices apply only if the film society screens non-theatrically (ie members only – with the exception of the occasional come-and-try-it potential member - and with no-one charged for admission). Prices are typically \$55 to \$85 per screening, but may depend on the size of the audience. For more details go to the ACOFS website [www.acofs.org.au](http://www.acofs.org.au).
- A film society screening in a private home does not need to pay screening rights as long as membership is open only to family and friends (ie not the public).
- 16mm and 35mm screening rights are negotiated with the supplier and are usually cheaper if the society screens non-theatrically.
- Films (16mm, DVDs or BluRay) borrowed from the SLC (Screen Loans Collection) at the NFSA (National Film & Sound Archive) may only be screened non-theatrically unless prior agreement is obtained from the NFSA.
- DCP screenings are usually associated only with the larger venues such as cinemas. Screening rights are usually \$300 or more, but may depend on the size of the audience and age of the film being screened.

## **C. Recommended, but optional**

1. We recommend that a film society always screens 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 as they are already deemed to be commercial screenings.
2. Be devoted to screening critically acclaimed films with substance or with a worthwhile message.
3. Present films on a large screen in a cinematic environment with sound system to match.
4. Create an environment conducive to 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 of the organisation.
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. Remember that the film society's social activities are important, and are the key factors differentiating them from commercial cinemas or streaming at home.
12. Participate in the activities of the FVFS (eg attend information days and contribute articles to ReelNews).
13. 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, as this proves the not-for-profit status of the film society (which is often required when dealing with council or government).
14. The larger societies and any that screen in a public venue should consider incorporation.
15. Maintain a DVD library of screened titles for members to "catch up" on any films screened, without charge.

## **D. Other Possibilities**

1. A film society might conduct a film festival for members and/or the general public. When promoted to the public, these film festivals would normally be registered with the FVFS as separate entities. Screening rights would not normally be covered by the ACOFS agreement.
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. Note however, that the "charity" category relies on the film society having aims that include recognising cinema as an art form.

The term "Film Society" is used throughout the FVFS documents for membership-based organisations for convenience.

## **1.1 THE TRADITIONAL FILM SOCIETY**

*See column 1.1 of the table on page 9.*

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

The most common type of film society is one that screens non-theatrically. In other words, 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, take out a three-month membership or offer a nominal (non-mandatory) 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.

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**

*See column 1.2 of the table on page 9*

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**

*See column 1.3 of the table on page 9*

To qualify as an approved film society an organisation must meet all the requirements listed in section 1.0 A, 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 pay for the film or DVD hire. However, if the cinema pays for screening rights, they would pay commercial rates of up to \$300, whereas a registered film society screening non-theatrically (quoting the ACOFS agreement) need only pay a nominal \$50 - \$80 for DVD rights. (Perhaps a little more to some distributors, or if the society is a large one). In this option, public would not be admitted (except on a one-off come-and-try-it basis) and no admission charges would be made.

If the film society or cinema charge for admission to members or the public, they lose the right to apply the ACOFS DVD screening rights agreement for that screening.

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

*See column 1.4 of the table on page 9.*

The only difference between this and Item 1.3, is that the venue is using DCP and they will probably already be paying commercial prices for screening rights at all screenings. The ACOFS special DVD screening rights will not apply as it would not be classed as a non-theatrical screening. The society or cinema may charge members or the public for admission. As both members and public may be attending, it would be to your advantage to distinguish members from non-members, eg with name-tags. Such a film society could also arrange regular

members-only non-theatrical screenings, which would satisfy the ACOFS DVD rights agreement.

## **2 NPV CINEMAS**

*See column 2,3 of the table on page 9.*

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 which may include a discounted ticket price. All admissions are by single session or multiple session tickets. For this reason the NPV cinema can expect to pay commercial rates (either a percentage of door sales or an agreed flat rate) for their films, DCP and/or DVD rights. They do 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**

*See column 2,3 of the table on page 9.*

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. Commercial rates would normally be charged for screening rights.

## **4 DEPENDENT ORGANISATIONS**

*See columns 4 of the table on page 9.*

- 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.

- The dependent organisation must have acceptable aims and rules in itself which recognise the use of film as an art form. These rules need not be as extensive as an independent organisation and may be presented as a separate constitution, rules, by-laws or special resolutions.
  - The member organisation must operate as a non-profit organisation.
  - The operating committee may include one or more representatives of the parent organisation.
  - Rules and aims of the parent organisation must not conflict in any way with those of the member organisation.
  - Ideally the film society would have their own budget, financial books, and have their own bank account.
  - The society is considered “non-theatrical” and can apply the ACOFS DVD rights agreement only if they screen to members only, with no charges for admission.

## **5 COMMERCIAL CINEMAS**

*See column 5 of the table on page 9.*

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.

## **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, by doing the following:

1. Complete the appropriate FVFS membership application form (available on the FVFS website [www.fvfs.org.au/join/](http://www.fvfs.org.au/join/) ). The on-line version is recommended because it is simpler than the paper version, masks any question that becomes irrelevant based on earlier answers, and provides an explanation on most questions.
2. Provide a copy of your rules and aims.
3. Provide a copy of the constitution of your parent organisation if relevant.
4. Submit the electronic form on-line, and send appropriate payment, (preferably by EFT) to the FVFS treasurer – to the bank account or 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.

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) .

FVFS



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

\* If admission to the screening is by membership only (no sales) then the screening is "non-theatrical" and lower DVD screening rights may apply. The film society can also access the NFSA. If any payments are made for admission, it is a commercial screening and 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.

