SOUTH AUSTRALIA

PLACES OF PUBLIC ENTERTAINMENT ACT, 1913
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being

The Places of Public Entertainment Act, 1913, No. 1124 of 1913
[Assented to 11 December 1913]

as amended by

Statute Law Revision Act, 1934, No. 2168 of 1934 [Assented to 15 November 1934]
Decimal Currency Act, 1965, No. 60 of 1965 [Royal Assent proclaimed 4 February 1966]\(^1\)
Places of Public Entertainment Act Amendment Act, 1971, No. 22 of 1971 [Assented to 15 April 1971]\(^2\)
Places of Public Entertainment Act Amendment Act, 1972, No. 8 of 1972 [Assented to 23 March 1972]\(^3\)

\(^1\) Came into operation 14 February 1966: s. 2(2).
\(^2\) Came into operation 1 July 1971: Gaz. 3 June 1971, p. 2716.
\(^3\) Came into operation 10 August 1972: Gaz. 10 August 1972, p. 1034.
An Act to consolidate and amend the law relating to the licensing and regulation of places of public entertainment, and for other purposes.

BE IT ENACTED by the Governor of the State of South Australia, by and with the advice and consent of the Parliament thereof, as follows:

Short title
1. This Act may be cited as the Places of Public Entertainment Act, 1913.

Repeal
2. (1) The Acts mentioned in the first schedule are hereby repealed.

(2) Such repeal shall not affect any right, interest, obligation, liability, or penalty already created, existing, incurred, imposed, or liable to be imposed, nor anything done or suffered, nor the effect of the doing, suffering, or omitting of anything before the passing of this Act.

(3) Any proceeding in respect of any such right, interest, obligation, liability, or penalty may be commenced or carried on as if such repeal had not taken place.

(4) Any licence under the Acts hereby repealed shall, subject to the provisions of this Act, continue in force until the expiration of the period for which it was granted, as if it had been granted under this Act.

Interpretation
3. (1) In this Act, unless the context or subject matter requires some other interpretation, or some other meaning is clearly intended—

"billiards" means any game that is played upon a billiard table, nine feet or more in length:

"club" includes association and society:

"drive-in-theatre" means a place of public entertainment constructed for the admission of vehicles thereto and provided with stands or other accommodation for vehicles, so arranged that persons may witness the entertainment while remaining in such vehicles:

"exempted place of public entertainment" means a place of public entertainment in respect of which an exemption has been granted and is in force under section 4a of this Act:

"inspector" means the chief inspector of places of public entertainment, or an inspector of places of public entertainment appointed under this Act:

"licence" means licence continued in force, or issued or renewed under this Act:

"licensed" means licensed under this Act or any Act hereby repealed:

"licensed place of public entertainment" means a place in respect of which a licence is for the time being in force:
"Minister" means the Minister of the Crown to whom the administration of this Act is for the time being committed by the Governor:

"place of public entertainment" means any place whether enclosed, partly enclosed, or unenclosed where a public entertainment is held and any buildings, premises or structures, that comprise, include or are appurtenant to that place:

"proprietary" includes the person, company, corporate body, or association owning, leasing, or occupying, or for the time being having the superintendence or management of a place of public entertainment, and also includes the agent, trustee, manager, or committee of any such person, company, corporate body, or association:

"public entertainment" means entertainment (including, though without limiting the meaning of that term, concert, recital, lecture, reading, entertainment of the stage, cinematograph or other picture show, dancing, boxing, or other amusement or contest) whether admission thereto is open to members of the public or restricted to persons who are members of a club or who possess any other qualification or characteristic and whether admission is or is not procured by the payment of money or on any other condition:

"prescribed" means prescribed by this Act or by regulation:

"proclamation" means proclamation by the Governor published in the Government Gazette:

"regulation" means regulation made under this Act:

"this Act" includes regulations made under this Act.

(2) The Act 21 George III c. 49 of the Imperial Parliament has no force or effect in this State.

(3) The provisions of this Act shall not apply to or in relation to any public entertainment for which a permit has been granted under the Licensing Act, 1967, as amended, or the place in which the entertainment is conducted.

(4) The provisions of this Act relating to entertainment tax enacted by the Places of Public Entertainment Act, 1971, and subsequently repealed by the Places of Public Entertainment Act, 1971-1972, shall be deemed never to have had any operation or effect.

**Exemption to certain clubs**

4. (1) The Minister may, by instrument in writing, exempt the proprietary of any place of public entertainment from the provisions of this Act (with the exception of section 26) if he is satisfied—

(a) that the proprietary is a bona fide club;

(b) that the substantial purpose of the club does not consist in the provision of public entertainment or that, if it does so consist, no member or official of the club derives a disproportionate pecuniary or other advantage therefrom;

and

(c) that adequate measures have been taken to ensure the safety, health and convenience of persons whilst in that place of public entertainment.
4.

(2) An exemption under subsection (1) of this section shall apply only to and in respect of the place of public entertainment specified in the instrument.

(3) An exemption under subsection (1) of this section shall not be granted except—

(a) on condition that adequate measures shall continue to be taken to ensure the safety, health and convenience of persons whilst in the place of public entertainment;

and

(b) on such other conditions as the Minister deems appropriate,

and may be revoked upon breach of any condition.

Exemption in respect of ovals, etc.

4a. (1) The Minister may, by instrument in writing, grant an exemption from all or any of the provisions of this Act and the regulations in respect of any oval, sportsground or racecourse.

(2) An exemption may be granted under this section upon such terms and conditions as the Minister thinks fit and stipulates in the instrument.

(3) An exemption under this section may be revoked upon breach of any condition upon which it was granted.

Certain exemptions from provisions of the Act

5. (1) The provisions of this Act shall not apply in respect of any church or place of public worship.

(2) A place of public entertainment in which public entertainment is conducted—

(a) by, or solely for the purposes of, a religious congregation, body or denomination;

or

(b) by, or solely for the purposes of, a university, college, school, or other educational institution,

shall not be required to be licensed under this Act for the purposes of public entertainment so conducted.

Licences

Grant of licence

6. On application, made as prescribed, by a proprietor of a place of public entertainment the Minister may under his hand, or under the hand of any person appointed by him in that behalf, and on payment of the proper fee, issue a licence under this Act for holding public entertainments or any specified class or classes of public entertainments therein.
Licence to state certain particulars

7. (1) The licence for a place of public entertainment shall state—

(a) the number of persons who may be admitted to each floor or tier therein;

(b) the total number of persons who may be admitted to such place of public entertainment; and

(c) the period for which the licence is granted:

Provided that in the case of a drive-in-theatre the licence shall, in addition to the particulars mentioned in paragraphs (a) and (b) of this section, state the total number of vehicles which may be admitted to such theatre. In computing the number of persons who may be admitted to a drive-in-theatre it shall be assumed that each vehicle contains three persons.

Minister may refuse to grant licence

8. (1) The Minister may refuse to grant a licence—

(a) if it appears to him that the provisions of this Act have not been complied with; or

(b) if it appears to him that alterations or additions to the premises are necessary in order to provide for the safety, health, or convenience of the public or the performers or employees; or

(c) if, in his opinion, the building is not suitable to be used as a place of public entertainment, or the site of such building is unsuitable.

Temporary licence

The Minister may, if he thinks proper, grant a temporary licence to have effect during the making of alterations and additions and subject to such conditions as he imposes.

(2) When any licence is issued subject to conditions, such licence shall become cancelled, without any notice, on the breach of any of such conditions.

Licence fees

9. (1) Subject to subsection (2) of this section, the fees payable upon the granting or renewal of licences shall be at the prescribed rates.

(2) Where a place of public entertainment is the property of a municipal or district council, or an institute established under the Libraries and Institutes Act, 1939, as amended, the fee payable upon the granting or renewal of a licence in respect of that place of public entertainment shall be one-fifth (calculated to the nearest dollar) of the prescribed rate.

Renewal of licence

10. Any licence may be renewed under the hand of the Minister, or under the hand of any person appointed by him in that behalf, on application made as prescribed and on payment of the proper fee. Any renewal may be refused on any ground on which an application for a licence may be refused.
6.

Duration of licence

11. Any licence shall, unless previously cancelled or suspended, be in force for such period as specified therein, not exceeding twelve months from the date of the original grant or renewal thereof.

Transfer of licence

12. Any licence may with the written consent of the Minister be transferred by endorsement on the licence as prescribed. Such transfer shall be forwarded to the officer keeping the register of licences and shall be initialled by him and noted in the register. No transfer shall be made except to an owner or lessee of the building licensed.

Plans

13. (1) A person shall not—

(a) commence to construct or proceed with the construction of premises intended for use as a place of public entertainment; or

(b) alter a place of public entertainment; or

(c) alter any premises for the purpose of converting them into a place of public entertainment,

unless plans of such premises or place of entertainment showing the details required by this section have first been submitted to and approved by the Minister.

Penalty: Two hundred dollars.

(1a) The plans submitted shall show—

(a) the site of the premises or place of public entertainment and the means of access thereto;

(b) details of all buildings and structures constituting such premises or place of public entertainment; and

(c) in a case where existing buildings are to be altered, details of the alterations.

(1b) On submission of any such plans a fee of fifteen dollars shall be paid to the Crown.

(1c) The Minister may, in the case of small or unimportant alterations to any premises or place of public entertainment exempt any person from the duty to comply with all or any of the provisions of subsections (1), (1a) and (1b) of this section.

(1d) In this section, the word "alteration" includes additions, and "alter" includes add to.

(2) If the Minister approves of such plans he may give a certificate in a prescribed form approving thereof; and if such building is constructed or altered in accordance with such plans and also in accordance with this Act, a licence shall not be refused on the ground that the building or the site thereof is not suitable.
(3) An inspector may inspect any such premises at any time and report thereon to the Minister.

**Governor may make regulations prescribing conditions to be fulfilled before licence issued**

14. The Governor may make regulations prescribing the conditions to be fulfilled before any licence may be granted; and in particular, but without limiting such general power, the Governor may make regulations prescribing—

(a) the situation and construction of buildings in respect of which licences may be applied for;

(b) the means of exit to be provided in respect of any such building; the construction and size of staircases, landings, and passages therein; and the construction and arrangement of seats to allow of speedy exit therefrom:

(c) the methods to be provided in any such building for the prevention and extinguishing of fires:

(d) the methods of lighting and heating:

(e) the appliances in connection with lighting and heating:

(f) the manner in which any prescribed fire-resisting matter is to be applied to woodwork and other inflammable material:

(g) the manner in which seats, fixtures, and other appliances are to be constructed and fixed:

(h) the positions and manner in which workshops and places for the storage of scenery and properties are to be situated and constructed:

(i) the manner in which any such building is to be ventilated:

(j) the sanitary conveniences to be provided.

**Regulation of Places of Public Entertainment**

**Alterations to licensed premises not to be made without approval**

15. No addition to or alteration of any licensed place of public entertainment shall be made except with the approval of an inspector.

**Power to cancel licence**

16. (1) If the Minister is of the opinion that any premises licensed under this Act—

(a) have been allowed to fall into disrepair;

(b) have been altered without the approval of the Minister as required by this Act;

(c) have been encumbered with scenery, properties or combustible matter;
or

(d) do not conform with any of the prescribed conditions,

and the Minister, having considered the report of an inspector upon the condition of the premises, is satisfied that the continued use of the premises as a place of public entertainment would be dangerous to any person, or prejudicial to public health, he may make a determination cancelling a licence in respect of the place of public entertainment, and the licence shall, from the date of the determination, be of no force or effect.

(2) If the Minister is satisfied—

(a) that the proprietor of a place of public entertainment is guilty of an offence against this Act, or is not a fit and proper person to be the proprietor of a place of public entertainment licensed under this Act;

or

(b) that offences against this Act, or any other Act or law are habitually or frequently committed in a place of public entertainment licensed under this Act,

the Minister may make a determination cancelling a licence in respect of that place of public entertainment, and the licence shall, from the date of the determination, be of no force or effect.

(3) Where a licence in respect of a place of public entertainment is cancelled under this section, no further licence shall be granted in respect of the place of public entertainment until the determination has been revoked by the Minister, or by order of a court.

(4) The proprietor of a place of public entertainment in respect of which a determination has been made under this section may appeal to a local court of full jurisdiction against the determination, and if the court is satisfied that proper grounds for the cancellation of the licence do not exist, it may, by order, revoke the determination.

Order for the closure, etc. of place of public entertainment

16a. (1) Where the Minister is of the opinion that a public entertainment has been, or is about to be, conducted in a place of public entertainment in contravention of the provisions of this Act, or any other Act or law, he may apply to a local court of full jurisdiction for an order under this section.

(2) The Minister, the proprietor of the place of public entertainment, and any person by whom the public entertainment was, or is to be, conducted may appear personally or by counsel upon the hearing of an application under this section.

(3) Where the court is satisfied upon the hearing of an application under this section that a public entertainment has been, or is about to be, conducted in a place of public entertainment in contravention of the provisions of this Act, or any other Act or law, and that an order should, in the interests of the public, be made under this section, it may order—

(a) that the place of public entertainment be closed, and kept closed, for a period specified in the order, or until further order of the court;
9.

or

(b) that the place of public entertainment be not used for the conduct of the entertainment, or an entertainment of the kind, specified in the order.

4) Where an order has been made under this section, the Commissioner of Police shall ensure that the order is complied with, and any members of the Police Force acting under his authority may enter any place or premises, and exercise such force as may be reasonably necessary to give effect to the order.

Governor may make regulations for the safety and convenience of place of public entertainment

17. The Governor may make such regulations as may be necessary or convenient for ensuring the safety or convenience of the public and of performers and employees in places of public entertainment, and prescribing conditions which shall exist in or in connection with such places, and prohibiting the existence of specified conditions in or in connection with such places; and in particular, but without limiting the operation of this section, the Governor may make regulations prescribing—

(a) the kind of light which is to be used, the means of obtaining the same, and the method of lighting generally:

(b) what (if any) special lights shall be placed at entrances and exits, the positions of such lights, and the times such lights shall be kept burning:

(c) what lights and lighting apparatus, fireworks, firearms, and cinematograph, and similar apparatus may or may not be used, and the methods of using the same:

(d) what fires and heating apparatus may or may not be used, and the method of using the same:

(e) the manner and place in which scenery and properties and other combustible articles are to be stored:

(f) what fire hydrants and other appliances for extinguishing fires are to be kept, and how and where the same are to be kept and used:

(g) the keeping of fire watches and the fire drill of employees:

(ga) the circumstances in which theatre firemen shall be employed, the conditions under which theatre firemen shall be registered and the circumstances in which the registration of theatre firemen may be cancelled, the form of certificates of registration and the design of badges for theatre firemen and the fees or deposits payable in respect thereof:

(h) what means of exit, and what staircases, landings, passages, and gangways shall be provided, and the size and construction of such exits, staircases, landings, passages, and gangways:

(i) the keeping of exits, staircases, landings, passages, and gangways free from all kinds of obstructions, whether temporary or permanent:
10.

(i) such matters and things as it is necessary or expedient to prescribe in order to ensure the unimpeded egress of persons from a place of public entertainment:

(j) what seating accommodation must be provided, and the manner in which seats shall be arranged and numbered, and the manner in which they shall be fixed, either to the floor or together:

(k) the manner in which carpets, matting, and other floor and stair coverings shall be fixed:

(l) the periodical inspection of places of public entertainment:

(m) the keeping of such places clean, sufficiently ventilated, and in sanitary condition:

(n) the manner and places in which copies of the regulations, or of any of the regulations, shall be kept posted and maintained in such places:

(o) the examination and licensing of cinematograph operators, the appointment of a board of examiners for applicants for operators’ licences, the functions of such board, the revocation of such licences, and examination and licence fees:

(p) in the case of drive-in-theatres, the speed limit that vehicles shall not exceed whilst therein:

(q) such matters and things as it is necessary or expedient to prescribe in order to ensure that public entertainment is not so conducted as to interfere with the comfort or convenience of persons who are not participating therein:

(r) the penalties, recoverable summarily, not exceeding two hundred dollars, for breach of or non-compliance with, the regulations

**Penalty for holding entertainment in unlicensed premises**

18. If any person holds a public entertainment in any place, not being a place of public entertainment in respect of which a licence is at the time in force, he shall be liable to a penalty not exceeding two hundred dollars for every day during which such public entertainment is so held.

**Penalty for letting unlicensed premises for entertainment**

19. If any proprietor of any place, not being a place of public entertainment in respect of which a licence is at the time in force, lets the same for the purpose of public entertainment, or receives rent in respect of such letting, or knowingly permits the same to be used for a public entertainment, he shall be liable to a penalty not exceeding one hundred dollars.

**Limitation on Sunday entertainments**

20. (1) If a place of public entertainment is open to the public, or is used for any public entertainment between the hours of three o’clock in the morning and one o’clock in the afternoon on a Sunday without the consent of the Minister, the proprietor of the place of public entertainment, and the person by whom any such entertainment is conducted shall each be guilty of an offence and liable to a penalty not exceeding two hundred dollars.

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(3) Except where a permit is in force under subsection (4) of this section, a person shall not on a Sunday provide, engage in or attend any of the following:—

(a) a match between senior teams representing football clubs that are affiliated with The South Australian National Football League Incorporated or teams comprised or substantially comprised of members of such teams;

or

(b) a match between senior teams representing soccer clubs that are affiliated with the South Australian Soccer Federation Incorporated or teams comprised or substantially comprised of members of such teams;

or

(c) a cricket match or a tennis match between teams representing any States or Territories of the Commonwealth or any countries or nations;

or

(d) a horse race, parade, contest or trial (unless the race, parade, contest or trial is held solely for the purpose of training the horses or their riders);

or

(e) a dog race;

or

(f) a rodeo;

or

(g) a motor race;

or

(h) a boxing match in which the participants are not bona fide amateur boxers;

or

(i) a wrestling match in which the participants are not bona fide amateur wrestlers;

or

(j) any other entertainment or type or kind of entertainment that the Minister, by notice published in the Gazette declares to be an entertainment or a type or kind of entertainment that a person may not lawfully provide, engage in or attend on a Sunday.

Penalty: Two hundred dollars.
(4) The Minister may grant to the proprietor of a licensed place of public entertainment or exempted place of public entertainment, on such conditions as the Minister deems necessary or expedient to ensure public order, decency and propriety, a permit (which may be revoked on breach of any condition) authorizing him to hold therein any entertainment referred to in subsection (3) of this section, on a Sunday during the period and during the hours specified in the permit, but a permit shall not be granted unless the Minister has first considered—

(a) whether in consequence of the permit being granted there will be a significant increase in the number of persons required to work on a Sunday who would not otherwise work on that day;

(b) whether the granting of the permit will cause a departure from practices existing before the commencement of the Places of Public Entertainment Act Amendment Act, 1967, and whether the departure (if any) is, by the standards currently prevailing in the community and in the locality in which it is proposed to hold the entertainment, such as might reasonably cause offence to persons who adopt those standards;

and

(c) whether the quiet of the locality in which it is proposed to hold the entertainment will be unduly disturbed if the permit is granted.

(5) A person shall not, in any place of public entertainment, without the previous consent in writing of the Minister (which consent may be granted on conditions and may be revoked on breach of any condition) provide on a Sunday between the hours of six o’clock and eight o’clock in the evening—

(a) any cinematographic or other like public entertainment;

or

(b) any theatrical performance.

Penalty: Two hundred dollars.

(6) An application for a permit, or the consent of the Minister under this section, must be accompanied by a fee of five dollars.

Limitation on Christmas Day and Good Friday entertainments

21. (1) If any public entertainment is held in any licensed place of public entertainment on any Christmas Day or Good Friday without the previous consent in writing of the Minister, or anything is done or omitted therein on any Christmas Day or Good Friday contrary to any condition subject to which such consent is granted, the person holding such entertainment and every proprietor of such place shall be liable to a penalty not exceeding one hundred dollars.

(2) An application for the consent of the Minister under this section must be accompanied by a fee of five dollars.
13.

Overcrowding

22. If in any licensed place of public entertainment in which a public entertainment is held, or is about to be held—

(a) the number of persons present on any floor, or on any tier, of such place exceeds the number stated in respect of such floor or tier in the licence; or

(b) the total number of persons admitted to such place exceeds the total number stated in respect of such place in the licence,

the person holding such entertainment and every proprietor of such place shall each be liable to a penalty not exceeding one hundred dollars.

Prohibition against selling tickets when places of public entertainment full

23. If a seller of tickets at a licensed place of public entertainment, or any part thereof, in which a public entertainment is held, or is about to be held, sells any ticket for entrance thereto after he has been warned by an inspector that the total number of persons stated in the licence has been admitted, he shall be liable to a penalty not exceeding twenty dollars.

Persons not to sit or stand in public gangways

24. If during any public entertainment in a licensed place of public entertainment any person is allowed to sit or stand in a gangway or passageway in the auditorium, the person holding such entertainment and every proprietor of such place shall each be liable to a penalty not exceeding forty dollars.

Minister may prohibit any public entertainment at any time

25. The Minister, whenever he is of opinion that it is fitting for the preservation of public morality, good manners, or decorum, or to prevent a breach of the peace or danger to any performer or other person, so to do, may, notwithstanding the terms of any licence make a determination prohibiting the holding of any public entertainment, or any specified part or item of any public entertainment; and any person holding an entertainment and every proprietor of any place of public entertainment in which any entertainment or any part or item thereof is held, contrary to such determination, after notice of the same has been given as prescribed, shall each be liable to a penalty not exceeding one hundred dollars.

Billiard saloons

25a. (1) On and after the commencement of the Places of Public Entertainment Act Amendment Act, 1967, any premises wherein billiards is played (except premises in respect of which a licence or permit is in force under the Licensing Act, 1967) whether admission thereto is open to members of the public or is restricted to persons who are members of a club or who possess any other qualification or characteristic and whether admission is or is not procured by payment of money or on any other condition, shall be a place of public entertainment for the purposes of this Act.

(2) On application for a licence by the proprietor of premises in respect of which a billiard table licence was in force under the Licensing Act, 1932-1966, immediately before the repeal of that Act by the Licensing Act, 1967, the Minister may grant to that proprietor such exemption from the provisions of this Act as the Minister may determine and specifies in the licence.

(3) The Minister shall not grant an exemption under subsection (2) of this section unless he is satisfied that adequate measures have been taken to ensure the safety, health and convenience of persons whilst in the premises.
(4) The Minister may grant an exemption under subsection (2) of this section upon such conditions, specified in the licence, as he deems necessary to ensure that the premises are brought into conformity with this Act.

(5) If, in the opinion of the Minister, the proprietor of the premises has contravened or failed to comply with a condition under subsection (4) of this section, the Minister may, by notice in writing served personally or by post upon the proprietor, cancel the licence.

**Cabarets**

25b. (1) The Minister may, on application for a licence by the proprietor of any premises that were registered under the *Places of Public Entertainment Act, 1913-1955*, immediately before the commencement of the *Places of Public Entertainment Act Amendment Act, 1967*, as a cabaret, grant to that proprietor such exemption from the provisions of this Act as the Minister may determine and specifies in the licence.

(2) The Minister shall not grant an exemption under subsection (1) of this section unless he is satisfied that adequate measures have been taken to ensure the safety, health and convenience of persons whilst in the premises.

(3) The Minister may grant an exemption under subsection (1) of this section upon such conditions specified in the licence as he deems necessary to ensure that the premises are brought into conformity with this Act.

(4) If, in the opinion of the Minister, the proprietor has contravened or failed to comply with a condition under subsection (3) of this section, the Minister may, by notice in writing served personally or by post on the proprietor, cancel the licence.

**Inspectors**

26. (1) The Minister may appoint a chief inspector of places of public entertainment and such inspectors of places of public entertainment as he thinks fit.

(2) Any inspector may, at any time, enter any place of public entertainment and inspect and examine the same and every part thereof, and all appliances therein or used in connection therewith, and every approach thereto and exit therefrom, and may exercise and discharge all such other rights, powers, privileges, and duties as are prescribed.

(3) Any proprietor of any place of public entertainment or other person who in any way interferes with or obstructs any inspector in the exercise or discharge of any right, power, privilege, or duty under this Act, shall be liable to a penalty not exceeding two hundred dollars.

**Register**

27. The Minister shall cause a register to be kept, as prescribed, of applications made and licences respectively issued, renewed, transferred, and cancelled or suspended under this Act, and may notify in the *Government Gazette* the particulars contained in such register and any alterations thereof.

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Regulations

General regulations

28. (1) The Governor may make all such regulations as are contemplated by this Act, or as may be necessary or convenient for giving effect to the provisions of this Act or more fully carrying out its objects, including (though without in any way limiting the operation of this or any other section of this Act) regulations for the following purposes, in addition to those mentioned in section 14 and section 17 of this Act, namely:—

(a) Prescribing the method of making applications under this Act:

(b) Prescribing the forms of documents under this Act:

(c) For the admission of members of the police force to places of public entertainment during the holding of public entertainments:

(c1) Controlling and regulating advertisements of moving and talking picture entertainments, and, in particular, prescribing any information or matters which shall or shall not be included in such advertisements:

(d) Imposing any penalties not exceeding forty dollars for any breach of any regulation made under this section or section 14 of this Act, with an additional penalty in the case of a continuing offence not exceeding four dollars for each day after the first upon which the breach continues.

(2) Any regulation may prescribe different provisions in respect of buildings in existence at the time of the passing of this Act and buildings afterwards erected, and may also prescribe different provisions for different portions of the State.

(3) All regulations made under any Act hereby repealed, which have not been repealed by regulations made before the passing of this Act, shall, except so far (if at all) as inconsistent with this Act be and continue in force and have the effect of law until repealed by regulations made under this Act. Any such regulation, though not expressly repealed, shall be deemed to be repealed so far as it is inconsistent with this Act or any regulation made under this Act.

Publication and effect of regulations

29. (1) All regulations made under this Act—

(a) shall be published in the Government Gazette;

(b) from the date of such publication, or from a later date fixed by the order making the same, shall (subject as by subsection (2) hereof provided) be of the same effect as if they were contained in this Act; and

(c) shall be laid before both Houses of Parliament within fourteen days after such publication, if Parliament is in session, and if not, then within fourteen days after the commencement of the next session.
Disallowance by Parliament

(2) If either House of Parliament passes a resolution disallowing any such regulation, of which resolution notice has been given at any time within fourteen sitting days of such House after such regulation has been laid before it, such regulation shall thereupon cease to have effect, but without affecting the validity or curing the invalidity of anything done, or of the omission of anything, in the meantime.

This subsection shall apply notwithstanding that the said fourteen days, or some of them, do not occur in the same session or Parliament as that in which the regulation is laid before it.

Legal Proceedings

Evidence

30. In any proceedings under this Act—

(a) without limiting the liability of any person for any offence under this Act, a person shall be deemed to hold a public entertainment if he conducts the same, or on the occasion in question has the superintendence or management of the place where such entertainment is held:

(b) the onus of proving that any place, described in any information as a licensed place of public entertainment, is or was not a licensed place of public entertainment, shall lie on the defendant:

(c) the production of a document purporting to be a copy of the register by this Act required to be kept, or of any entry therein, and to be certified as correct by the officer keeping such register, or the production of a copy of the Government Gazette purporting to contain any entry in such register, shall be evidence of the particulars contained in such register or of such entry:

(d) the onus of proving that a licence was issued, renewed, or transferred, or that any approval or consent under this Act has been obtained, shall lie on the defendant:

(e) a document purporting to be a determination of the Minister under his hand shall be received as evidence of the contents thereof, and as evidence that such determination has been made.

Procedure for offences

32. All proceedings in respect of offences against this Act shall be disposed of summarily.
## SCHEDULES

### THE FIRST SCHEDULE

#### REPEAL

<table>
<thead>
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<th>Number of Act</th>
<th>Short Title of Act</th>
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