



ANNO PRIMO

GEORGII V REGIS.

A.D. 1910.

No. 1002.

An Act to further amend the "Places of Public Entertainment Act."

[Assented to, November 16th, 1910.]

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

1. This Act may be cited alone as "The Places of Public Entertainment Amendment Act, 1910," and the "Places of Public Entertainment Act" (hereinafter called "the principal Act"), "The Places of Public Entertainment Amendment Act, 1904"; and this Act may be cited together as "The Places of Public Entertainment Acts, 1882 to 1910."

Short title.
No. 260 of 1882.
No. 855 of 1904.

2. This Act is incorporated with the principal Act and "The Places of Public Entertainment Amendment Act, 1904," and those Acts and this Act shall be read together as one Act.

Incorporation with other Acts.

3. (1) Section 2 of the principal Act, so far as it defines the meaning of "place of public entertainment," is hereby repealed, and in lieu thereof it is hereby enacted as follows:—"Place of public entertainment" shall include any theatre, concert room, menagerie, circus, skittle or bowling alley, and any place used for dancing, or in which dancing is taught, other than a dwelling-room in a private house, and shall also include any other place, whether enclosed, or unenclosed, or partly enclosed, whereat amusement for the public is provided.

Amendment of sec. 2, principal Act.

(2) Section 6 of "The Places of Public Entertainment Amendment Act, 1904," is hereby repealed.

Consequent repeal of sec. 6 of Amending Act 855 of 1904.

4. (1) This

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Application.

4. (1) This Act and the Acts incorporated herewith shall, until extended as hereinafter mentioned, apply only to the area comprised within the present House of Assembly Electoral Districts of Adelaide, Torrens, and Port Adelaide.

(2) The application of this and the said Acts may be extended by the Governor by Proclamation published in the *Government Gazette* to any portion of the State specified therein.

(3) No such Proclamation shall be issued until after the passing by both Houses of Parliament of a resolution affirming the desirability of such extension.

(4) The Governor may, upon a resolution passed by both Houses of Parliament affirming the desirability thereof, by Proclamation published as aforesaid, revoke, alter, or vary any Proclamation made under subsection (2), and thereupon the application of this and the said Acts shall be altered so as to give effect to such Proclamation.

Consequent repeal of sec. 11 of principal Act.

Repeal of sec. 4 of Act 855 of 1904.

(5) Section 11 of the principal Act is hereby repealed.

5. Section 4 of "The Places of Public Entertainment Amendment Act, 1904," is hereby repealed, and in lieu thereof it is hereby enacted as follows:—

Inspectors.

4. (1) The Chief Secretary may from time to time appoint such inspectors of places of public entertainment as he deems fit.

(2) Every proprietor of a place of public entertainment shall, at all times, permit any such inspector to enter, inspect, and examine such place, and every part thereof and every approach thereto and exit therefrom.

(3) Any proprietor who in any respect fails to comply with the provisions of this section, and any proprietor or other person who in any way interferes with or obstructs any inspector in the exercise of any right, power, or privilege, or the discharge of any duty under this Act shall be guilty of an offence against this Act.

Repeal of sec. 6, principal Act.

6. Section 6 of the principal Act is hereby repealed, and in lieu thereof it is hereby enacted as follows:—

Regulations.

Cf. N.S.W. 13, 1908, ss. 14 and 17.

6. (1) The Governor may make regulations not inconsistent with this Act, as to all or any of the following matters, namely:—

(a) The hours during which places of public entertainment may be open:

(b) The granting of permissions by the Chief Secretary for the opening and using of places of public entertainment on Sundays, and the conditions upon and subject to which such permissions may be granted:

(c) The mode of lighting generally and fixing the hours during which the lights shall or may be kept burning:

(d) What

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- (d) What (if any) special lights shall be placed at entrances and exits, how they shall be served, and the time such lights shall be kept burning:
- (e) What lights and lighting apparatus, firearms, fireworks, and cinematograph and similar apparatus may be used, and the methods of using the same:
- (f) What fires and heating apparatus may be used, and the methods of using the same:
- (g) The storage of scenery and properties and other combustible things:
- (h) 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:
- (i) The keeping of fire watches and the fire drill of employes:
- (j) 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:
- (k) The keeping of such exits, staircases, landings, passages, and gangways free from chairs, flap seats, and other obstructions, whether permanent or temporary, and from obstruction by persons standing or sitting in such exits, staircases, landings, passages, or gangways, and whether inside, outside, or leading up to any such place, and how and by whom such persons may be required to move or be removed therefrom:
- (l) The manner in which seats shall be arranged, and the manner in which they shall be fixed, either to the floor or together:
- (m) The manner in which carpets, matting, and other floor and stair coverings shall be fixed, and in what condition so as to prevent possibility of accident:
- (n) The periodical inspection of places of public entertainment:
- (o) The keeping of such places clean, sufficiently ventilated, and in sanitary condition:
- (p) The manner and places in which copies of the regulations shall be kept posted and maintained in such places:
- (q) The rights, powers, privileges, obligations, and duties of the inspectors and sub-inspectors of places of public entertainment, and defining the place or places or area or areas within which such inspectors and sub-inspectors shall have jurisdiction:
- (r) Generally

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(r) Generally the manner in which places of public entertainment shall be conducted, and for preventing and extinguishing fires, and for the safety, health, and convenience of the public, the performers, and the employés.

(2) Any such regulation may be general or may be limited—

- I. To particular places of public entertainment :
- II. To particular kinds of entertainment.

(3) Any such regulation may impose a penalty not exceeding Twenty Pounds for any breach thereof or of any other regulation or regulations ; Provided that an additional penalty, not exceeding Two Pounds for one day, may be imposed for every day after the first upon which a breach continues.

(4) All such regulations shall—

- (a) Be published in the *Government Gazette* ;
- (b) Take effect from the date of such publication, or from a later date to be specified therein ; and
- (c) Be laid before both Houses of Parliament within fourteen days after publication, if Parliament is in Session, and if not, then within fourteen days after the commencement of the next Session.

Disapproval of Parliament.

(5) Notwithstanding any publication thereof, no such regulation shall continue to have any force or effect if the same is disapproved, by resolution of either House of Parliament, within thirty days after such regulation has been laid before Parliament, if Parliament is so long in Session: Provided that if Parliament is not in Session for thirty days after such regulation has been laid before it, then such regulation shall not continue to have any force or effect if disapproved by either House of Parliament within thirty days after the commencement of the next Session of Parliament.

Limitation on Sunday entertainments.
Cf. N.S.W. 13, 1908, s. 19.

7. If any place of public entertainment is open to the public or used for any purpose whatever on any Sunday without such previous permission as is required by regulation made under the principal Act (as amended by this Act), or contrary in any way to any condition subject to which such permission is granted, every proprietor thereof shall be guilty of an offence against this Act, and shall be liable to a penalty not exceeding Fifty Pounds ; and the licence for such place may, in the discretion of the convicting Magistrate or Justices, be absolutely forfeited or suspended for such time as such Magistrate or Justices think fit.

No opening when licence forfeited.

8. If any place of public entertainment is open to the public on any occasion after the licence thereof has been forfeited and before a new licence has been granted in respect thereof, or during such

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such time as the licence thereof is suspended, every proprietor thereof shall be guilty of an offence against this Act, and shall be liable to a penalty not exceeding Fifty Pounds, and to a further penalty not exceeding Ten Pounds for every day after the first during which such place of public entertainment is open to the public.

9. The provisions of the next two preceding sections shall not be deemed to limit, affect, or nullify any law now in force in the said State relating to the abuse or profanation of Sunday. Law as to Sunday observance preserved.

10. Section 9 of the principal Act, which prescribes the penalty for offences, is hereby amended by striking out the words "Every other offence against this Act shall be punishable by a fine not exceeding Ten Pounds," and substituting therefor the words— "Every offence against this Act, or against any regulation made under this Act, for which no penalty is specifically prescribed, shall be punishable by a penalty not exceeding Twenty Pounds, with an additional penalty, in the case of a continuing offence, not exceeding Two Pounds for each day after the first upon which the offence continues." Amendment of sec. 9 of principal Act.
Penalties.

11. Section 5 of the principal Act is hereby amended by adding thereto the following words:—"Provided that no fees shall be payable in respect of any property under the control of the Government or of any Municipal Corporation or District Council, or of any Institute within the meaning of Act No. 986 of 1909, or of any Friendly Society within the meaning of Act No. 22 of 1852 or 'The Friendly Societies Act, 1886.'" Amendment of sec. 5 of the principal Act.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

DAY H. BOSANQUET, Governor.