ANNO QUADRADESIMO QUINTO ET QUADRAGESIMO SEXTO

VICTORIÆ REGINÆ.

A.D. 1882.

No. 260.

An Act to repeal an Act to License Places of Public Amusements, 1881, and make other provisions in lieu thereof, and for other purposes.

[Assented to, November 17th, 1882.]

WHEREAS it is expedient to repeal an Act to License Places of Public Amusement, 1881, and make other provisions in lieu thereof—Be it therefore Enacted by the Governor of the Province of South Australia, by and with the advice and consent of the Legislative Council and House of Assembly of the said province, in this present Parliament assembled, as follows:

1. This Act may be cited as the “Places of Public Entertainment Act.”

2. In this Act, unless the context otherwise requires, the words “place of public entertainment” shall mean any theatre, concert-room, dancing saloon, menagerie, circus, skittle or bowling alley, except any skittle or bowling alley used in connection with a licensed public-house, and any building or place which the Governor may, by Proclamation in the Government Gazette, declare to be a place of public entertainment within the meaning of this Act, but shall not include any suburban or country institute, nor any public building under the control of the Government, or of any Municipal Council or District Council, or of an incorporated company or society, nor any building wherein any entertainment is given exclusively for a charitable purpose.

“Proprietor” shall include any owner, lessee, or licensee or his agent, or any person having the superintendence or management of any place of public entertainment.

3. After
Placed of Public Entertainment Act.—1882.

3. After the passing of this Act no place of public entertainment shall be open to the public unless a licence shall first have been obtained in respect thereof, and no licence shall be granted for any such place of public entertainment unless and until proper means of egress for the public in the case of fire shall have been provided to the satisfaction of the Mayor, or Chairman of District Council, as the case may be, by whom from time to time the licence shall be granted.

4. All applications for licences for places of public entertainment situated within the limits of any Municipality or District Council shall be made to the Mayor of such Municipality or Chairman of such Council; and every application shall contain a full description of the building intended to be licensed.

5. Every licence shall be in the form of Schedule A hereto, and may be granted to the proprietor of any place of public entertainment, being a suitable person, on payment of the following fees:

- For an annual licence, Five Pounds;
- For a quarterly licence, Two Pounds;
- For a monthly licence, One Pound;
- For a licence for any number of nights not exceeding six, Five Shillings for each night.

Any fees received for any place of public entertainment within the limits of any Corporation or Council shall form part of the revenue of such Corporation or Council.

6. The Governor may, by regulation in the Government Gazette, determine the hours at which such places of public entertainment shall be open, the ages at which persons shall be admitted, and generally the manner in which such places of public entertainment shall be conducted.

7. The proprietor of every place of public entertainment shall be deemed guilty of an offence against this Act—

i. If he shall permit disorderly persons to assemble, or disorderly conduct to take place therein:

ii. If such place shall be conducted in a disorderly manner, or contrary to any regulation in force relating to places of public entertainment:

iii. If he shall refuse to admit the police, or to produce his licence to any officer of the police when demanded, or shall obstruct the police in the execution of their duty:

iv. If he shall permit such place to be open without a licence.

v. If he shall not at all times keep available such proper means of egress for the public, in the case of fire, as required to be provided by section 3.

8. The Chief Secretary may, by notice in writing to be served on the
the proprietor or left at the place of public entertainment, prohibit in any such place the representation of any entertainment or any public performance, or any parts of such entertainment or performance, that might provoke a breach of the peace, or is in violation of public decency or propriety, or dangerous either to the performer or to any other person; and every person who shall perform or take part in, or permit any such representation or performance so prohibited as aforesaid, shall, for every such offence, forfeit and pay any sum not exceeding Fifty Pounds, and the licence for the place of public entertainment wherein such offence shall have been committed may, in the discretion of the Chief Secretary, be absolutely forfeited.

9. Every other offence against this Act shall be punishable by a fine not exceeding Ten Pounds, to be recovered in a summary way before a Special Magistrate or two Justices of the Peace, and the licence for the place of public entertainment wherein such offence shall have been committed may, in the discretion of the Magistrate or Justices, be suspended.

10. Act No. 230 of 1881 is hereby repealed.

11. This Act shall only apply to the City of Adelaide, and to such other Municipalities, districts, and places as the Governor by Proclamation in the Government Gazette, on the petition of the Municipality or District Council, shall from time to time declare.

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

WM. F. DRUMMOND JERVOIS, Governor.
SCHEDULE REFERRED TO.

Whereas

of

hath applied for

a licence for [fill in name of building (if any) and locality, and give full description of building] as a place of public entertainment, and is a suitable person to hold such licence: Now therefore do hereby licence the said [describe building] as a place of public entertainment for [fill in period, which must not extend beyond one year from the date of licence] from the date hereof, provided such licence be not forfeited in the meantime.

Received the licence fee of £

Given under hand this day of 18

Mayor or Chairman.