



ANNO TERTIO

## ELIZABETHAE II REGINAE

A.D. 1954

\*\*\*\*\*

## No. 18 of 1954

## An Act to amend The Places of Public Entertainment Act, 1913-1934.

[Assented to 28th October, 1954.]

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

## Short titles.

1. (1) This Act may be cited as the "Places of Public Entertainment Act Amendment Act, 1954".

(2) The Places of Public Entertainment Act, 1913-1934, as amended by this Act, may be cited as the "Places of Public Entertainment Act, 1913-1954".

(3) The Places of Public Entertainment Act, 1913-1934, is hereinafter referred to as "the principal Act".

## Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

## Amendment of s. 3 of principal Act— Interpretation.

3. Section 3 of the principal Act is amended by inserting before the definition of "inspector" therein the following definition :—

"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.

## Amendment of s. 7 of principal Act— Licence to state certain particulars.

4. Section 7 of the principal Act is amended by adding at the end thereof the following proviso :—

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.

5. Section 13 of the principal Act is amended by striking out subsection (1) thereof and inserting in lieu thereof the following subsections :—

Amendment of  
s. 13 of  
principal Act—  
Plans.

(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 : One hundred pounds.

(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 the submission of any such plans there shall be paid to the Crown a fee of two pounds two shillings, in addition to the fee prescribed by subsection (2a) of this section.

(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.

**Amendment of s. 20 of principal Act— Sunday entertainments.** **6.** Section 20 of the principal Act is amended by adding after the word "entertainment" in the second line the words "(whether public or private)".

**Enactment of s. 25a of principal Act—** **7.** The following section is enacted and inserted in the principal Act after section 25 thereof :—

**Cabarets.**

25a. (1) In this section "cabaret" means any premises in which meals or refreshments are sold to and consumed by members of the public and in which all or any of the following things are provided after six o'clock in the evening for persons taking meals or refreshments therein, namely :—

(a) facilities for dancing by such persons ;

(b) entertainment for such persons in the form of music, singing, recitations, dancing, or other exhibitions of personal skill.

(2) Subject to the other provisions of this section the Minister may at his discretion register any cabaret on the application of the proprietor thereof.

(3) So long as a cabaret is registered under this section, it shall not be deemed to be a place of public entertainment within the meaning of sections 6 to 24 inclusive, of this Act, by reason only of the fact that after six o'clock in the evening dancing takes place therein by persons taking meals or refreshments therein, or that entertainment in the form of music, singing, recitations, dancing, or other exhibitions of personal skill is provided for persons taking meals or refreshments therein.

(4) A cabaret shall not be registered unless—

(a) plans of the premises used as the cabaret have been submitted to and approved by the Minister ; and

(b) such equipment has been provided on the premises used as the cabaret as is in the opinion of the Minister necessary for the prevention and extinguishing of fires ; and

(c) such other measures as the Minister requires have been taken to ensure the safety, health, or convenience of persons on such premises.

(5) Registration of a cabaret may be granted subject to any conditions which the Minister thinks desirable to ensure the safety, health, or convenience of persons on the premises.

(6) Upon the registration of a cabaret the Minister shall grant to the proprietor a certificate of registration.

(7) The Minister may by notice in writing to the proprietor cancel the registration of a cabaret if he is satisfied that adequate measures have not been taken to ensure the safety health and convenience of the persons therein, or that the premises of the cabaret have ceased to be used as a cabaret.

(8) The registration of a cabaret (whether the first registration or a renewed registration) shall continue in force until the thirtieth day of June next after the granting or renewal thereof. A registration may be renewed from time to time by the Minister.

(9) A fee of two pounds shall be payable upon the granting of a certificate of registration (whether an original grant or a grant in renewal of a certificate): Provided that where registration is granted between the thirty-first day of December and the following first day of July, the fee shall be one pound.

(10) The registration of a cabaret shall, unless cancelled, continue in force for the period prescribed in this section notwithstanding any change in the ownership of the cabaret.

8. The Second Schedule to the principal Act is amended—

(a) by striking out the word "hall" wherever appearing therein and inserting in lieu thereof the words "place of public entertainment";

(b) by adding at the foot thereof the following passage:—

In the case of a drive-in-theatre the seating capacity shall be assessed on the assumption that the space occupied by each vehicle provides capacity for three persons.

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

R. A. GEORGE, Governor.

Amendment of  
second  
schedule to  
principal Act—  
Fees for  
licences.