

*Vagrants, Gaming, Etc., Act.* 10 GEO. VI. No. 28, 1946.

## VAGRANTS.

**An Act to Amend "The Vagrants, Gaming, and Other Offences Acts, 1931 to 1938," in certain particulars.**

10 GEO. VI.  
No. 28.  
THE VAGRANTS,  
GAMING, AND  
OTHER  
OFFENCES ACTS  
AMENDMENT  
ACT OF 1946.

[ASSENTED TO 30TH APRIL, 1946.]

**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

1 (1.) This Act may be cited as "*The Vagrants, Gaming, and Other Offences Acts Amendment Act of 1946*," and shall be read as one with \*"*The Vagrants, Gaming, and Other Offences Acts, 1931 to 1938*," herein referred to as the Principal Act.

Short title  
and  
construction.

(2.) The Principal Act and this Act may collectively be cited as "*The Vagrants, Gaming, and Other Offences Acts, 1931 to 1946*."

Collective  
title.

2. A new section 37B is inserted after section 37A of the Principal Act, as follows:—

New s. 37B.

"[37B.] (1.) Notwithstanding anything to the contrary contained in any Act, or law or rule or process of law, it is hereby declared that every license granted by a Local Authority, under the Local Government Acts, to any licensee to conduct a picture theatre in the Area of the Local Authority concerned shall be read and construed as containing the following conditions, namely:—

Protection  
of young  
children in  
picture  
theatres.

- (i.) It shall be a condition of the license that the licensee shall provide and maintain seating accommodation separate and distinct from adult persons for all children, under or apparently under the age of fourteen years attending the picture theatre where any such child or children is or are unaccompanied by a parent, adult relative, guardian, or person over or apparently over the age of fourteen years;

\* 22 G. 5 No. 27 and amending Acts, v. 9, p. 705 *et seq.*

(ii.) It shall be the duty of any such licensee and any employee of the licensee to supervise the conduct of all children attending the picture theatre and whether such children are occupying such special seating accommodation in the picture theatre concerned or not and by such supervision to safeguard, as far as may reasonably be possible, the children in such theatre from molestation, assault, or interference by any person.

(2.) Any licensee refusing or failing to comply with or who contravenes the provisions of the above subsection shall be guilty of an offence and shall be liable on conviction to a penalty not exceeding one hundred pounds, and to a second or any subsequent offence to a penalty not exceeding five hundred pounds.

Moreover in the case of any third conviction the adjudicating court may order that the license of the offending licensee be cancelled or suspended for such period as mentioned in the order, and the Local Authority concerned shall obey and give effect to such order of cancellation or suspension accordingly.

(3.) Any licensee, or any employee of the licensee, shall have full power and authority by virtue of this section to apprehend any person whom he finds committing, or whom he reasonably suspects of committing, any offence of whatever nature against any child attending the picture theatre and whether in such special seating accommodation or not and to detain such person until he is handed over to a member of the Police Force, to be dealt with according to law.

**Obstruction.** (4.) Any person who in any way prevents a licensee or any employee of the licensee from exercising his powers and authorities under this section, or who hinders or obstructs such licensee or employee or member of the Police Force in the execution of his duty under this section shall be guilty of an offence and be liable on conviction to a penalty not exceeding twenty pounds or imprisonment for three months.

(5.) The term "Local Authority" means a Local Authority constituted under \*"*The Local Government Acts, 1936 to 1946*" (and any Act amending or in substitution for those Acts): the term shall also includ

\* 1 G. 6 No. 1 and amending Acts, v. 5, p. 826 *et seq.*

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the Brisbane City Council constituted under \**“ The City of Brisbane Acts, 1924 to 1945 ”* (or any Act amending or in substitution for those Acts).

(6.) The term “ Picture Theatre ” means any building or any part of a building or any enclosure, ground, place, or premises whatsoever wherein or whereon any film is exhibited and to which admission is or may be procured by payment of money or by ticket or by any other means, token, or consideration as the price, hire, or rent of admission.

(7.) The term “ Film ” means a film exhibited or proposed to be exhibited in a picture theatre by the use of a cinematograph and any other similar apparatus and reproducing equipment to produce a moving picture or other optical effect.

(8.) In the execution of and for the purposes of this section, the licensee, or any employee of the licensee, may decide upon his own view and judgment whether any child attending the picture theatre is over or under the age of fourteen years.

(9.) The provisions of this section shall have operation and effect in the cities and/or towns of Brisbane, Ipswich, Toowoomba, Warwick, Gympie, Maryborough, Bundaberg, Gladstone, Rockhampton, Mackay, Bowen, Townsville, Charters Towers, and Cairns, and such other cities and/or towns in the Areas or parts of Areas of any Local Authority or Local Authorities as may be from time to time prescribed by the Governor in Council by Order in Council published in the *Gazette*.

(10.) (a) Notwithstanding anything to the contrary herein contained, the Governor in Council may, from time to time, by Order in Council, extend the provisions of this section to include, in addition to a picture theatre, any building or any enclosure, ground, place, or premises whatsoever used for a theatre, music hall, circus, or other entertainment or amusement, and to which admission is or may be procured by payment of money or by ticket or by any other means, token, or consideration as the price, hire, or rent of admission.

\* 15 G. 5 No. 32 and amending Acts, v. 10, p. 6 *et seq.*

*Public Safety Act of 1940 Repeal Act.* 10 GEO. VI. No. 7,

(b) Any such Order or Orders in Council may specify the city or cities and/or town or towns in the Areas or parts of Areas of any Local Authority or Local Authorities to which the provisions of this subsection shall extend.

And the aforesaid provisions of this section shall, *mutatis mutandis*, apply and extend accordingly.”

### WAR LEGISLATION.

- (1) *Public Safety Act of 1940 Repeal Act of 1945* . . . . . 10 *Geo. VI. No. 7*  
 (2) *Jury (War Emergency) Act of 1942 Extension and Repeal Act of 1946* . . 10 *Geo. VI. No. 18*

10 GEO. VI.  
NO. 7.  
THE PUBLIC  
SAFETY ACT  
OF 1940  
REPEAL ACT.  
OF 1945.

**An Act to Repeal “The Public Safety Act of 1940,” but to Provide for the Continuance of Certain Regulations made thereunder, notwithstanding such Repeal, and for purposes incidental thereto or consequent thereon.**

[ASSENTED TO 13TH DECEMBER, 1945.]

**B**E it enacted by the King’s Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

Short title. **1.** This Act may be cited as “*The Public Safety Act of 1940 Repeal Act of 1945.*”

Repeal of “*The Public Safety Act of 1940*” (4 Geo. VI. No. 28). **2.** \**“The Public Safety Act of 1940”* is hereby repealed and the Council of Public Safety constituted thereunder is hereby abolished.

Repeal of regulations, &c., made under “*The Public Safety Act of 1940.*” **3.** Except as otherwise provided in this Act, every Proclamation, Order in Council, regulation, delegation, order, direction, authority, notice, or other document or writing made, issued, or given under \**“The Public Safety Act of 1940,”* and in force immediately prior to the passing of this Act, shall, on and from the passing of this Act, cease to have any force or effect whatsoever and shall be deemed to have expired.

\* 4 G. 6 No. 28, 1940 Sess. v., p. 17978.