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QUINTO

VICTORIÆ REGINÆ,

A.D. 1881.

No. 230.

An Act to License Places of Public Amusement.

[Assented to, November 18th, 1881.]

WHEREAS it is expedient that places of public amusement should be licensed, and that the police should have at all times access thereto—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:

Preamble.

1. "Place of public amusement" shall mean any theatre, concert room, or dancing saloon, to which the public are admitted either on payment of money or otherwise, not being an institute established under the Suburban and Country Institutes Act, 1874, nor any public building under the control of the Government, or any Municipal Corporation, or District Council, or any incorporated company or society.

Interpretation.

2. After the passing of this Act no place of public amusement 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 amusement unless and until proper means of egress for the public in the case of fire shall have been provided.

Places of public amusement to be licensed.

3. The proprietor of every place of public amusement shall be liable to a penalty not exceeding Ten Pounds for every occasion on which he shall open such place without such licence.

Penalty.

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- Fee.** 4. The annual fee in respect of such licence shall be the sum of Two Pounds, and shall be paid to the Treasurer.
- Licence to be issued by Treasurer.** 5. Such licence shall be in the form of Schedule B hereto, and may be issued by the Treasurer upon payment of the licence fee hereinbefore mentioned, and upon receiving the certificate of the Mayor of the Corporation of the municipality, when the place is within the limits of a corporation, or, when it is not so situate, of the Licensing Bench of the district in which, or nearest to which, such place is situate, in the form of Schedule A hereto, and every such licence shall continue in force until the thirtieth day of June next following the date thereof.
- Supervision of police.** 6. The police shall at all times have admission to every such place, and may arrest and remove therefrom any disorderly persons.
- Offences.** 7. The proprietor of every such place of public amusement shall be deemed guilty of an offence—
- i. If such proprietor shall permit idle or disorderly persons to assemble in such place of public amusement:
 - ii. If such place of public amusement shall be conducted in a disorderly manner, or if any disorderly conduct is permitted therein:
 - iii. If such proprietor obstructs any officer of the police in the execution of his duty at such place of public amusement, or refuses to produce his licence to any officer or constable of police:
 - iv. If such proprietor sells, or permits to be sold, any liquor containing alcohol to be consumed on the licensed premises.
- Licence may be cancelled.** 8. In addition to the penalty above provided for, the Court before which such information is heard may deprive such proprietor of his licence; and in such event such person shall not thereafter be competent to be granted any subsequent licence.
- Certain performances may be prohibited.** 9. The Chief Secretary may prohibit in any building, room, or place licensed under this Act, 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 in any licensed premises, shall, for every such offence, forfeit and pay any sum not exceeding Fifty Pounds; and the licence for the building, room, or place wherein such offence shall have been committed, may, in the discretion of the Chief Secretary, be absolutely forfeited.
- Governor may make regulations.** 10. The Governor may, by regulation in the *Government Gazette*, determine

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determine the mode in which licences shall be applied for, the hours at which such places of public amusement shall be open to the public, the ages at which persons shall be admitted to such places of public amusement, and generally the manner in which such places of amusement shall be conducted.

11. Every offence against this Act, or against any regulation made thereunder, shall be punishable by a fine not exceeding Ten Pounds, ^{Fines.} to be recovered in a summary way before a Special Magistrate or two Justices of the Peace.

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

WM. F. DRUMMOND JERVOIS, Governor.

SCHEDULES REFERRED TO.

A.

Form of Certificate for a Licence for a place of Public Amusement.

I, the undersigned, [*the Mayor or Chairman of Licensing Bench's name*], of [*address*], do hereby certify that the proprietor of a building situate [*describe the locality*], which building is suitable for a place of public amusement, is a person of good fame and reputation, and fit to receive a licence for a place of public amusement.

Dated this day of , 188 .

[*Signature of the Mayor or Chairman
of Licensing Bench.*]

B.

Form of Licence for a place of Public Amusement.

WHEREAS A. B., of , being the proprietor of a place of public amusement situate [*describe the locality*], hath deposited in my office a certificate signed by the Mayor [*or Chairman of Licensing Bench, as the case may be*], and whereas the said A. B. hath paid into my office the sum of Two Pounds sterling as the fee for conducting such place of public amusement: Now, therefore, I, the undersigned, being the Treasurer of South Australia, do hereby license the said A. B. to use the premises situated as hereinbefore described as a place of public amusement. And this licence shall commence on the day of the issue hereof, and continue in force until the thirtieth day of June next, provided it be not forfeited in the meantime.

Given under my hand this day of 188 ,

C. D., Treasurer.