

## PLACES OF PUBLIC ENTERTAINMENT.

### 11 GEO. VI. No. 15.

AN ACT to amend the *Places of Public Entertainment Act 1917.* [22 April, 1947.]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

**1**—(1) This Act may be cited as the *Places of Public Entertainment Act 1947.* Short title and citation.

(2) The *Places of Public Entertainment Act 1917\**, as subsequently amended, is in this Act referred to as the Principal Act.

**2** Section twenty-seven of the Principal Act is amended Regulations. by adding at the end thereof the following subsections:—

“(3) In addition to any other matters in respect of which regulations may be made under this Act, the Governor may make regulations—

- (a) providing for the registration of places of public entertainment in which exhibitions of cinematograph films are held, and of persons carrying on the business of exhibiting cinematograph films in any place of public entertainment (in this subsection referred to as ‘cinema theatres’ and ‘exhibitors’ respectively); prohibiting the exhibition of cinematograph films in any cinema theatre which is not registered under the regulations, or by any exhibitor who is not so registered; and providing that the registration of any cinema theatre or exhibitor (other than a cinema theatre in which exhibitions of cinematograph films were regularly or usually held at the date of the commencement of this section, or an exhibitor by whom such exhibitions were so held) shall be in the discretion of the registration authority;
- (b) providing for and regulating the transfer of the registration of a cinema theatre or exhibitor, and requiring that any transfer thereof shall be subject to the consent of the registration authority;

8 Geo. V. No. 49. For this Act, as amended to 1936, see Reprint of Statutes, Vol. I, p. 81. Subsequently amended by 7 & 8 Geo. VI. No. 79.

- (c) providing for the cancellation or suspension, by the registration authority, of the registration of any cinema theatre or exhibitor;
- (d) providing for the establishment of a registration authority consisting of a board constituted by a police magistrate and two other persons appointed by the Governor;
- (e) prescribing the fees payable in respect of the registration of cinema theatres and of exhibitors;
- (f) providing for the exhibition, in all registered cinema theatres, of the prescribed quota or percentage of British Empire films, to be determined as prescribed;
- (g) prescribing penalties not exceeding one hundred pounds or daily penalties not exceeding fifty pounds in respect of breaches of any regulations made under this subsection; and
- (h) prescribing all matters which are necessary or convenient to be prescribed in relation to the matters specified in this subsection.

(4) Notwithstanding anything contained in subsection (3), the regulations made under that subsection shall provide that the registration of a cinema theatre or exhibitor, or the transfer of the registration of a cinema theatre or exhibitor, as the case may be, shall not be refused unless the registration authority is satisfied—

- (a) that an additional cinema theatre is not required for the accommodation of the public in the area which would be served by the theatre;
- (b) that the cinema theatres for the time being in use in the area provide properly and adequately for the requirements of the area;
- (c) that the granting of the application would result in undue or wasteful competition; or
- (d) that it is not in the public interest that the application should be granted.

Transitory provisions.

(5) For the purposes of paragraph (a) of subsection (3) of section twenty-seven of the Principal Act, as amended by this Act, any cinema theatre in the course of erection at the commencement of this Act shall be deemed to be a cinema theatre in which exhibitions of cinematograph films were regularly or usually held at the commencement of that section:

Provided that this subsection shall not apply to any such theatre unless the theatre is completed before the thirty-first day of December, 1947."