

**THEATRES AND PUBLIC HALLS (AMENDMENT)
BILL, 1954.**

EXPLANATORY NOTE.

THE object of this Bill is to assure that the provisions of the Theatres and Public Halls Act shall apply to open-air and drive-in theatres in like manner as they apply to theatres and public halls.

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

H. ROBBINS,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 16 November, 1954.*

New South Wales



ANNO TERTIO

ELIZABETHÆ II REGINÆ

Act No. , 1954.

An Act to make provision for the regulation and control of drive-in and open-air theatres; for this purpose to amend the Theatres and Public Halls Act, 1908-1946; and for purposes connected therewith.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Theatres and Public Halls (Amendment) Act, 1954."

Short title
and
citation.

Theatres and Public Halls (Amendment).

(2) The Theatres and Public Halls Act, 1908, as amended by subsequent Acts and by this Act, may be cited as the Theatres and Public Halls Act, 1908-1954.

2. The Theatres and Public Halls Act, 1908-1946, is amended—

Amendment of Act No. 13, 1908. Sec. 2. (Division of Act.)

(a) by inserting in section two next after the matter relating to Part II the following new matter:—

PART IIA.—OPEN-AIR AND DRIVE-IN THEATRES—s. 22A.

(b) by inserting next after section twenty-two the following new Part:—

New Part IIA.

PART IIA.

OPEN-AIR AND DRIVE-IN THEATRES.

22A. (1) In this Part—

Application of Act to open-air and drive-in theatres.

15

“Drive-in theatre” means any place or structure—

(a) used for the purpose of exhibiting or screening cinematograph films in the open air;

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(b) where provision is made for the parking or accommodation of motor vehicles; and

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(c) to which admission may be procured by payment of money, or by any other means, as the price or condition of admission,

and includes any building and premises used in connection therewith.

“Open-air theatre” means any place or structure—

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(a) used for the purpose of exhibiting or screening cinematograph films in the open air;

(b)

Theatres and Public Halls (Amendment).

(b) whether or not provision is therein made for fixed seating; and

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(c) to which admission may be procured by payment of money, or by any other means, as the price or condition of admission,

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and includes any building and premises used in connection therewith but does not include a drive-in theatre.

(2) Subject to this Part the provisions of this Act shall also apply, mutatis mutandis, to and in respect of drive-in theatres and open-air theatres.

15

(3) The fees payable on the granting or renewal of the licenses of—

(a) drive-in theatres shall be at the annual rate of twenty pounds; and

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(b) open-air theatres shall be at the annual rate of five pounds,

and shall be of a proportionate amount where the license is granted for less than twelve months.

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(4) For the purposes of the application of the provisions of this Act to drive-in theatres and open-air theatres as aforesaid—

(a) a reference in this Act to theatre or public hall shall include drive-in theatre and open-air theatre;

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(b) a reference in this Act to a building shall be read as a reference to the place or structure used as a drive-in theatre or an open-air theatre, as the case may require;

(c)

Theatres and Public Halls (Amendment).

5 (c) a reference in this Act to seating accommodation or seats shall be read as a reference to the accommodation, whether seating or for motor vehicles, as the particular circumstances may require.

10 (5) The power of the Governor to make regulations under this Act shall, in relation to drive-in theatres and open-air theatres, include, in addition to the matters for and with respect to which regulations may be made elsewhere under this Act, power to make such regulations as he may deem necessary or expedient.

15 3. Any open-air theatre licensed or purporting to be licensed under the Theatres and Public Halls Act, 1908-1946, shall be deemed to be licensed under the said Act as amended by this Act. Existing open-air theatres.

No. , 1954.

A BILL

To make provision for the regulation and control of drive-in and open-air theatres; for this purpose to amend the Theatres and Public Halls Act, 1908-1946; and for purposes connected therewith.

[MR. KELLY;—10 November, 1954.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Theatres and Public Halls (Amendment) Act, 1954."

Short title
and
citation.

Theatres and Public Halls (Amendment).

(2) The Theatres and Public Halls Act, 1908, as amended by subsequent Acts and by this Act, may be cited as the Theatres and Public Halls Act, 1908-1954.

5 **2.** The Theatres and Public Halls Act, 1908-1946, is amended—

Amendment
of Act
No. 13,
1908.
Sec. 2.
(Division
of Act.)

(a) by inserting in section two next after the matter relating to Part II the following new matter :—

PART IIA.—OPEN-AIR AND DRIVE-IN THEATRES—s. 22A.

10 (b) by inserting next after section twenty-two the following new Part :—

New Part
IIA.

PART IIA.

OPEN-AIR AND DRIVE-IN THEATRES.

22A. (1) In this Part—

15

“Drive-in theatre” means any place or structure—

Application
of Act to
open-air and
drive-in
theatres.

20

(a) used for the purpose of exhibiting or screening cinematograph films in the open air;

(b) where provision is made for the parking or accommodation of motor vehicles; and

25

(c) to which admission may be procured by payment of money, or by any other means, as the price or condition of admission,

and includes any building and premises used in connection therewith.

“Open-air theatre” means any place or structure—

30

(a) used for the purpose of exhibiting or screening cinematograph films in the open air;

(b)

Theatres and Public Halls (Amendment).

- (b) whether or not provision is
therein made for fixed seating;
and
- 5 (c) to which admission may be
procured by payment of money,
or by any other means, as the
price or condition of admission,
and includes any building and premises
used in connection therewith but does
10 not include a drive-in theatre.

(2) Subject to this Part the provisions
of this Act shall also apply, mutatis mutandis,
to and in respect of drive-in theatres and
open-air theatres.

15 (3) The fees payable on the granting or
renewal of the licenses of—

- (a) drive-in theatres shall be at the annual
rate of twenty pounds; and
- 20 (b) open-air theatres shall be at the annual
rate of five pounds,

and shall be of a proportionate amount where
the license is granted for less than twelve
months.

25 (4) For the purposes of the application
of the provisions of this Act to drive-in theatres
and open-air theatres as aforesaid—

- (a) a reference in this Act to theatre or
public hall shall include drive-in
theatre and open-air theatre;
- 30 (b) a reference in this Act to a building
shall be read as a reference to the place
or structure used as a drive-in theatre
or an open-air theatre, as the case may
require;
- (c)

Theatres and Public Halls (Amendment).

5 (c) a reference in this Act to seating accommodation or seats shall be read as a reference to the accommodation, whether seating or for motor vehicles, as the particular circumstances may require.

10 (5) The power of the Governor to make regulations under this Act shall, in relation to drive-in theatres and open-air theatres, include, in addition to the matters for and with respect to which regulations may be made elsewhere under this Act, power to make such regulations as he may deem necessary or expedient.

15 **3.** Any open-air theatre licensed or purporting to be licensed under the Theatres and Public Halls Act, 1908-1946, shall be deemed to be licensed under the said Act as amended by this Act. Existing open-air theatres.

PROOF

No. , 1954.

A BILL

To make provision for the regulation and control of drive-in and open-air theatres; for this purpose to amend the Theatres and Public Halls Act, 1908-1946; and for purposes connected therewith.

[MR. KELLY;—10 November, 1954.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Theatres and Public Halls (Amendment) Act, 1954."

Short title
and
citation.

Theatres and Public Halls (Amendment).

(2) The Theatres and Public Halls Act, 1908, as amended by subsequent Acts and by this Act, may be cited as the Theatres and Public Halls Act, 1908-1954.

5 **2.** The Theatres and Public Halls Act, 1908-1946, is amended— Amendment of Act No. 13, 1908.

(a) by inserting in section two next after the matter relating to Part II the following new matter:— Sec. 2. (Division of Act.)

PART IIA.—OPEN-AIR AND DRIVE-IN THEATRES—s. 22A.

10 (b) by inserting next after section twenty-two the following new Part:— New Part IIA.

PART IIA.

OPEN-AIR AND DRIVE-IN THEATRES.

22A. (1) In this Part—

15 “Drive-in theatre” means any place or structure— Application of Act to open-air and drive-in theatres.

(a) used for the purpose of exhibiting or screening cinematograph films in the open air;

20 (b) where provision is made for the parking or accommodation of motor vehicles; and

25 (c) to which admission may be procured by payment of money, or by any other means, as the price or condition of admission,

and includes any building and premises used in connection therewith.

“Open-air theatre” means any place or structure—

30 (a) used for the purpose of exhibiting or screening cinematograph films in the open air;

(b)

Theatres and Public Halls (Amendment).

(b) whether or not provision is
therein made for fixed seating;
and

5

(c) to which admission may be
procured by payment of money,
or by any other means, as the
price or condition of admission,

10

and includes any building and premises
used in connection therewith but does
not include a drive-in theatre.

(2) Subject to this Part the provisions
of this Act shall also apply, mutatis mutandis,
to and in respect of drive-in theatres and
open-air theatres.

15

(3) The fees payable on the granting or
renewal of the licenses of—

(a) drive-in theatres shall be at the annual
rate of twenty pounds; and

20

(b) open-air theatres shall be at the annual
rate of five pounds,

and shall be of a proportionate amount where
the license is granted for less than twelve
months.

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(4) For the purposes of the application
of the provisions of this Act to drive-in theatres
and open-air theatres as aforesaid—

(a) a reference in this Act to theatre or
public hall shall include drive-in
theatre and open-air theatre;

30

(b) a reference in this Act to a building
shall be read as a reference to the place
or structure used as a drive-in theatre
or an open-air theatre, as the case may
require;

(c)

Theatres and Public Halls (Amendment).

5 (c) a reference in this Act to seating accommodation or seats shall be read as a reference to the accommodation, whether seating or for motor vehicles, as the particular circumstances may require.

10 (5) The power of the Governor to make regulations under this Act shall, in relation to drive-in theatres and open-air theatres, include, in addition to the matters for and with respect to which regulations may be made elsewhere under this Act, power to make such regulations as he may deem necessary or expedient.

15 **3.** Any open-air theatre licensed or purporting to be licensed under the Theatres and Public Halls Act, 1908-1946, shall be deemed to be licensed under the said Act as amended by this Act. Existing open-air theatres.

New South Wales



ANNO TERTIO

ELIZABETHÆ II REGINÆ

Act No. 38, 1954.

An Act to make provision for the regulation and control of drive-in and open-air theatres; for this purpose to amend the Theatres and Public Halls Act, 1908-1946; and for purposes connected therewith. [Assented to, 2nd December, 1954.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Theatres and Public Halls (Amendment) Act, 1954." Short title and citation.

Theatres and Public Halls (Amendment).

(2) The Theatres and Public Halls Act, 1908, as amended by subsequent Acts and by this Act, may be cited as the Theatres and Public Halls Act, 1908-1954.

Amendment
of Act
No. 13,
1908.

Sec. 2.
(Division
of Act.)

2. The Theatres and Public Halls Act, 1908-1946, is amended—

(a) by inserting in section two next after the matter relating to Part II the following new matter:—

PART IIA.—OPEN-AIR AND DRIVE-IN THEATRES—s. 22A.

New Part
IIA.

(b) by inserting next after section twenty-two the following new Part:—

PART IIA.

OPEN-AIR AND DRIVE-IN THEATRES.

Application
of Act to
open-air and
drive-in
theatres.

22A. (1) In this Part—

“Drive-in theatre” means any place or structure—

(a) used for the purpose of exhibiting or screening cinematograph films in the open air;

(b) where provision is made for the parking or accommodation of motor vehicles; and

(c) to which admission may be procured by payment of money, or by any other means, as the price or condition of admission,

and includes any building and premises used in connection therewith.

“Open-air theatre” means any place or structure—

(a) used for the purpose of exhibiting or screening cinematograph films in the open air;

(b)

Theatres and Public Halls (Amendment).

(b) whether or not provision is therein made for fixed seating; and

(c) to which admission may be procured by payment of money, or by any other means, as the price or condition of admission,

and includes any building and premises used in connection therewith but does not include a drive-in theatre.

(2) Subject to this Part the provisions of this Act shall also apply, mutatis mutandis, to and in respect of drive-in theatres and open-air theatres.

(3) The fees payable on the granting or renewal of the licenses of—

(a) drive-in theatres shall be at the annual rate of twenty pounds; and

(b) open-air theatres shall be at the annual rate of five pounds,

and shall be of a proportionate amount where the license is granted for less than twelve months.

(4) For the purposes of the application of the provisions of this Act to drive-in theatres and open-air theatres as aforesaid—

(a) a reference in this Act to theatre or public hall shall include drive-in theatre and open-air theatre;

(b) a reference in this Act to a building shall be read as a reference to the place or structure used as a drive-in theatre or an open-air theatre, as the case may require;

(c)

Theatres and Public Halls (Amendment).

(c) a reference in this Act to seating accommodation or seats shall be read as a reference to the accommodation, whether seating or for motor vehicles, as the particular circumstances may require.

(5) The power of the Governor to make regulations under this Act shall, in relation to drive-in theatres and open-air theatres, include, in addition to the matters for and with respect to which regulations may be made elsewhere under this Act, power to make such regulations as he may deem necessary or expedient.

**Existing
open-air
theatres.**

3. Any open-air theatre licensed or purporting to be licensed under the Theatres and Public Halls Act, 1908-1946, shall be deemed to be licensed under the said Act as amended by this Act.

BY AUTHORITY:

A. H. PETTIFER, Government Printer, Sydney, 1954.

I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

H. ROBBINS,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 23 November, 1954.*

New South Wales



ANNO TERTIO

ELIZABETHÆ II REGINÆ

Act No. 38, 1954.

An Act to make provision for the regulation and control of drive-in and open-air theatres; for this purpose to amend the Theatres and Public Halls Act, 1908-1946; and for purposes connected therewith. [Assented to, 2nd December, 1954.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Theatres and Public Halls (Amendment) Act, 1954." Short title and citation.

(2)

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

G. BOOTH,
Chairman of Committees of the Legislative Assembly.

Theatres and Public Halls (Amendment).

(2) The Theatres and Public Halls Act, 1908, as amended by subsequent Acts and by this Act, may be cited as the Theatres and Public Halls Act, 1908-1954.

Amendment
of Act
No. 13,
1908.
Sec. 2.
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and includes any building and premises used in connection therewith.

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- (a) used for the purpose of exhibiting or screening cinematograph films in the open air;

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Application
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Theatres and Public Halls (Amendment).

(b) whether or not provision is therein made for fixed seating; and

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and includes any building and premises used in connection therewith but does not include a drive-in theatre.

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(3) The fees payable on the granting or renewal of the licenses of—

(a) drive-in theatres shall be at the annual rate of twenty pounds; and

(b) open-air theatres shall be at the annual rate of five pounds,

and shall be of a proportionate amount where the license is granted for less than twelve months.

(4) For the purposes of the application of the provisions of this Act to drive-in theatres and open-air theatres as aforesaid—

(a) a reference in this Act to theatre or public hall shall include drive-in theatre and open-air theatre;

(b) a reference in this Act to a building shall be read as a reference to the place or structure used as a drive-in theatre or an open-air theatre, as the case may require;

(c)

Theatres and Public Halls (Amendment).

(c) a reference in this Act to seating accommodation or seats shall be read as a reference to the accommodation, whether seating or for motor vehicles, as the particular circumstances may require.

(5) The power of the Governor to make regulations under this Act shall, in relation to drive-in theatres and open-air theatres, include, in addition to the matters for and with respect to which regulations may be made elsewhere under this Act, power to make such regulations as he may deem necessary or expedient.

Existing
open-air
theatres.

3. Any open-air theatre licensed or purporting to be licensed under the Theatres and Public Halls Act, 1908-1946, shall be deemed to be licensed under the said Act as amended by this Act.

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

J. NORTHCOTT,
Governor.

*Government House,
Sydney, 2nd December, 1954.*