# THEATRES AND PUBLIC HALLS (AMENDMENT) BILL, 1980

#### **EXPLANATORY NOTE**

#### (This Explanatory Note relates to this Bill as introduced into Parliament)

The objects of this Bill are-

- (a) to extend the provisions of the Theatres and Public Halls Act, 1908 ("the Principal Act"), to entertainment provided by amusement rides and devices so as to require, among other things—
  - (i) permanent buildings in which any such entertainment is held to be licensed; and
  - (ii) persons who hold any such entertainment in temporary structures to be licensed (clause 3 (b));
- (b) to provide that in the event of any inconsistency between the Principal Act and the Construction Safety Act, 1912 (which contains provisions for the registration and safe operation of amusement devices), the Principal Act shall prevail (clause 3 (a) and (c)); and
- (c) to make it clear that in the Principal Act "temporary structure" includes any mobile structure and any enclosure that is partly temporary and partly permanent (clause 3 (d)).

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# THEATRES AND PUBLIC HALLS (AMENDMENT) BILL, 1980

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Attendment Act may be cired as the "Theatron and Public Halls sho "Attendment Act 1980".

# No. , 1980.

# A BILL FOR

An Act to amend the Theatres and Public Halls Act, 1908, to extend the Act to entertainment provided by amusement rides or devices, and for certain other purposes.

[MR CRABTREE—16 September, 1980.]

subsection (1) "structulinent" includes---(a) animation provided by frame of any ride of device to by any other means; and
(b) athibiting sporting ment of contest;
bue does not include entertainforth provided for the provided for the literposes of scompling with serion 57g (3) of the literposes of scompling with serion 57g (3) of the literposes of scompling with serion 57g (3) of the literposes of scompling with serion 57g (3) of the literposes of scompling with serion 57g (3) of the literposes of scompling with serion 57g (3) of the literposes of scompling with serion 57g (3).

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BE it enacted by the Oueen'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 :----

5 1. This Act may be cited as the "Theatres and Public Halls short (Amendment) Act. 1980". title

2. (1) This section and section 1 shall commence on the date Commenceof assent to this Act. ment.

(2) Except as provided in subsection (1), this Act shall 10 commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

3. The Theatres and Public Halls Act, 1908, is amended—

Amendment of Act No. 13, 1908.

- (a) by omitting from the matter relating to Part I in section sec. 2. 2 the matter "4" and by inserting instead the matter (Division "4AA"; of Act.)
- (b) by omitting section 4 (3) and by inserting instead the sec. 4. following subsection :---(Defini-

(3) In the definition of "public entertainment" in

tions.)

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- (a) amusement provided by means of any ride or device or by any other means; and
- (b) exhibition, sporting event or contest,

subsection (1), "entertainment" includes-

but does not include entertainment provided for the purposes of complying with section 57B (3) of the Liquor Act, 1912.

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(c) by inserting after section 4 the following section :-- Sec. 4AA.

4AA. (1) Where the provisions of this Act are This Act inconsistent with any of the provisions of the to prevail Construction Safety Act, 1912, or the regulations made inconunder that Act, with respect to an amusement device with within the meaning of that Act, the provisions of this Construction Act shall prevail.

(2) Where the provisions of any regulation made under this Act are inconsistent with the provisions of any regulation made under the Construction Safety Act, 1912, with respect to an amusement device within the meaning of that Act, the provisions of the regulations made under this Act shall prevail.

(d) by omitting the definition of "temporary structure" in Sec. 22B. section 22B and by inserting instead the following tation: definition :— Part III.)

"temporary structure" means-

(a) a booth, tent or other temporary enclosure, whether or not a part of the booth, tent or enclosure is permanent; or

(b) a mobile structure.

BY AUTHORITY D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1980 (10c)

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### Incarres and Fublic (India (Amendment):

#### (c) by inserting after section 4 the following section :---

4A. (1) Where the provisions of this Act are fraction inconsistent with any of the provisions of the beread of provisions of the where Construct on Safety Art, 1912, or the regulations made is onunder that Act, with respect to an annuscement device such within the meaning of that Act, the provisions of this Canwithin the meaning of that Act, the provisions of this Canstruction

> (2) Where the provisions of any regulation atale under this Art are inconsistent with the provisions of any regulation made under the Construction Safety Apt 1912, with respect to an emission device within the meaning of that set, the precisions of the regulations made under this Act shall prevail.

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# THEATRES AND PUBLIC HALLS (AMENDMENT) ACT, 1980, No. 116

New South Wales



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# Act No. 116, 1980.

An Act to amend the Theatres and Public Halls Act, 1908, to extend the Act to entertainment provided by amusement rides or devices, and for certain other purposes. [Assented to, 22nd October, 1980.]

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. This Act may be cited as the "Theatres and Public Halls (Amendment) Act, 1980".

Commencement.

Short title.

> (1) This section and section 1 shall commence on the date 2. of assent to this Act.

> (2) Except as provided in subsection (1), this Act shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

The Theatres and Public Halls Act, 1908, is amended— Amendment 3. (a) by omitting from the matter relating to Part I in section Sec. 2. 2 the matter "4" and by inserting instead the matter "4AA";

> (b) by omitting section 4 (3) and by inserting instead the following subsection :---

(3) In the definition of "public entertainment" in subsection (1), "entertainment" includes—

- (a) amusement provided by means of any ride or device or by any other means; and
- (b) exhibition, sporting event or contest,

but does not include entertainment provided for the purposes of complying with section 57B (3) of the Liquor Act, 1912.

of Act No. 13, 1908.

(Division of Act.)

Sec. 4. (Definitions.)

(c) by inserting after section 4 the following section :---Sec. 4AA.

(1) Where the provisions of this Act are This Act 4AA. inconsistent with any of the provisions of the where Construction Safety Act, 1912, or the regulations made inconunder that Act, with respect to an amusement device with within the meaning of that Act, the provisions of this Con-Act shall prevail.

struction Safety Act, 1912.

(2) Where the provisions of any regulation made under this Act are inconsistent with the provisions of any regulation made under the Construction Safety Act, 1912, with respect to an amusement device within the meaning of that Act, the provisions of the regulations made under this Act shall prevail.

(d) by omitting the definition of "temporary structure" in Sec. 22B. section 22B and by inserting instead the following (Interpre-tation: definition :---Part III.)

"temporary structure" means-

- (a) a booth, tent or other temporary enclosure, whether or not a part of the booth, tent or enclosure is permanent; or
- (b) a mobile structure.

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

> A. R. CUTLER, Governor.

Government House, Sydney, 22nd October, 1980.

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