

**THEATRES AND PUBLIC HALLS  
(AMENDMENT) ACT.**

**Act No. 38, 1954.**

**Elizabeth II, 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.]

**B**E 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:—

Short title and citation.

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

(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.

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)

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

(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) 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

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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) 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.

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WICKHAM