

SUNDAY ENTERTAINMENT ACT.

Act No. 17, 1966.

An Act to make provisions with respect to the holding or conducting of public entertainments and public meetings on Sundays; to make further provisions for the regulation of certain theatres and public halls; to amend the Theatres and Public Halls Act, 1908, and certain other Acts; to provide that the Imperial Act 21 George III Chapter 49 shall cease to apply within New South Wales; and for purposes connected therewith. [Assented to, 7th April, 1966.]

Elizabeth II,
No. 17, 1966

BE

Sunday Entertainment Act.

No. 17, 1966

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 :—

Short title and citation.

1. (1) This Act may be cited as the "Sunday Entertainment Act, 1966".

(2) The Police Offences Act, 1901, as amended by subsequent Acts and by this Act, may be cited as the Police Offences Act, 1901-1966.

(3) 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, 1908-1966.

This Act not to affect certain provisions.

2. Subject to section six of this Act, nothing in this Act shall affect the operation of the provisions of—

- (a) sections eighteen, nineteen, and twenty-five of the Theatres and Public Halls Act, 1908, as amended by subsequent Acts, including this Act; and
- (b) the Gaming and Betting Act, 1912, as amended by subsequent Acts.

Interpretation.

3. In this Act (other than section six), unless the context or subject-matter otherwise indicates or requires—

"Entertainment" includes amusement, exhibition, sporting event or contest.

"Public entertainment" means entertainment to which admission may ordinarily be procured by members of the public—

- (a) upon payment of money or other consideration; or
- (b) by a ticket, programme or other device purchased for money or other consideration,

notwithstanding

notwithstanding that admission may also be procured thereto by any person without such payment, ticket, programme or device. No. 17, 1966

“Public meeting” means an assemblage of persons, for a public purpose of a political, religious, charitable, intellectual or any other nature, to which admission may ordinarily be procured by members of the public—

- (a) upon payment of money or other consideration; or
- (b) by a ticket, programme or other device purchased for money or other consideration,

notwithstanding that admission may also be procured thereto by any person without such payment, ticket, programme or device, but does not include an assemblage of persons for religious worship only.

4. (1) A person shall not hold or conduct, or cause to be held or conducted, a public entertainment or public meeting on any Sunday before half-past twelve o'clock in the afternoon.

Holding or conducting of public entertainments or public meetings on Sundays before 12.30 p.m.

(2) A person, being the owner, lessee or occupier of a building or land, shall not permit such building or land to be used for the holding or conducting of any public entertainment or public meeting on any Sunday before half-past twelve o'clock in the afternoon.

(3) Where a public entertainment or public meeting is to be held in any place on a Sunday, a person shall not admit, or permit to be admitted, for the purpose of attending that public entertainment or public meeting, any member of the public to that place—

- (a) where that public entertainment or public meeting is to commence at or after half-past twelve o'clock in the afternoon on that day—before twelve o'clock noon on that day; or

(b)

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- (b) where an order under subsection five of this section, exempting any person or persons or class of persons from the provisions of subsection one of this section, applies in respect of that public entertainment or public meeting—before half an hour before that public entertainment or public meeting is to commence.

(4) Any person who contravenes the provisions of subsection one, two or three of this section shall, subject to subsections five and six of this section, be guilty of an offence against this Act.

(5) (a) The Minister may by order under his hand exempt, in accordance with the provisions of this subsection, any person or persons or class of persons from the provisions of subsection one or three of this section or from the provisions of both of those subsections.

(b) An exemption under this subsection—

- (i) shall apply in respect of a public entertainment or public meeting, or a class of public entertainments or public meetings, specified in the order; and
- (ii) may be granted unconditionally or subject to conditions specified in the order.

(c) Where an order exempts a class of persons specified therein, a copy of the order shall be published in the Gazette, and in any other case, such a copy may be published in the Gazette.

(6) Where an order under subsection five of this section, exempting any person or persons or class of persons from the provisions of subsection one of this section, applies in respect of any public entertainment or public meeting, a person referred to in subsection two of this section shall not be guilty of an offence against this Act in respect of the use of a building or land of which he is the owner, lessee or occupier for the holding or conducting of that public entertainment or public meeting.

(7)

(7) Any person who contravenes any condition specified in an order under subsection five of this section shall be guilty of an offence against this Act. No. 17, 1966

5. (1) (a) The Minister may by order under his hand prohibit either absolutely or except subject to conditions specified in the order the holding or conducting, on any Sunday or Sundays so specified after half-past twelve o'clock in the afternoon, of a public entertainment or public meeting or a class of public entertainments or public meetings so specified, where it appears to him that such action is necessary to prevent interference with religious worship or to obviate any public disturbance which would be likely to be created or for any other reason which the Minister may deem to be sufficient. Minister may prohibit public entertainment or public meeting on Sunday after 12.30 p.m.

(b) The Minister may cause a copy of an order under paragraph (a) of this subsection to be published in the Gazette.

(2) Any person—

- (a) who holds or conducts, or causes to be held or conducted, a public entertainment or public meeting; or
- (b) being the owner, lessee or occupier of a building or land, who permits such building or land to be used for the holding or conducting of a public entertainment or public meeting,

when the holding or conducting thereof contravenes any of the provisions of an order under subsection one of this section, shall, if a copy of the order was served on that person or published in the Gazette, be guilty of an offence against this Act.

6.

No. 17, 1966 6. The Theatres and Public Halls Act, 1908, as amended
 Amendment by subsequent Acts, is amended—
 of Act No.
 13, 1908.

Sec. 4.
 (Defini-
 tions.)

- (a) (i) by omitting from subsection one of section four the definition of "Public entertainment" and by inserting in lieu thereof the following definition :—

"Public entertainment" means entertain-
 ment to which admission may
 ordinarily be procured by members of
 the public—

(a) upon payment of money or
 other consideration ; or

(b) by a ticket, programme or
 other device purchased for
 money or other consideration,

notwithstanding that admission may
 also be procured thereto by any
 person without such payment, ticket,
 programme or device.

- (ii) by omitting from the same subsection the definition of "Public meeting" and by inserting in lieu thereof the following definition :—

"Public meeting" means an assemblage of
 persons, for a public purpose of a
 political, religious, charitable, intellec-
 tual or any other nature, to which
 admission may ordinarily be procured
 by members of the public whether or
 not—

(a) upon payment of money or
 other consideration ; or

(b) by a ticket, programme or
 other device purchased for
 money or other consideration.

but

but does not include an assemblage of persons for religious worship only. No. 17, 1966

(iii) by inserting next after subsection two of the same section the following new subsection :—

(3) In the definition of “Public entertainment” in subsection one of this section, “entertainment” includes amusement, exhibition, sporting event or contest.

(b) by omitting from section nineteen the words “Sunday, Christmas Day,” and by inserting in lieu thereof the words “Christmas Day (whether or not it falls on a Sunday)”;

Sec. 19.
(Penalty for holding entertainment or meeting on Christmas Day or Good Friday.)

(c) by inserting in section twenty-seven after the word “entertainment” where firstly occurring the words “on any day other than a Sunday”.

Sec. 27.
(Prohibition or regulation of public entertainments.)

7. The provisions of the Imperial Act 21 George III Chapter 49, entitled “An Act for preventing certain Abuses and Profanations of the Lord’s Day, called Sunday”, as in force in New South Wales immediately before the commencement of this Act, and of any other Imperial Act, as so in force, relating to the holding or conducting of public entertainments or public meetings on Sundays, shall, upon that commencement, cease to apply within New South Wales.

21 Geo. III c. 49 (Imp.)
to cease to apply within the State.

8. The Police Offences Act, 1901, as amended by subsequent Acts, is amended by omitting section sixty-two.

Amendment of Act No. 5, 1901.

Sec. 62.
(Owner of place of public amusement suffering games to be played on Sunday.)

9.

Police Regulation (Superannuation) Further Amendment Act.

No. 17, 1966 **9.** (1) A person guilty of an offence against this Act shall be liable to a penalty not exceeding two hundred dollars.
Penalty and proceedings.

(2) All proceedings for offences against this Act shall be disposed of summarily before a stipendiary magistrate or any two justices sitting in petty sessions.
