



STATUTES REPEAL AND AMENDMENT (PLACES OF PUBLIC ENTERTAINMENT) ACT 1993

SUMMARY OF PROVISIONS

PART 1 PRELIMINARY

1. Short title
2. Commencement
3. Interpretation

PART 2 REPEAL OF PLACES OF PUBLIC ENTERTAINMENT ACT 1913

4. Repeal of Places of Public Entertainment Act 1913

PART 3 AMENDMENT OF ADELAIDE SHOW GROUNDS (BY-LAWS) ACT 1929

5. Amendment of long title
6. Substitution of s. 1
 1. Short title
7. Insertion of s. 2a
 - 2a. Closing times for show grounds

PART 4 AMENDMENT OF CLASSIFICATION OF THEATRICAL PERFORMANCES ACT 1978

8. Amendment of s. 17—Places where restricted theatrical performances may take place

PART 5 AMENDMENT OF LIQUOR LICENSING ACT 1985

9. Amendment of s. 4—Interpretation
10. Amendment of s. 83—Rights of intervention
11. Amendment of s. 113—Entertainment on licensed premises

PART 6 AMENDMENT OF NOISE CONTROL ACT 1977

12. Amendment of s. 6—Interpretation

PART 7**AMENDMENT OF SUMMARY OFFENCES ACT 1953**

13. Amendment of s. 4—Interpretation

PART 8**AMENDMENT OF TOBACCO PRODUCTS CONTROL ACT 1986**

14. Amendment of s. 3—Interpretation
15. Insertion of s. 13a
- 13a. Smoking in places of public entertainment



ANNO TRICESIMO SECUNDO

ELIZABETHAE II REGINAE

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No. 87 of 1993

An Act to repeal the Places of Public Entertainment Act 1913; to amend the Adelaide Show Grounds (By-laws) Act 1929, the Classification of Theatrical Performances Act 1978, the Liquor Licensing Act 1985, the Noise Control Act 1977, the Summary Offences Act 1953 and the Tobacco Products Control Act 1986.

[Assented to 27 October 1993]

The Parliament of South Australia enacts as follows:

**PART 1
PRELIMINARY**

Short title

1. This Act may be cited as the *Statutes Repeal and Amendment (Places of Public Entertainment) Act 1993*.

Commencement

2. This Act will come into operation on a day to be fixed by proclamation.

Interpretation

3. A reference in this Act to the principal Act is a reference to the Act referred to in the heading to the Part in which the reference occurs.

**PART 2
REPEAL OF PLACES OF PUBLIC ENTERTAINMENT ACT 1913**

Repeal of Places of Public Entertainment Act 1913

4. The *Places of Public Entertainment Act 1913* is repealed.

PART 3
AMENDMENT OF ADELAIDE SHOW GROUNDS (BY-LAWS) ACT 1929

Amendment of long title

5. The long title of the principal Act is amended by inserting after "empower" "the Governor to make regulations and".

Substitution of s. 1

6. Section 1 of the principal Act is repealed and the following section is substituted:

Short title

1. This Act may be cited as the *Adelaide Show Grounds (Regulations and By-laws) Act 1929*.

Insertion of s. 2a

7. The following section is inserted after section 2 of the principal Act:

Closing times for show grounds

2a. (1) Subject to subsection (2) the show grounds must be closed to members of the public at the times prescribed by regulations made by the Governor.

(2) The Society may, with the written approval of the Minister, open the show grounds to the public at times when they are required to be closed by the regulations.

(3) The Minister must cause notice of his or her approval under subsection (2) to be published in the *Gazette* at least 14 days before the show grounds are opened under that subsection.

PART 4
**AMENDMENT OF CLASSIFICATION OF THEATRICAL PERFORMANCES
ACT 1978**

Amendment of s. 17—Places where restricted theatrical performances may take place

8. Section 17 of the principal Act is amended by striking out subsection (1) and inserting the following subsection:

(1) A restricted theatrical performance may only take place in a theatre approved by the Board.

PART 5
AMENDMENT OF LIQUOR LICENSING ACT 1985

Amendment of s. 4—Interpretation

9. Section 4 of the principal Act is amended by striking out from subsection (1) the definition of "place of public entertainment".

Amendment of s. 83—Rights of intervention

10. Section 83 of the principal Act is amended by striking out subsection (3).

Amendment of s. 113—Entertainment on licensed premises

11. Section 113 of the principal Act is amended by striking out from subsection (1) “in respect of which a licence is not held under the *Places of Public Entertainment Act 1913*”.

PART 6**AMENDMENT OF NOISE CONTROL ACT 1977****Amendment of s. 6—Interpretation**

12. Section 6 of the principal Act is amended by striking out from subsection (1) paragraph (e) of the definition of “non-domestic premises” and substituting the following paragraph:

- (e) any premises whether part of a building or structure or not in which any kind of live entertainment (including a lecture, talk or debate) is held, or in which a film, a video tape or any other optical or electronic record is screened, for the benefit of members of the public or of a private organisation;

PART 7**AMENDMENT OF SUMMARY OFFENCES ACT 1953****Amendment of s. 4—Interpretation**

13. Section 4 of the principal Act is amended by striking out from subsection (1) the definition of “place of public entertainment” and substituting the following definition:

“place of public entertainment” means a public place whether part of a building or structure or not in which any kind of live entertainment (including a lecture, talk or debate) is held, or in which a film, a video tape or any other optical or electronic record is screened, for the benefit of members of the public:

PART 8**AMENDMENT OF TOBACCO PRODUCTS CONTROL ACT 1986****Amendment of s. 3—Interpretation**

14. Section 3 of the principal Act is amended—

- (a) by inserting after the definition of “child” the following definition:

“entertainment” means—

- (a) all kinds of live entertainment including a lecture, talk or debate;

and

- (b) the screening of a film, a video tape or any other optical or electronic record;

(b) by inserting after the definition of “health warning” the following definition:

“place of public entertainment” means a building, tent or other structure in which entertainment is provided for the benefit of members of the public and in which the audience is seated in rows:.

Insertion of s. 13a

15. The following section is inserted after section 13 of the principal Act:

Smoking in places of public entertainment

13a. A person who attends a place of public entertainment to be entertained must not smoke a tobacco product in the auditorium of the place of public entertainment at any time before the entertainment commences, during the entertainment or after it has concluded.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

ROMA MITCHELL Governor