

PARLIAMENT OF CEYLON

1st Session 1960-61



Public Performances (Amendment) Act, No. 40 of 1961

Date of Assent : June 17, 1961

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*Public Performances (Amendment) Act,
No. 40 of 1961*

L. D.—O. 68/59.

AN ACT TO AMEND THE PUBLIC PERFORMANCES
ORDINANCE.

[Date of Assent: 17th June, 1961].

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Representatives of Ceylon in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Public Performances (Amendment) Act, No. 40 of 1961.

Short title.

2. The long title of the Public Performances Ordinance, hereinafter referred to as "the principal enactment", is hereby amended by the substitution, for the words "PUBLIC PERFORMANCES.", of the words "PUBLIC PERFORMANCES AND CARNIVALS."

Amendment of the long title of Chapter 134.

3. Section 2 of the principal enactment is hereby repealed and the following section substituted therefor:—

Replacement of section 2 of the principal enactment.

* Interpretation.

2. In this Ordinance, unless the context otherwise requires—

"carnival" includes any fête, fancy fair, and any other similar entertainment to which the public are admitted, whether on payment or otherwise, but does not include any public performance;

"local authority" means any Urban Council, Town Council, or Village Committee; and

"public performance" includes—

(a) every public dramatic representation;

(b) every exhibition of pictures or optical effects by means of a cinematograph, magic lantern, or other similar apparatus;

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(c) every exhibition of dancing, conjuring, juggling, or acrobatic performances, every boxing contest, circus, concert, or other stage entertainment,

but does not include any carnival or any performance on private premises to which the public are not admitted whether on payment or otherwise.'.

Insertion of
new sections
3A, 3B, and
3C in the
principal
enactment.

4. The following new sections are hereby inserted immediately after section 3, and shall have effect as sections 3A, 3B, and 3C, of the principal enactment:—

" Prohibition
of holding
of carnival
without
licence.

3A. (1) No person shall hold any carnival in any area within the administrative limits of any local authority except under a licence issued in that behalf by that authority.

(2) A licence under sub-section (1) shall not be issued by a local authority except with the concurrence of the Inspector-General of Police.

(3) It shall be a condition of every such licence that the licensee shall not promote or permit gambling of any kind whatsoever within the premises in which the carnival is held, and that he shall not conduct or promote any lottery within such premises or in connection with such carnival.

(4) A licence issued by a local authority to any person may be suspended or cancelled by such authority if it is satisfied that such person has contravened any condition of such licence or any provision of this Ordinance or of any by-law made thereunder.

Prohibition
of gambling
in premises
where carnivals
are held, and
of lotteries
in connection
with such
carnivals.

3B. No person shall promote, or participate in, gambling of any kind whatsoever within the premises in which any carnival is held, or conduct or promote any lottery within such premises or in connection with such carnival.

Power of
local
authority
to make
by-laws for
the regulation
of carnivals.

3C. (1) A local authority may make by-laws for the regulation, inspection, and control of carnivals, and in particular, without prejudice to the generality of the power so conferred, in respect of all or any of the following matters:—

- (a) the fees to be paid for the issue of licences relating to carnivals;
- (b) the conditions of such licences; and
- (c) the protection of the public against fire, overcrowding, disorder, or other dangers.

(2) Every by-law made by a local authority shall be published in the *Gazette* and shall come into operation on the date of such publication or on such later date as may be specified in the by-law.

(3) Every by-law made by a local authority shall, as soon as convenient after its publication in the *Gazette*, be brought before the Senate and the House of Representatives for approval. Any by-law which is not so approved shall be deemed to be rescinded as from the date of disapproval, but without prejudice to anything done thereunder."

5. Section 4 of the principal enactment is hereby amended, in sub-section (1) thereof, by the substitution, for the words "person infringing any rule", of the words "person contravening the provisions of section 3A or section 3B or of any rule or by-law".

Amendment of
section 4 of
the principal
enactment.

6. Section 5 of the principal enactment is hereby amended by the substitution, for the words "public performances", of the words "public performances or carnivals".

Amendment of
section 5 of
the principal
enactment.