

PARLIAMENT OF CEYLON

5th Session 1951



Public Performances (Amendment) Act, No. 23 of 1951

Date of Assent: July 26, 1951

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Public Performances (Amendment) Act,
No. 23 of 1951.

L. D.—CF. 2/50.

AN ACT TO AMEND THE PUBLIC PERFORMANCES
ORDINANCE.

Chapter 134.
(Vol. III., page
505).

[Date of Assent: July 26, 1951.]

BE it enacted by the King'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 Perform- Short title.
ances (Amendment) Act, No. 23 of 1951.

2. Section 2 of the Public Performances Ordinance Amendment of
(hereinafter referred to as "the principal Ordin- section 2 of
ance ") is hereby amended by the substitution, for the Chapter 134.
words "stage entertainment.", of the following:—

"stage entertainment,
but does not include any performance on private
premises to which the public are not admitted
whether on payment or otherwise."

3. Section 5 of the principal Ordinance is hereby Repeal of section
repealed. 5 of the
principal
Ordinance.

4. Section 6 of the principal Ordinance is hereby Amendment of
amended as follows:— section 6 of the
principal
Ordinance.

(a) by the re-numbering of that section as section
5;

(b) by the substitution for the marginal note to
that section, of the following:—

"Sections 3 and 4 not to apply in
municipal areas."

(c) by the substitution for the words "This
Ordinance shall not apply to", of the
words "Sections 3 and 4 of this Ordinance
shall not apply in".

5. The following new section is hereby added to Addition of new
the principal Ordinance and shall have effect as section 6 in the
section 6 of that Ordinance:— principal
Ordinance.

Certification of
performances as
suitable for
public exhibition.

6. (1) Subject to the provisions of
sub-section (9), no public performance
shall be exhibited or presented unless it

has been certified by a certifying authority as suitable for public exhibition, and such certificate remains unrevoked.

(2) The Minister may by Order published in the *Gazette* appoint any person or persons, by name or by office, to be for the purposes of this section the certifying authority for the whole of Ceylon or for any specified area in Ceylon; and in the exercise of the powers and functions under this section, a certifying authority shall act in accordance with such directions as may be issued in that behalf by the Minister.

(3) A certifying authority shall have the discretion—

(a) to grant or refuse a certificate to the effect that any proposed public performance is suitable for public exhibition; and

(b) by order to revoke any such certificate previously granted under paragraph (a).

Every such order of revocation shall be served in the prescribed manner upon the person on whose application the certificate was granted, and shall take effect upon the date of such service.

(4) Where a certifying authority refuses to grant a certificate under subsection (3) in respect of any public performance or makes order revoking any such certificate, any person aggrieved by the refusal or revocation may, in the prescribed manner, appeal against such refusal or revocation to the Minister; and the decision of the Minister upon such appeal shall be final and conclusive.

(5) For the purposes of the exercise of the powers and functions conferred or imposed by this section, a certifying authority or the Minister may require the exhibition or presentation, before it

or him or before any other specified persons, of any proposed public performance.

(6) Where any film is certified under the preceding provisions of this section as suitable for public exhibition, the certifying authority may cause the film to be marked in the prescribed manner; and no film which has been so certified shall be exhibited or presented with any alterations or additions made after being so marked.

(7) The preceding provisions of this section shall have effect in addition to and notwithstanding anything in any rules made under section 3 or any by-laws referred to in section 5; and the certification under this section of any proposed public performance as being suitable for public exhibition shall not be deemed or construed to authorise its exhibition or presentation in contravention of such rules or by-laws.

(8) Where any public performance is exhibited or presented in contravention of the provisions of this section, the person for the time being entitled to occupy the premises at which the performance is exhibited or presented and every other person responsible for, or participating or otherwise concerned in, the presentation or exhibition of that performance, shall be guilty of an offence and liable, after summary trial before a Magistrate, to a fine not exceeding one thousand rupees or to imprisonment of either description for any period not exceeding six months.

(9) The preceding provisions of this section shall not apply—

(a) to any exhibition of conjuring or juggling or to any boxing contests; or

(b) to any other performance of any class or description of performances which may be

exempted from those provisions by Order made under sub-section (10).

(10) The Minister may by Order published in the *Gazette* make such provision as he may consider necessary for carrying out or giving effect to the principles and purposes of this section, including provision for or in respect of any matter authorised or required by this section to be prescribed.

(11) In this section, "Minister" means the Minister of Defence and External Affairs.

Repeal of
certain rules
made under
the principal
Ordinance.

6. The Rules for the regulation of public performances; made under the principal Ordinance and published in *Gazette* No. 7,004 of April 4, 1919, are hereby amended by the repeal—

- (a) of the Rules numbered B1 to B7; and
- (b) of the Form B at the end thereof.