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Public Entertainments

1960

Public Entertainments Ordinance 1960, No.8

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PUBLIC ENTERTAINMENTS ORDINANCE 1960  
1960, No.8

An Ordinance to consolidate and amend the law relating to public entertainments (8 December 1960).

1. Short Title - This Ordinance may be cited as the Public Entertainments Ordinance 1960.

2. Interpretation - (1) In this Ordinance, unless the context otherwise requires, -

"Building" includes any booth, tent, or similar structure whether permanent or temporary;

"Chief of Police" means the officer of the Niue Public Service holding the office of Chief Officer of Police and includes any person for the time being authorised to exercise or perform any of the powers, duties, or functions of the Chief of Police;

"Licence" includes a licence issued under the provisions of the Cinematograph Ordinance 1949;

"Public entertainment" means any concert, cinematographic exhibition, dance, boxing or wrestling contest open to the public or any other form of public entertainment whatsoever.

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nds Ordinance 1926 (Niue  
y repealed.

(2) In this Ordinance, terms defined in the [Niue Act 1966], unless the context otherwise requires, have the meanings thereby assigned to them.

[In subsection (2) the Niue Act 1966, being the corresponding enactment in force at the date of this reprint, has been substituted for the Cook Islands Act 1915.]

#### PART I - CONDUCT OF ENTERTAINMENTS

3. Duty of occupier of premises - (1) It shall be the duty of the occupier or the person who manages or receives rent from the premises in which it is proposed to conduct any entertainment -

- (a) to ascertain whether the requisite permission of the Resident Commissioner shall have been obtained either under this Ordinance or under the Cinematograph Ordinance 1949 and if so the terms of such permission;
- (b) to give notice to the Chief of Police if and as soon as he has reason to believe that there is an intention to proceed with any entertainment either without the Resident Commissioner's permission or with such permission.

(2) Any occupier or other person referred to in this section who fails to comply with the provisions of this section shall be guilty to an offence against this Ordinance.

4. Late night entertainments prohibited - No public entertainment conducted in any hall, building or public place in Niue shall be continued after the hour of 11 p.m. unless with the written consent of the Resident Commissioner furnished upon the application of the person conducting or having control of any such entertainment.

5. Admission of children restricted - No child under the age of 14 years shall be taken or admitted to any public entertainment held on any night preceding a school-day.

6. Excessive noise prohibited - It shall not be lawful for any person conducting or having the control of any public entertainment to permit such entertainment or any public address or loudspeaker system used in connection therewith to inconvenience any person not attending the entertainment or to unnecessarily disturb the peace.

7. No entertainments on certain days - (1) It shall not be lawful for any person to conduct or allow to be conducted without the written permission of the Resident Commissioner any public entertainment on:

- (a) any Sunday;
- (b) any Anzac Day;
- (c) any Good Friday; or
- (d) any Christmas Day.

(2) The Resident Commissioner may refuse to grant such permission or grant it subject to such special conditions and restrictions to be specified in the permission as to him may seem fit and any such permission may be revoked by the Resident Commissioner at any time.

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may refuse to grant such such special conditions and permission as to him may be revoked by the

8. No liquor near entertainment places - It shall not be lawful for any person to serve, consume, or be in possession of any intoxicating liquor in or in the vicinity of any building or other place where or while a public entertainment is being held.

PART II - PLACES OF ENTERTAINMENT

9. Requirements relating to buildings - (1) No building shall be used for any public entertainment unless -

- (a) it is provided with an adequate number of exits clearly indicated and so placed and maintained as to readily afford the audience ample means of egress;
- (b) the doors of all exits are so constructed and maintained as to easily open outwards on being pressed from within; and
- (c) the seating in the building is so arranged as not to interfere with the free access to the exits.

(2) All passages leading to exits shall, during the presence of the public in the building, be kept clear of obstructions.

10. Attendance of responsible persons - (1) In order to ensure the safety of the audience, the person conducting or having control of any entertainment, or some responsible person nominated by him for the purpose, shall be present in the building during the whole time of any entertainment.

(2) All persons responsible for or employed in or in connection with any entertainment shall take due precautions for the prevention of accidents.

11. Precautions against fire - Fire appliances suitable to the character of the building in which any public entertainment is to be held and adequate to deal with an outbreak of fire shall be provided and maintained in good working order to the satisfaction of the Chief of Police.

12. Electrical work - In every building or other place in which any public entertainment is held, electrical work, apparatus and appliances shall be installed and maintained in accordance with the standard prescribed by the Electric Power Supply Ordinance 1960 and any regulations made thereunder.

[No regulations under the Ordinance made before the date of this reprint.]

13. Buildings to be kept clean etc. - (1) Every building or other place in which any public entertainment is held shall be properly ventilated and shall be kept clean and disinfected at least once each week and maintained to the satisfaction of the Chief Medical Officer.

(2) Adequate toilet facilities for the use of the audience shall be supplied to the satisfaction of the Chief Medical Officer.

PART III - GENERAL PROVISIONS

14. Supervision and control by police - (1) All public entertainments shall be subject to the supervision and control by the Chief of Police.

(2) A Police officer or any other officer of the Government appointed for the purpose by the Resident Commissioner may at all reasonable times enter any premises in which he has reason to believe that a public entertainment is being or is about to be given with a view to seeing whether the provisions of this Ordinance and the conditions of any permission granted under this or any other Ordinance have been or are being complied with.

15. Hindering or obstructing officers - Every person commits an offence against this Ordinance who prevents the Chief of Police or any other officer of the Government from carrying out the provisions of this Ordinance or who obstructs or hinders the Chief of Police or any other officer of the Government in the exercise of any power or function conferred on him by or under this Ordinance.

16. Offences - Any person who conducts or in any way assists in conducting any public entertainment in contravention of the provisions of this Ordinance or of any conditions or restriction specified in any licence or any permission granted under this Ordinance shall be guilty of an offence against this Ordinance.

17. General penalty - Any person guilty of an offence against this Ordinance shall be liable on conviction to a fine not exceeding £20.

18. Repeal - The enactments enumerated hereunder are hereby repealed:

Public Entertainments Ordinance 1959, No.3  
Cinematograph Ordinance 1949, No.37: sections 8 and 9