

## CHAPTER 140.

### THEATRES AND PLACES OF PUBLIC AMUSEMENT.

#### The Theatres and Places of Public Amusement Rules.

(SECTION 11)

[30TH DECEMBER, 1949.]

1. These rules may be cited as The Theatres and Places of Public Amusement Rules.

#### PART I.

#### THEATRICAL PERFORMANCES.

2. The fees to be charged in respect of licences for theatrical performances shall be as follows –

(a) for any cinematograph exhibition by whomsoever carried on for admission to which an entrance fee is or might be charged –

(i) if taking place in any cinema, room, booth, tent or other enclosed space with a seating capacity exceeding 800 persons ..... \$6.00 per reel per showing;

(ii) if taking place in any cinema, room, booth, tent or other enclosed space with a seating capacity exceeding 500 persons but not exceeding 800 persons ..... \$4.00 per reel per showing;

(iii) if taking place in any cinema, room, booth, tent or other enclosed space with a seating capacity not exceeding 500 persons ..... \$2.00 per reel per showing;

Provided that no payment shall be made in respect of trailer films or for any films which are especially exempted by the Financial Secretary in writing.

(b) for other theatrical performance for admission to which an entrance fee is or might be charged –

(i) if taking place in any theatre, room, booth, tent or other enclosed space, in respect of a licence permitting the attendance of 500 persons or more, for each performance in the local Authority area of:-

\$

Kota Kinabalu ... ..	150.00
Sandakan ... ..	100.00
Tawau ... ..	100.00
Labuan ... ..	100.00
Other areas ... ..	60.00

(ii) if taking place in any theatre, room, booth, tent or other enclosed space, in respect of a licence permitting the attendance of less than 500 persons, for each performance in the local Authority area of:-

\$

Kota Kinabalu ... ..	75.00
Sandakan ... ..	50.00
Tawau ... ..	50.00
Labuan ... ..	50.00
Other areas ... ..	30.00

(iii) if taking place in an unenclosed space, for each performance in the area of any local Authority ... ..  
... \$30.00.

3. Licences shall be in the form set out in the First Schedule.

## PART II. PUBLIC AMUSEMENT.

4. In this Part –

“licensed” means licensed as a place of public amusement.

5. No billiard saloon, shooting-galley or other licensed place shall be opened before 9 a.m. or remain open later than 11 p.m.

6. Billiard saloons, shooting-galleries and dart throwing galleries shall be on the ground floor only and shall have not more than one entrance for the public, which entrance shall lead directly from a public thoroughfare.

7. All licensed premises shall be kept clean and in good order and the licensee shall on receipt of an order from the licensing officer to that effect cause the floor and internal walls and ceilings to be thoroughly cleansed and the walls and ceilings lime-washed.

8. (a) Only persons not less than 16 years old and decently dressed and if such a person is a female, is accompanied by a male person not less than 16 years of age, shall be admitted into any billiard saloon or shooting gallery.

(b) No persons of known bad character or whom the licensee has reason to believe to be a person of bad character or prostitutes shall be allowed on any licensed premises.

9. No beer or other intoxicating liquors shall be sold or consumed on any licensed premises other than a dance hall and no intoxicated person shall be allowed to enter or remain on any licensed premises.

10. The number of persons allowed at any time on any licensed premises shall not exceed the number of persons specified in the licence or in a separate certificate issued by the Licensing Authority.

For the purpose of determining the number of persons allowed in any billiard saloon calculation shall be on the basis that each person shall occupy a space of 15 square feet inside such billiard saloon and that spaces occupied by billiard tables and other furniture therein shall not be taken into account.

11. The licensee shall not permit any disorderly conduct and other undesirable activities on the licensed premises.

For this purpose unless otherwise expressly stated, undesirable activities shall mean any abusive word, sound or gesture which provokes or is likely to provoke any other person.

**12.** No betting, lottery or gaming shall be carried on on any licensed premises.

**13.** No game other than billiards, pyramids, pool and its recognised varieties (except skittle pool) and bagatelle shall be played on any premises licensed as a billiard saloon unless with the sanction of the Licensing Authority.

**14.** No revolving target shall be used in any premises licensed as a shooting-gallery or dart throwing gallery nor shall there be used therein any dart or missile so treated as to diminish the possibility of accurate shooting nor any weapon which discharges missiles by means of an explosive.

**15.** No armed person except members of the police force on duty shall be admitted to any licensed premises.

**16.** No member of the police force in uniform shall be permitted to take part in any game in a billiard salon or in the shooting at any shooting-gallery or dart throwing gallery.

**17.** The keeper shall immediately report at the nearest police station the death of any person taking place on licensed premises and any disturbance or affray.

**18.** In the event of any property being accidentally left in any licensed premises the keeper shall at once report the fact to the police.

**18A.** (1) No licensee or keeper of any licensed premises under these Rules shall employ, whether paid or not, any worker, assistant, singer or dancer except with the written permission of the Licensing Authority.

(2) The Licensing Authority may, in its absolute discretion, grant or refuse the permission or grant such permission subject to such conditions as it thinks necessary.

(3) An application for permission shall be in writing and:-

(a) shall state the name, age, sex, the Home Address and the present Residential Address of the person intended to be employed;

(b) shall specify whether such person is employed as worker, assistant, singer or dancer;

(c) must be accompanied by a photograph of the person to be employed together with a Health Certificate issued by a Government Medical Officer or duly registered Medical Practitioner.

(4) A fee of \$5.00 shall be paid by the applicant for each person where permission to employ such a person is given by the Licensing Authority.

(5) If a Licensing Authority gives permission, the Licensing Authority shall cause the particulars of such person so employed to be entered in a Register maintained by the Licensing Authority.

**19.** No dance hall or cabaret may be opened before 6 p.m. or remain open later than 12 midnight except in accordance with a special permit which may be issued by the Licensing Officer for any particular occasion.

**20.** The fees for licensed places shall be:-

(i) BILLIARD SALOONS

	(a)	in the local Authority area of Kota Kinabalu	...	\$60.00 per table per month or part thereof;
	(b)	in the areas of the other local Authorities	...	\$45.00 per table per month or part thereof;
(ii)		SHOOTING GALLERIES	...	\$30.00 per month or part thereof;
(iii)		DART THROWING GALLERIES	...	\$15.00 per month or part thereof;
(iv)		DANCE HALLS INCLUDING NIGHT CLUBS WHERE DANCERS ARE PROVIDED		
	(a)	in the local Authority area of Kota Kinabalu and Sandakan	...	\$2.00 per month or part thereof for every one square foot of floor space;
	(b)	in the local Authority area of Tawau and Labuan	...	\$1.00 per month or part thereof for every one square foot of floor space;
	(c)	in the areas of other local Authorities	...	50 cents per month or part thereof for every one square foot of floor space;
(v)		KARAOKE OUTLET (LOUNGE)		
	(a)	open karaoke lounge in all local authority areas	...	\$180.00 per place per month or part thereof;
	(b)	karaoke lounge with singing companions and cubicles provided but without dancing floor in all local authority areas	...	\$1.00 per month or part thereof for every one square foot of floor space;

	(c)	karaoke lounge with singing companions and cubicles and dancing floor provided in all local authority areas	...	\$2.00 per month or part thereof for every one square foot of floor space;
(vi)		MOVIE TELEVISION OUTLET (LOUNGE)		
	(a)	all municipality areas	...	\$50.00 per room per month or part thereof;
	(b)	all the other local authority areas	...	\$30.00 per room per month or part thereof;
(vii)		OTHER PLACES OF PUBLIC AMUSEMENT		
	(a)	in the local Authority area of Kota Kinabalu and Sandakan	...	\$180.00 per place per month or part thereof;
	(c)	in the local Authority area of Tawau, Labuan and Lahad Datu	...	\$30.00 per machine per month or part thereof;
	(d)	in the areas of the other local Authorities	...	\$30.00 per place per month or part thereof.

**20A.** Any person who contravenes any of the provision of these Rules shall be guilty of an offence and shall be liable to a fine not exceeding one thousand ringgit.

**21.** Licences shall be in the form set out in the Second Schedule.

**FIRST SCHEDULE.**

LICENCE UNDER THE THEATRES AND PLACES OF  
PUBLIC AMUSEMENT ORDINANCE.

Licence is hereby granted to ..... at ..... to carry on  
a ..... performance at ..... for ..... performances  
on the ..... day(s) of ....., 19.....

This licence is subject to the following conditions:-

(a) That no performance shall commence before ..... nor continue  
after .....

(b) That the licensee shall comply with all the requirements of any written law  
applicable to public amusements and theatrical performances.

(c) That no more than ..... persons be admitted at any  
time into the .....

(d) That doors and exits and emergency exits as shown on the plan attached to  
the application for this licence shall be provided.

(e) That the following precautions be observed against fire or sudden panic ....

(f) That accommodation in the nature described in the application for this  
licence be provided and that ventilation and sanitation as therein set out be also  
provided.

\*(g) .....

The fee for this licence is \$..... for ..... performances  
(of ..... reels of films each).

.....  
*Licensing Officer.*

Dated this ..... day of ....., 19.....

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\* Any conditions added by Licensing Officer.

**SECOND SCHEDULE.**

LICENCE UNDER THE THEATRES AND PLACES OF  
PUBLIC AMUSEMENT ORDINANCE.

Licence is hereby granted to ..... of ..... to keep the  
place hereunder described for the purpose of a ..... subject to the  
following conditions –

(a) that no performance shall commence before .....  
nor continue after .....

(b) that the licensee shall comply with all the requirements of any written law  
applicable to public amusements and theatrical performances;

(c) that no more than ..... person be admitted at any  
time into the .....

(d) that doors and exits and emergency exits as shown on the plan attached to  
the application for this licence be provided;

(e) that the following precautions be observed against fire or sudden panic;

(f) that accommodation in the nature described in the application for this licence  
be provided and that ventilation and sanitation as therein set out be also  
provided;

\*(g) .....

This licence shall continue in force from the ..... day of  
....., 19....., to the .....day of ....., 19.....

Place .....

Date .....

Description of place .....

.....  
*Licensing Officer.*

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\* Any conditions added by Licensing Officer.

August 2008