

Unvalidated References:

Liquor (Licensing) Act 1963

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This reprint of this Statutory Instrument incorporates all amendments, if any, made before 25 November 2006 and in force at 1 July 2001.

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Legislative Counsel
Dated 25 November 2006

INDEPENDENT STATE OF PAPUA NEW GUINEA.

Chapter 319B.

Places of Entertainment Regulation 1927

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SCHEDULE 1

Places of Entertainment Regulation 1927

MADE under the *Licences Act 1923* (T.N.G.).

Dated 200 .

1. CONSTITUTIONAL LIMITATION ON APPLICATION OF REGULATION.

By virtue of Section Sch. 2.6(2) (*adoption of pre-Independence laws*) of the Constitution, this Regulation applies in relation to the area that, immediately before Independence Day, formed the Territory of New Guinea.

2. INTERPRETATION.

In this Regulation, unless the contrary intention appears—

“**licence**” means a licence granted under Section 5;

“**Licensing Officer**” means—

- (a) the Provincial Administrator of the province in which the place of entertainment is situated; or
- (b) an Assistant District Officer authorized in writing by the Provincial Administrator to exercise the powers and perform the functions of a Licensing Officer in the province.

3. APPLICATION TO CLUBS AND HOTELS.

This Regulation does not apply to or in relation to a club or hotel.

4. UNLICENSED PLACES OF ENTERTAINMENT.

A person other than a licensee who keeps a place of entertainment is guilty of an offence.

Penalty: A fine not exceeding K100.00.

5. LICENCES.

(1) An application for a licence shall be made in writing to the Licensing Officer in Form 1.

(2) A licence shall be in Form 2.

6. TERM OF LICENCE.

A licence expires on 30 June after the date of issue.

7. CONDITIONS OF LICENCE.

A licence shall be granted subject to the following conditions:—

- (a) that if, on inspection or on obtaining satisfactory evidence, it appears to a Licensing Officer that, owing to—
 - (i) the position, insufficiency, or unsuitableness of a place of entertainment; or
 - (ii) the improper character of the licensee, or any person resorting to a place of entertainment; or
 - (iii) the fact that the place of entertainment—
 - (A) is or is likely to be dangerous to public health or safety; or
 - (B) constitutes or is likely to constitute a fire hazard; or
 - (iv) any other sufficient cause,

it is desirable or expedient to do so the Licensing Officer may suspend or cancel the licence; and

- (b) that the holder of the licence shall, at all reasonable times, permit—
 - (i) the Provincial Administrator of the province in which the place of entertainment is situated; or
 - (ii) the Departmental Head of the Department responsible for works matters or a person authorized by him for the purpose,

to enter without charge and inspect the place of entertainment; and

- (c) that the Departmental Head or a person appointed by him by notice in the National Gazette, may, by written notice—
 - (i) delivered to the holder of the licence; or
 - (ii) left at the place of entertainment kept by him,

prohibit in the place of entertainment, the representation—

- (iii) of any entertainment or performance; or
- (iv) any part of an entertainment or performance,
that in the opinion of the Departmental Head or of that person, might—
- (v) provoke, or tend to provoke, a breach of the peace; or
- (vi) amount to a violation of public decency or propriety; or
- (vii) be dangerous to the entertainer, performer, or any other person;
and
- (d) that the holder of the licence shall not permit any person (other than a person dwelling on the premises) to consume liquor as defined in the *Liquor (Licensing) Act 1963* on the premises in respect of which he holds the licence, in the hours during which the sale of liquor by the holder of a publican's licence under the *Liquor (Licensing) Act 1963* is prohibited under that Act; and
- (e) that the holder of the licence shall not open the place of entertainment or permit it to be opened to the public on any Sunday before 8 p.m. or on Good Friday or Christmas Day.

8. FEES.

(1) Subject to Subsection (2) the fee for a licence issued under this Regulation is K6.00.

(2) The fee for a licence issued during the first six months in any year is K3.00.

9. FAILURE TO COMPLY WITH CONDITIONS OF LICENCE.

(1) The holder of a licence who fails to comply with a condition subject to which it was granted is guilty of an offence.

Penalty: A fine not exceeding K100.00.

(2) Subsection (1) does not affect the power of a Licensing Officer to suspend or cancel a licence under Section 7(a).

SCHEDULE 1

PAPUA NEW GUINEA.

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Form 1 – Application for Licence to Keep a Place of Entertainment.

Reg., Sec. 5(1). Form 1.

Name of Applicant (in full)
Address
Occupation
Nature of entertainment
Locality of place of entertainment
Date of application

(Signature of Applicant.)

PAPUA NEW GUINEA.

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Form 2 – Licence to Keep a Place of Entertainment.

Reg., Sec. 5(2).

Form 2.

... , of ... , having paid the fee of K... is licensed to keep (*insert description of place of entertainment*) ... , at (*insert situation of premises*) ... during the year ending 30 June 20...

Dated ... 20...

Licensing Officer.

Places of Entertainment Regulation 1927