

THEATRES AND DANCE HALLS ACT

CHAPTER 21:03

Act

39 of 1934

Amended by

26 of 1935

15 of 1951

45 of 1979

47 of 1980

3 of 1994

15 of 1997

6 of 2014

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LAWS OF TRINIDAD AND TOBAGO

MINISTRY OF THE ATTORNEY GENERAL AND LEGAL AFFAIRS

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Note on Adaptation

Under paragraph 6 of the Second Schedule to the Law Revision Act (Chap. 3:03) the Commission amended certain references to public officers in this Chapter. The Minister's approval of the amendments was signified by LN 120/1980, but no marginal reference is made to this Notice where any such amendment is made in the text.

UNOFFICIAL VERSION

UPDATED TO 31ST DECEMBER 2016

CHAPTER 21:03

THEATRES AND DANCE HALLS ACT

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SCHEDULE.

CHAPTER 21:03

THEATRES AND DANCE HALLS ACT

1950 Ed.
Ch. 30. No. 9.
39 of 1934.

An Act to regulate the use of Theatres, Dance Halls and other places of entertainment and to provide for the licensing thereof.

Commencement. [1ST JANUARY 1935]

Short title. **1.** (1) This Act may be cited as the Theatres and Dance Halls Act.

Application. (2) This Act applies only to the towns or other areas as may be specified by the Minister by Order. An Order made under this subsection may be varied or revoked in like manner.*

Interpretation.
[15 of 1951
6 of 2014].

2. In this Act—
“dance hall” means any building, tent or other erection open to the public gratuitously or otherwise, where public dancing or singing takes place;

Schedule. “licence” means a licence granted in the form in the Schedule, and “licensed” shall be construed accordingly;

Ch. 84:10. “Licensing Authority” means a licensing committee established under the Liquor Licences Act;

“Magistrate” means a Magistrate assigned for duty in the magisterial district in which a theatre or dance hall is situated;

*The following towns and areas have been specified:

- (i) The County of St. George.
 - (ii) The County of Victoria.
 - (iii) The Police areas served by the following Police Stations:
 - (a) Couva.
 - (b) Chaguanas.
 - (c) Siparia.
 - (d) Fyzabad.
 - (e) La Brea.
 - (f) Penal.
 - (g) Point Fortin.
 - (h) Sangre Grande.
 - (i) Scarborough.
 - (j) Roxborough.
 - (k) Palo Seco.
- } GN 10–1946
- } GN 104–1949.

“specified area” means any area to which the provisions of this Act have been applied in accordance with section 1(2);

“stage play” includes any tragedy, comedy, farce, opera, burletta, interlude, melodrama, pantomime, prologue, epilogue, concert or other dramatic or musical entertainment or any part thereof;

“theatre” means any building, tent or other erection open to the public, gratuitously or otherwise, where a stage play is performed, presented or held and includes a dance hall.

3. (1) After the commencement of this Act a place within a specified area shall not be used as a theatre or dance hall without a licence.

Grant and conditions of licences. [45 of 1979 47 of 1980 3 of 1994 6 of 2014].

(2) A Licensing Authority may grant licences for any period not exceeding twelve months to such persons as it thinks fit to use places as theatres or dance halls on such terms and conditions as may be imposed by Regulations made under this Act or as may be endorsed on the licence by the Licensing Authority.

(3) A Licensing Authority may transfer any licence to any person whom it thinks fit.

(4) A Licensing Authority may, in its discretion refuse to grant a licence or transfer of a licence or may grant it subject to such terms and conditions as it may think desirable.

(4A) Where an objection to the grant or transfer of a licence is made, the Licensing Authority shall meet with the applicant and the objector to assist them in reaching a mutually acceptable resolution.

(4B) Where the parties fail to agree to a resolution, the matter shall be heard by a Magistrate.

(5) The fees payable to the Licensing Authority granting a licence or transfer of a licence in respect of a theatre or dance hall shall, for a licence for—

- (a) one specific occasion, be twenty-five dollars;
- (b) a period not exceeding fourteen days, be fifty dollars;
- (c) a period not exceeding one month, be seventy-five dollars;

- (d) a period not exceeding six months, be one hundred and fifty dollars;
- (e) a period not exceeding twelve months, be three hundred dollars.

(6) Except where the period for which a licence is in force does not exceed fourteen days, there shall be affixed and kept affixed in some conspicuous place and so as to be easily legible on or immediately over and on the outer side of the main entrance of every licensed place, the words “Licensed in pursuance of the Theatres and Dance Halls Act”.

Cancellation and suspension of licences. [15 of 1951 6 of 2014].

4. Where a theatre or dance hall has been licensed in pursuance of this Act, a Magistrate, on complaint in writing by any member of the Police Service, any person resident within half a mile of the theatre or dance hall, or any person specially aggrieved, that the activities carried on there constitute a nuisance or are injurious to public morals, may cancel the licence issued in respect thereof or suspend the licence for any period not exceeding six months.

Cancellation of licences for discrimination. [15 of 1997 6 of 2014].

4A. (1) A Magistrate may, on complaint made in writing by a person to whom this section applies, suspend or cancel a licence, if satisfied by evidence before him that the conduct of any business on premises to which the public has access is contrary to the provisions of section 4B.

(2) Where a complaint has been made against a licensee under subsection (1), the Magistrate shall summon the licensee to appear before it on the date set for the hearing of the complaint to respond to the allegations made against him and the licensee may either represent himself or be represented by an Attorney-at-law.

(3) A Magistrate may—

- (a) attach such reasonable conditions to the terms of any suspension imposed under this section as would, in its opinion, ensure that section 4B is complied with, so however that no suspension of any licence shall exceed a period of more than twenty-one consecutive days or forty-two days altogether in respect of any one complaint or group of complaints;

(b) cancel any such licence if the conditions imposed by it have not been complied with.

(4) This section applies to any person who has been discriminated against in any manner, including a refusal of admission or service or refusal of access to facilities on any licensed premises, on the ground of that person's race, colour, religion or sex.

(5) The Minister may, by Order, subject to affirmative resolution of Parliament, amend subsection (4) to increase the grounds on which a person may claim to have been discriminated against.

4B. (1) Discrimination on premises by the owner or occupier or by any of his servants or his agents or by his associates on the ground of race, colour, religion or sex is hereby prohibited.

Discrimination on licensed premises. [15 of 1997].

(2) In this section and in section 4A—

“associates” means any individual, partner or company having a pecuniary interest or otherwise concerned with the carrying on of any business on the licensed premises in respect of which there is a complaint under section 4A;

“discrimination” means any inequality of treatment that is less favourable than that accorded to any person or group of persons and which is indicative of an intention to deal with that person or group of persons in a manner that is different from that in which the majority of other persons or a substantial number of such persons on any one occasion are treated or dealt with in that respect.

(3) For the purpose of this Act, segregating a person whether by place or position or by time or occasion from other persons on the grounds of race, colour, religion or sex is deemed to be discrimination.

4C. (1) A Magistrate may, on complaint made in writing by an aggrieved person, suspend or cancel a licence, if it is satisfied by proof on oath before it that the conduct of any trade or business on premises to which this Act applies has caused annoyance to persons in the vicinity of that trade or business by virtue of excessive noise emanating from electronic or other devices.

Cancellation of licences on grounds of causing a public annoyance. [15 of 1997 6 of 2014].

(2) Where a complaint has been made against a licensee under subsection (1), the Magistrate shall summon the licensee to appear before it on the date set for the hearing of the complaint to respond to the allegations made against him and the licensee may either represent himself or be represented by an Attorney-at-law.

Appeals from
order of
Licensing
Authority.
[15 of 1997
6 of 2014].

4D. (1) Any person dissatisfied with any order of a Magistrate under section 4A or section 4C may appeal against such order to the Court of Appeal.

Ch. 4:20.

(2) The procedure in respect of any appeal under this section shall be such as is laid down in the Summary Courts Act.

(3) In this section “any person dissatisfied” means a person referred to in sections 4A(3), 4B(1) and 4C.

Penalties.
[6 of 2014].

5. (1) If any place is used as a theatre or dance hall without a licence the owner or occupier thereof, unless he proves to the satisfaction of the Court that the place is so used without his consent or connivance, is liable, on summary conviction, to a fine of fifteen thousand dollars.

(2) If the holder of a licence acts in contravention of or fails to comply with this Act or any Regulation made thereunder or with any term, condition or restriction on or subject to which the licence is granted, he is liable, on summary conviction, to a fine of ten thousand dollars, and the licence of any person so convicted may be revoked by the Licensing Authority.

Power of entry.
[6 of 2014].

6. Any constable detailed for the purpose, may at all reasonable times enter upon any licensed premises with a view to seeing whether the provisions of this Act or any Regulations made thereunder or the conditions of any licence, are being or have been complied with. Any person preventing or obstructing such entry is, on summary conviction, liable to a fine of one thousand dollars.

Right of appeal.
[15 of 1951
6 of 2014].

7. (1) Any person aggrieved by any decision of the Licensing Authority refusing the grant or transfer of a licence under this Act may apply in writing to a Magistrate for a review of the decision.

(2) The procedure in respect of any appeal under this section shall be such as is laid down in the Summary Courts Act, Ch. 4:20, except that it shall not be obligatory to give any notice of reasons for appeal.

(3) In this section “any person aggrieved” means the applicant for the grant or transfer of a licence, a person whose licence has been cancelled or suspended, or any person entitled under this Act to make a complaint with a view to cancellation or suspension of a licence.

8. (1) The Minister may make Regulations— Regulations.

- (a) prescribing conditions to be observed in reference to the erection, alteration and equipment of any theatre or dance hall;
- (b) prescribing conditions to be observed in reference to the safety from fire or otherwise of any theatre or dance hall or for the safety, convenience and control of persons attending a theatre or dance hall;
- (c) generally for the more effective carrying out of this Act.

(2) Regulations made under this section shall be subject to affirmative resolution of Parliament.

9. Nothing in this Act shall exempt any person or place from the provisions of any other written law requiring the licensing for any purposes of that person or place or shall apply to any place in the control of any municipal authority or in any building thereon. Savings and exemptions.

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Theatres and Dance Halls

Section 2.

SCHEDULE

FORM OF LICENCE

REPUBLIC OF TRINIDAD AND TOBAGO

THE THEATRES AND DANCE HALLS ACT

Licence is hereby granted to, of, to use the premises situate at as a Theatre/Dance Hall for the period of from the day of, 20....., subject to the provisions of the Theatres and Dance Halls Act and any Regulations made thereunder or any conditions endorsed hereon.

Dated this day of, 20.....

Fee paid \$.....

.....
Licensing Authority

SUBSIDIARY LEGISLATION

THEATRES AND DANCE HALLS REGULATIONS

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation.
 2. Licensing.
 3. Seating accommodation.
 4. Lighting.
 5. Conditions.
 6. Presence of licensee or representative.
 7. Hours.
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Chap. 21:03

Theatres and Dance Halls

[Subsidiary]

G. 14. 3. 35.

THEATRES AND DANCE HALLS REGULATIONS

made under section 8

Citation. **1.** These Regulations may be cited as the Theatres and Dance Halls Regulations.

Licensing. **2.** No theatre or dance hall shall be licensed unless it is provided to the satisfaction of the Licensing Authority with an adequate number of clearly indicated exits in such position and so maintained as to afford safe and speedy egress for the audience.

Seating accommodation. **3.** The seating accommodation in any theatre or dance hall shall be so arranged as not to interfere with free access to the exits, and the gang-ways, staircases and passages leading to the exits shall be kept clear of obstructions, whether permanent or temporary, during the presence of the audience.

Lighting. **4.** Where electric light is reasonably available for use, no other means of lighting shall be used in any theatre or dance hall without the express permission in writing of the Licensing Authority.

Conditions. **5.** The following conditions shall be strictly observed in any theatre or dance hall during the presentation or performance of any stage play or the holding of any dance:

- (a) no profane, indecent or obscene songs or ballads shall be sung or spoken;
- (b) no stage play or song shall be presented or sung which is insulting to any individual or section of the community, whether referred to by name or otherwise;
- (c) no acting or representation calculated to hold up to public ridicule or contempt any individual or section of the community shall be presented or performed;
- (d) no lewd or suggestive dancing shall be performed;

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UPDATED TO 31ST DECEMBER 2016

- (e) all performers and dancers shall be decently attired;
- (f) no violent, quarrelsome or disorderly conduct shall be permitted.

6. The licensee of the theatre or dance hall, or some person authorised by him in writing to represent the licensee shall be present throughout the performance of any stage play or the holding of any dance. Presence of licensee or representative.

7. No performance of a stage play or a dance shall extend beyond such hours as may be specified in the licence. Hours.
