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Notification No. B 29 — The Public Entertainments (Amendment) Bill is hereby published for general information. It was introduced in Parliament on the 9th day of October 2000.

Public Entertainments (Amendment) Bill

Bill No. 29/2000.

Read the first time on 9th October 2000.

A BILL

intituled

An Act to amend the Public Entertainments Act (Chapter 257 of the 1985 Revised Edition).

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

Short title and commencement

1. This Act may be cited as the Public Entertainments
5 (Amendment) Act 2000 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

(2) The Minister may appoint different dates for the coming into operation of the different provisions of this Act.

Amendment of long title

2. The long title to the Public Entertainments Act (referred to in this Act as the principal Act) is amended by deleting the words “public entertainments” and substituting the words “public entertainment and meetings”.

Amendment of section 1

3. Section 1 of the principal Act is amended by deleting the words “Public Entertainments Act” and substituting the words “Public Entertainment and Meetings Act”.

Amendment of section 2

4. Section 2 of the principal Act is amended —

- (a) by deleting the definitions of “film” and “pin-table”;
- (b) by deleting the definition of “public entertainment” and substituting the following definition:

“ “public entertainment” has the same meaning as in the Schedule.”; and

- (c) by renumbering the section as subsection (1) of that section, and by inserting immediately thereafter the following subsections:

“(2) The Minister may at any time, by order published in the *Gazette*, amend, add to or vary the Schedule.

(3) Any order made under subsection (2) shall be presented to Parliament as soon as possible after publication in the *Gazette*.”.

Amendment of section 7

5. Section 7 of the principal Act is amended by inserting, immediately after the word “information”, the words “or documents”.

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Amendment of section 8

6. Section 8 of the principal Act is amended by deleting the words “, not being more than 12 months later than the date of issue,”.

Amendment of section 9

7. Section 9 of the principal Act is amended by deleting the words “and an application to renew a licence shall be treated as an application for a licence”.

Amendment of section 10

8. The principal Act is amended by renumbering section 10 as subsection (1) of that section, and by inserting immediately thereafter the following subsections:

“(2) The Licensing Officer may at any time add to, vary or
10 revoke any of the conditions of a licence imposed under
subsection (1).

(3) In deciding whether to add to, vary or revoke any
condition of the licence under subsection (2), the Licensing
Officer may take into consideration the total number of demerit
15 points awarded against the licensee under section 14A in respect
of the licence.

(4) The Licensing Officer shall, before proceeding to
add to, vary or revoke any condition of the licence under
subsection (2)—

20 (a) give the licensee notice in writing of his intention to
do so; and

(b) give the licensee an opportunity to be heard, within
such time as may be specified in the notice, as to why
the condition should not be added to, varied or
25 revoked.

(5) Any person who is aggrieved by the decision of the
Licensing Officer under this section may, within 14 days of being
notified of the decision of the Licensing Officer, appeal in writing
to the Minister whose decision shall be final.”.

Repeal and re-enactment of section 11

9. Section 11 of the principal Act is repealed and the following
section substituted therefor:

“Security

35 **11.—**(1) In respect of such classes of public entertainment as
the Minister may from time to time prescribe by notification in

the *Gazette* and subject to such limits as may be thereby prescribed, the Licensing Officer may, before issuing a licence, require —

- (a) the applicant; or
- (b) if there are 2 or more applicants, each applicant named 5
by the Licensing Officer for the purpose,

to give security in such form as the Licensing Officer may determine that the provisions of this Act, any rules made thereunder and the conditions of the licence issued will be duly 10
observed.

(2) Where a licensee has been awarded such number of demerit points as may be prescribed under section 14A (1), the Licensing Officer may require a licensee to give security in such form as the Licensing Officer may determine that the provisions of this Act, any rules made thereunder and the conditions of the 15
licence issued will be duly observed.

(3) Where any applicant is required under subsection (1), or any licensee is required under subsection (2), to enter into a bond, the Licensing Officer may require not more than 2 sureties to enter into the bond with the applicant or licensee, as the case 20
may be.

(4) Any security given under subsection (1) or (2) shall be liable to forfeiture in whole or in part at the discretion of the Licensing Officer —

- (a) on the cancellation of the licence; 25
- (b) where the licensee has been awarded such number of demerit points as may be prescribed under section 14A (1); or
- (c) where the Licensing Officer is satisfied that the public entertainment has been carried out in contravention of 30
this Act or any rules made thereunder.

(5) The Licensing Officer shall, before proceeding under subsection (4) —

- (a) give the licensee notice in writing of his intention to do so; and 35

(b) give the licensee an opportunity to be heard, within such time as may be specified in the notice, as to why the security should not be forfeited.

5 (6) Any person who is aggrieved by the decision of the Licensing Officer under subsection (4) may, within 14 days of being notified of the decision of the Licensing Officer, appeal in writing to the Minister whose decision shall be final.”.

Amendment of section 13

10. Section 13 of the principal Act is amended —

- 10 (a) by deleting the words “any application for a” in subsection (1) and substituting the words “to issue or renew any”;
- (b) by inserting, immediately after the word “applicant” in subsection (2), the words “or the licensee, as the case may be”;
- 15 (c) by inserting, immediately after the word “applicant” in the 1st line of subsection (3), the words “or licensee who is”;
- (d) by deleting the words “his application by” in the 1st and 2nd lines of subsection (3); and
- 20 (e) by deleting the words “an application for” in the 5th line of subsection (3) and substituting the words “the appeal for the issue or renewal of”.

Amendment of section 14

11. Section 14 of the principal Act is amended by deleting
25 subsection (2) and substituting the following subsections:

“(2) The Licensing Officer may, in his discretion, cancel or suspend a licence, as the case may be, if he is satisfied that the licensee is not a fit and proper person to hold such licence.

30 (2A) The Licensing Officer shall not cancel or suspend a licence under subsection (1) (d) on the ground that the public entertainment for which it was issued has been provided otherwise than in accordance with the conditions of the licence unless the licensee has accumulated such number of demerit points as may be prescribed under section 14A (1).”.

New section 14A

12. The principal Act is amended by inserting, immediately after section 14, the following section:

“Demerit points

14A.—(1) The Minister may, for the purposes of sections 10, 11 and 14 (2A), make rules to establish a system of awarding demerit points against a licensee for the commission of an offence under section 18 (1) (c). 5

(2) For the purposes of this section, demerit points may be awarded against a licensee notwithstanding that the licensee has accepted an offer by the Licensing Officer to compound the offence concerned. 10

(3) Where a licence is cancelled under section 14, every demerit point awarded against the licensee in respect of the licence shall be cancelled.”. 15

Amendment of section 18

13. Section 18 (1) of the principal Act is amended —

(a) by deleting the words “not being a public entertainment exempted under section 15” in the 2nd and 3rd lines; and

(b) by deleting “\$5,000” in the last line and substituting “\$10,000”. 20

New sections 18A and 18B

14. The principal Act is amended by inserting, immediately after section 18, the following sections:

“Service of documents, etc.

18A.—(1) Any notice, order or document required or authorised by this Act or any rules made thereunder to be served on any person may be served — 25

(a) by delivering it to the person or to some adult member or employee of his family or household at his last known place of residence; 30

(b) by leaving it at his usual or last known place of residence or business in an envelope addressed to the person;

(c) by sending it by registered post addressed to the person at his usual or last known place of residence or business; or

(d) in the case of a company, partnership or body of persons —

(i) by delivering it to the secretary or other like officer of the company, partnership or body of persons at its registered office or principal place of business; or

(ii) by sending it by registered post addressed to the company, partnership or body of persons at its registered office or principal place of business.

(2) Any notice, order or document sent by registered post to any person in accordance with subsection (1) shall be deemed to be duly served on the person at the time when the notice, order or document, as the case may be, would in the ordinary course of post be delivered.

(3) When proving service of the notice, order or document referred to in subsection (2), it shall be sufficient to prove that the envelope containing the notice, order or document, as the case may be, was properly addressed, stamped and posted by registered post.

Composition of offences

18B.—(1) The Licensing Officer may, in his discretion, compound any offence under this Act or any rules made thereunder which is prescribed as a compoundable offence by collecting from the person reasonably suspected of having committed the offence a sum not exceeding \$1,000.

(2) The Minister may make rules to prescribe the offences which may be compounded under this section.

(3) On payment of such sum of money, no further proceedings shall be taken against such person in respect of the offence.”.

Amendment of section 20

15. Section 20 of the principal Act is amended —

(a) by deleting the word “entertainments” in subsection (1) (c) and substituting the word “entertainment”; and

- (b) by deleting subsection (2) and substituting the following subsection:

“(2) All rules made under this Act shall be presented to Parliament as soon as possible after publication in the *Gazette*.”.

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New Schedule

16. The principal Act is amended by inserting, immediately after section 20, the following Schedule:

“THE SCHEDULE

Section 2 (1) 10

1. In this Schedule —

“film” means —

- (a) any cinematograph film;
- (b) any video recording;
- (c) any record, however made, of a sequence of visual images, which is a record capable of being used as a means of showing that sequence as a moving picture; or 15
- (d) any other material, record or thing on which is recorded or stored for immediate or future retrieval any information that, by the use of any computer or electronic device, is capable of being reproduced or displayed as wholly or partly visual moving pictures; 20

“pin-table” means any table, board or other appliance operated by hand or by coin, disc, electricity or any other means which is designed to enable the operator to play a game, success in which is measured by the propulsion of one or more movable objects towards targets or goals or by the attainment of a number of points or by both; 25

“video recording” means any disc, magnetic tape or solid state recording device containing information by the use of which one or more series of visual images may be produced electronically and shown as a moving picture. 30

2. “Public entertainment” includes —

- (a) any play, opera, pantomime, variety act, performance of music, singing, dancing, gymnastics, acrobatics and legerdemain, tableaux, demonstration, display or parade; 35
- (b) any display of set pieces, commemorative decorations or representations of real or mythical creatures;
- (c) any circus or any exhibition of animals;

THE SCHEDULE — *continued*

- (d) any amusement centre, amusement park or fun fair;
- (e) any computer games centre;
- 5 (f) any exhibition of models, reading matter, pictures, photographs or of
statuary or other forms of representation of human or animal figures;
- (g) any exhibition of film, or any peep-show or puppet-show;
- (h) any reproduction or transmission otherwise than in association with a
film, by any means other than telephony or radio telephony, of any
music, song or speech;
- 10 (i) any machine or device by the manipulation of which chances are given of
obtaining prizes in money or kind;
- (j) any pin-table;
- (k) any sporting contest of any kind between any number of persons or
animals, other than that organised by any registered society, trade union,
15 company or association;
- (l) any organised competition at games of skill or chance;
- (m) any play-reading, recital, lecture, talk, address, debate or discussion; or
- (n) any combination of any of the above forms of public entertainment,
in any place to which the public or any class of the public has access whether
20 gratuitously or otherwise.

3. “Public entertainment” does not include —

- (a) public entertainment at gatherings and celebrations officially arranged
by the official representative in Singapore of any government;
- 25 (b) public entertainment provided by or under the auspices of the
Government or any department of the Government or any authority
constituted under any written law relating to local government;
- (c) ceremonies, rites, services and celebrations lawfully conducted by priests
or ministers of religion in premises consecrated generally or specially for
the conduct thereof;
- 30 (d) addresses, debates and discussions at meetings of public companies,
chambers of commerce, registered trade unions, registered political
associations or exempted or registered societies from which persons who
are not shareholders or members, as the case may be, are excluded; and
- 35 (e) public entertainment provided by or under the auspices of the following
statutory bodies:
 - (i) Agri-food and Veterinary Authority;
 - (ii) Board of Architects;
 - (iii) Building and Construction Authority;
 - (iv) Civil Aviation Authority of Singapore;

THE SCHEDULE — *continued*

(v) Commercial and Industrial Security Corporation;	
(vi) Defence Science and Technology Agency;	
(vii) Economic Development Board;	
(viii) Housing and Development Board;	5
(ix) Institute of Technical Education, Singapore;	
(x) Institute of Southeast Asian Studies;	
(xi) Jurong Town Corporation;	
(xii) Majlis Ugama Islam, Singapura;	
(xiii) Maritime and Port Authority of Singapore;	10
(xiv) Monetary Authority of Singapore;	
(xv) Nanyang Polytechnic;	
(xvi) Nanyang Technological University;	
(xvii) National Arts Council;	
(xviii) National Council of Social Service;	15
(xix) National Heritage Board;	
(xx) National Library Board;	
(xxi) National Parks Board;	
(xxii) National Science and Technology Board;	
(xxiii) National University of Singapore;	20
(xxiv) Ngee Ann Polytechnic;	
(xxv) People's Association;	
(xxvi) Professional Engineers Board;	
(xxvii) Public Utilities Board;	
(xxviii) Science Centre Board;	25
(xxix) Sentosa Development Corporation;	
(xxx) Singapore Broadcasting Authority;	
(xxxi) Singapore Corporation of Rehabilitative Enterprises;	
(xxxii) Singapore Polytechnic;	
(xxxiii) Singapore Productivity and Standards Board;	30
(xxxiv) Singapore Sports Council;	
(xxxv) Singapore Tourism Board;	
(xxxvi) Temasek Polytechnic;	
(xxxvii) Trade Development Board;	
(xxxviii) Urban Redevelopment Authority.”.	35

Transitional provisions

17.—(1) Any application, licence, notice, order or document issued or made under the principal Act before the date of commencement of this Act shall be deemed to be an application,
 5 licence, notice, order or document issued or made under the principal Act as amended by this Act.

(2) In any written law and in any document, any reference to the Public Entertainments Act shall be construed as a reference to the Public Entertainment and Meetings Act.

EXPLANATORY STATEMENT

This Bill seeks to amend the Public Entertainments Act (Cap. 257) for the following purposes:

- (a) to change the title of the Act from “Public Entertainments Act” to “Public Entertainment and Meetings Act”;
- (b) to update the scope of the Act by removing references to activities which no longer need to be licensed and by including new activities;
- (c) to enable the Minister to make rules to establish a demerit points system for the award of demerit points in respect of breaches of conditions of a licence, for the purposes of the adding to, varying or revoking of any condition of the licence, the suspension or cancellation of the licence, and the giving or forfeiture of security in respect of the licence;
- (d) to streamline the procedures for the issue and renewal of licences, and the giving and forfeiture of security;
- (e) to provide for the composition of offences and the service of documents;
and
- (f) to update the penalties in the Act.

Clause 1 relates to the short title and commencement.

Clauses 2 and 3 amend the long title and the short title of the Act, respectively, to reflect the change of the title of the Act to the “Public Entertainment and Meetings Act”.

Clause 4 amends section 2 —

- (a) by providing the definition of “public entertainment” in a new Schedule to the Act (to be inserted by clause 16), and transferring the definitions of “film” and “pin-table” to the Schedule; and
- (b) by introducing a new subsection (2) to empower the Minister to amend, add to or vary the Schedule by order published in the *Gazette*.

Clause 5 amends section 7 to empower the Licensing Officer to require an applicant for a licence to furnish additional documents.

Clause 6 amends section 8 to enable licences to be issued or renewed for periods exceeding the existing maximum period of validity of 12 months.

Clause 7 amends section 9 to remove the requirement that an application to renew a licence is to be treated as an application for a new licence.

Clause 8 amends section 10 to empower the Licensing Officer to add to, vary or revoke any condition of a licence, and in relation to this —

- (a) to enable the Licensing Officer to take into consideration the total number of demerit points accumulated by the licensee under the new section 14A (to be inserted by clause 12);
- (b) to prescribe a procedure for the Licensing Officer to notify the licensee of his intention and give the licensee an opportunity to be heard; and
- (c) to provide that an aggrieved person may appeal to the Minister, whose decision is final.

Clause 9 repeals and re-enacts section 11 for the following purposes:

- (a) to empower the Licensing Officer to require security to be given in such form as he may determine, whether before or after the issue of a licence;
- (b) to allow the Licensing Officer to take into consideration the total number of demerit points awarded against a licensee under the new section 14A when deciding whether to require the licensee to give security or to forfeit any security;
- (c) to prescribe a procedure for the Licensing Officer to notify a licensee of his intention to forfeit any security given by the licensee and to give the licensee an opportunity to be heard; and
- (d) to provide that an aggrieved person may appeal to the Minister against the decision of the Licensing Officer to forfeit any security given by him, and the decision of the Minister is final.

Clause 10 amends section 13 to extend the section to the renewal of licences.

Clause 11 amends section 14 —

- (a) to provide that the Licensing Officer may also cancel or suspend a licence if the licensee is not a fit and proper person to hold such licence;
- (b) to delete the existing subsection (2) which has been replaced by a new section 18A on service of documents (to be inserted by clause 14); and
- (c) to clarify that the Licensing Officer may not cancel or suspend a licence on the ground that the licensee has breached the conditions of his licence under section 14 (1) (d) unless the licensee has accumulated such number of demerit points as may be prescribed under the new section 14A.

Clause 12 introduces a new section 14A —

- (a) to enable the Minister to make rules establishing a system of awarding demerit points against a licensee in respect of offences under section 18 (1) (c) of the Act in relation to the contravention of any condition of a licence;
- (b) to provide that demerit points may still be awarded notwithstanding that the licensee concerned has accepted an offer to compound the offence concerned; and
- (c) to provide that where a licence has been cancelled under section 14, every demerit point awarded against the licensee for that licence will be cancelled.

Clause 13 seeks to streamline section 18 (1) and to increase the penalty prescribed therein from \$5,000 to \$10,000.

Clause 14 inserts new sections 18A and 18B.

The new section 18A provides for the service of notices, orders or documents required or authorised by the Act or any rules made thereunder. The new section 18B empowers the Licensing Officer to compound any offence which is prescribed by the Minister as a compoundable offence, by collecting from the person reasonably suspected of committing the offence a sum not exceeding \$1,000.

Clause 15 amends section 20 for consistency with the new title of the Act, and to clarify that the rules made under the Act, including the rules for establishing the demerit points system made under the new section 14A, have to be presented to Parliament.

Clause 16 amends the Act by introducing a Schedule which contains the definition of “public entertainment”.

Clause 17 contains transitional provisions to provide that —

- (a) any application, licence, notice, order or document made or issued prior to the date of commencement of the Bill shall be deemed to have been made or issued under the Act as amended by the Bill; and
- (b) any reference to the Public Entertainments Act in any written law or document be construed as a reference to the Public Entertainment and Meetings Act.

EXPENDITURE OF PUBLIC MONEY

This Bill will involve the Government in extra financial expenditure, the exact amount of which cannot at present be ascertained.
