

Supplement No. 3 published with Gazette No. 9 of 1st May, 1995.

THE MUSIC AND DANCING (CONTROL) LAW, 1977 (LAW 10 OF 1977)

(1995 Revision)

Consolidated with Laws 17 of 1980, 20 of 1981, 11 of 1989, 19 of 1989 and 17 of 1991.

Revised under the Law Revision Law (19 of 1975).

Originally enacted-
Law 10 of 1977-19th May, 1977
Law 17 of 1980-10th September, 1980
Law 20 of 1981-13th October, 1981
Law 11 of 1989-5th September, 1989
Law 19 of 1989-22nd November, 1989
Law 17 of 1991-11th September, 1991

Consolidated and revised this 28th day of March, 1995.

MUSIC AND DANCING (CONTROL) LAW

(1995 Revision)

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MUSIC AND DANCING (CONTROL) LAW

(1995 Revision)

1. This Law may be cited as the Music and Dancing (Control) Law (1995 Revision). Short title
2. In this Law, unless the context otherwise requires- Definitions
- “Board” has the meaning ascribed to it in the Liquor Licensing Law, 1985; Law 8 of 1985
- “Chairman” means the Chairman of the Board;
- “exempted premises” means-
- (a) cinemas licensed under the Cinematograph Law; Cap. 18
 - (b) premises being used for *bonafide* dramatic entertainment;
 - (c) areas in hotels which are not open to the general public and with respect to which no charge is made for admission; and
 - (d) town halls;
- “hotel” has the meaning ascribed to it in the Liquor Licensing Law, 1985;
- “licensed” and its cognates means licensed under this Law;
- “permitted days” means days other than Good Fridays, Christmas Days and Sundays;
- “permitted hours” means those hours of permitted days in which licensed premises are not ordered by the Board to be closed to the public; and
- “premises subject to this Law” means premises-
- (a) with respect to which a charge is made for admission;
 - (b) where food or refreshment is supplied to the public for a charge; or
 - (c) which are licensed under the Liquor Licensing Law, 1985,
- but do not include exempted premises.
3. (1) No person having control of any premises subject to this Law shall on or in such premises or on or in any public or other place adjacent to or in the immediate vicinity of such premises cause or permit any dancing or the playing of music unless- Certain premises require to be licensed for music and dancing
- (a) the premises are licensed in that behalf; and

- (b) the time of such dancing or playing is during permitted hours of a permitted day.

(2) Notwithstanding subsection (1)(b) music may be played on Sunday, Good Friday and Christmas Day in a restaurant or hotel, being premises subject to this Law, provided the following conditions are observed-

- (a) the music is pre-recorded music of a soft, background nature, not to be heard beyond the boundaries of the property on which it is played;
- (b) the time during which it is played shall be between the hours of 9.00 a.m. and 11.45 p.m.; and
- (c) dancing is not permitted.

Categories of licences

4. Licences are of three categories as follows-

- (a) general licences granted for one year or the unexpired portion of a year terminating on 30th September;
- (b) occasional licences granted for periods of from one to six consecutive days; and
- (c) temporary licences granted to the holders of temporary licences under the Liquor Licensing Law, 1985, for the duration of such licences.

Applications for licences

5. (1) Applications for the grant of licences shall be made in writing to the Chairman in the form prescribed in the Schedule-

- (a) in the case of general licences, not less than twenty-one days before the 1st March, June, September or December;
- (b) in the case of occasional and temporary licences, not less than seven days before the licence is required.

(2) Applications for renewal of general licences shall be made in writing to the Chairman in the form prescribed in the Schedule not less than twenty-one days before the 1st September.

(3) Applications for variation of licences shall be made in writing to the Chairman in the form prescribed in the Schedule not less than twenty-one days before the variation is desired.

Grants of licences

6. (1) General licences and the renewal thereof may be granted by the Board.

(2) Occasional and temporary licences may be granted by the Chairman.

(3) Variation of licences (change of premises or change of licensee) may be granted *pro tempore* by the Chairman subject to confirmation by the Board at the next annual or quarterly meeting thereof.

7. The conditions applying to the grant, transfer and renewal of licences shall *mutatis mutandis*, be the same as the conditions applying to the grant of liquor licences under the Liquor Licensing Law, 1985:
- Condition of grants of licences
Law 8 of 1985
- Provided that where on licensed premises there has been committed an offence contrary to this Law or the Liquor Licensing Law, 1985 leading to the conviction of the offender or where other good cause exists, the Chairman, within one month of such conviction or of his becoming aware of such cause, may suspend the relevant licence until the next session of the Board, and the Board at such session, after hearing the licensee and any objections to the continuation of the licence, may raise the suspension or revoke or refuse to renew the licence:
- Provided further that in the event of the Board raising any such suspension, it may order the payment from public funds to the licensee concerned of a sum not exceeding five hundred dollars by way of full and final compensation for all loss suffered by reason of such suspension and such order shall take effect accordingly and shall not be the subject of any appeal to, or review by, any court.
8. The Board shall consider the grant of licences either at the termination of the other business transacted at its sessions or together with such other business as may be convenient and where licences are granted shall issue a certificate as prescribed in the Schedule.
- Consideration of applications and issue of licences
9. (1) The Board shall, at its annual general meetings in September, by order, prescribe what hours of permitted days are permitted hours for the purpose of this Law and cause such orders to be gazetted.
- Extensions of permitted hours
- (2) The Chairman may, from time to time, grant extensions of permitted hours in respect of special occasions either generally or in the case of a particular licence.
10. Premises licensed under this Law shall display a sign on the outside thereof in the form prescribed in the Schedule.
- Signs
11. Licensed premises shall be open for inspection by constables at all reasonable times.
- Licensed premises to be open for inspection
12. Fees as prescribed in the Schedule are chargeable in respect of licences granted and are payable upon application and, where the grant of a licence is refused, three-quarters of the fee paid on application shall be returned to the applicant.
- Fees

- Penal 13. (1) Any person who contravenes section 3 is guilty of an offence and liable on summary conviction to a fine of five hundred dollars or to imprisonment for one month.
- (2) Any person who-
- (a) makes any statement orally or in writing in the truth of which he does not believe (the onus of proving his belief being upon him) calculated to deceive or mislead the Board, its Chairman or any member thereof in connection with its business under this Law; or
- (b) obstructs any constable in the execution of his duty under section 11,
- is guilty of an offence and liable on summary conviction to a fine of five hundred dollars and to imprisonment for one month.
- Regulations 14. The Governor in Council may make regulations for the purpose of the administration of this Law.

SCHEDULE

FORMS

Form M&D 1

MUSIC AND DANCING (CONTROL) LAW (1995 Revision)

(Section 5(1)(9))

To the Chairman of the Board-

I, _____, aged _____, of _____, hereby apply to the Board for a licence for the period beginning on the _____ day of _____, 19____, and ending on the 30th day of September following. The address of the proposed licensed premises is _____.

I enclose certificates of the Commissioner of Police, the Chief Medical Officer, the Officer in Charge of the Public Works Department and the Executive Secretary of the Central Planning Authority as to the suitability of the premises. A plan of the premises with details of dance floor areas, entrances and toilet facilities marked thereto is attached. The Treasury receipt for the prescribed fee is enclosed.

Signed: _____

Form M&D 2

MUSIC AND DANCING (CONTROL) LAW (1995 Revision)

(Section 5(1) (b))

We, _____, aged _____
respectively _____, of _____, hereby
apply for an occasional temporary licence from _____ until
_____ inclusive between the hours of _____ and _____
at _____.
The circumstances are as follows-
_____.

The Treasury receipt for the prescribed fee is enclosed.

Signed: _____

Form M&D 3

MUSIC AND DANCING (CONTROL) LAW (1995 Revision)

(Section 5(2))

To the Chairman of the Board-

I, _____, the holder of licence No. _____, hereby
apply for renewal of the said license for a further period of one year.

The Treasury receipt for the prescribed fee is enclosed herewith together with the
certificate for endorsement.

Signed: _____

Form M & D 4

MUSIC AND DANCING (CONTROL) LAW (1995 Revision)

(Section 5(3))

To the Chairman of the Board-

I, _____ holder of licence No. _____, hereby apply for
variation of the said license by _____

The Treasury receipt for the prescribed fee is enclosed.

Signed: _____

Form M&D 5

MUSIC AND DANCING (CONTROL) LAW (1995 Revision)

(Section 8)

This is to certify that _____
of _____ is the holder of licence No. _____ under the
above Law in respect of the premises at _____ which licence
is due to expire on the 30th of September 19 ____.

Signed: _____

Chairman of the Board

Date: _____

Space for renewals

SIGN

(Section 10)

The sign shall be not less than 6 inches by 24 inches and not more than 9 inches
by 36 inches in dimensions and shall carry in white letters on a black ground such
lettering to be not more than 3 inches or less than 2 inches in height the following
information-

“Licensed for Music and Dancing,-----, Licensee”.

FEES

(Section 12)

Annual licence	\$100
In the case of a period of less than one year per quarter or part thereof	\$25
Temporary licence	\$50
Occasional licence (per day)	\$10
For variation of a licence	\$20

Publication in consolidated and revised form authorised by the Governor in Council this 28th day of March, 1995.

Mona N. Banks-Jackson
Clerk of Executive Council