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THE ENTERTAINMENT (AMENDMENT)  
ORDINANCE, 2005

DATE OF COMMENCEMENT

In exercise of the powers conferred by section 1 of the Entertainment (Amendment) Ordinance, 2005 [*Cap. A117*], the Minister of Environment and Public Health has appointed the 1st day of July, 2005, as the date on which the Ordinance shall come into force.

Dated this 30th day of June, 2005.

DATUK MICHAEL MANYIN AK. JAWONG,  
*Minister of Environment and Public Health*

Swk. L.N. 49

THE ENTERTAINMENT ORDINANCE, 2000  
THE ENTERTAINMENT (AMENDMENT) BY-LAWS, 2005  
(Made under section 31)

In exercise of the powers conferred by section 31 of the Entertainment Ordinance, 2000 [*Cap. 33*], the Majlis Mesyuarat Kerajaan Negeri has made the following By-laws:

PERPUSSTAKAAN  
KAMAR PEGUAM BESAR NEGERI SARAWAK

### Citation and commencement

1. These By-laws may be cited as the Entertainment (Amendment) By-laws, 2005, and shall come into force on the 1st day of July, 2005.

### Amendment of by-law 2

2. By-law 2 of the Entertainment By-laws, 2001 [*Swk. L.N. 110/2001*] ("the Principal By-laws") is amended by substituting the full-stop at the end of the definition of "local authority" with a semi-colon, and by adding immediately the following new definition:

"scheduled entertainment" has the same meaning assigned to it in the Entertainment Ordinance, 2000 [*Cap. 33*]."

### Amendment of by-law 3

3. By-law 3 of the Principal By-laws is amended by substituting paragraph (2) with the following:

"(2) No application for a licence under these By-laws shall be approved if—

(a) it involves a scheduled entertainment unless the grant of such licence is authorized by a direction issued by the Minister pursuant to section 3 of the Ordinance;

(b) the approval of such application would be contrary to the direction issued by the Minister pursuant to section 3 of the Ordinance;

(c) the entertainment activity to be provided involves the use of any machine, device or appliance which is prohibited by or is not approved under the Lotteries Act 1952 [*Act 288*], the Common Gaming Houses Act 1953 [*Act 289*], and the Betting Act 1953 [*Act 495*] or any other laws relating to gaming."

### Substitution of by-law 5

4. By-law 5 of the Principal By-laws is substituted with the following:

#### "Duration of licence

5. A licence issued under these By-laws shall be valid for a period of one year:

Provided that in any special case, a local authority may with the approval of the Minister grant a licence for a period exceeding one year, but in any such case, the duration of the licence shall not exceed five years."

### Substitution of by-law 8

5. By-law 8 of the Principal By-laws is substituted with the following:

#### "Suspension or revocation of licence

8.—(1) A local authority may suspend or revoke a licence to operate a place of entertainment or an entertainment licence or both such licences

(a) to facilitate investigation into any crime or criminal activities that have been suspected to have been committed on the licensed premises;

(b) if there has been a breach of any of the conditions or restrictions of the licence granted under these By-laws;

(c) if there has been a contravention of any of the provisions of the Ordinance or of these By-laws;

(d) if the licence has been issued or granted in contravention of any of the provisions of the Ordinance or these By-laws or any direction given by the Minister pursuant to section 3 of the Ordinance; or

(e) if the premises in which the entertainment is held is found to be unsafe or likely to endanger human life.

(2) Before a decision is made to suspend or revoke a licence, a local authority shall give the licensee an opportunity to make representations as to why the licence shall not be suspended or revoked.

(3) Where a local authority decides to suspend or revoke a licence, the notice of suspension or revocation shall be served on the licensee in the manner provided under the Ordinance.

(4) A licensee who has been served with a notice of suspension or revocation of a licence to operate a place of entertainment or a notice of suspension or revocation of an entertainment licence shall, forthwith upon receipt of such notice, close the place of entertainment and stop the entertainment provided therein."

### New by-law 23A

6. The Principal By-laws are amended by inserting immediately after by-law 23 the following new by-law:

#### "Dangerous drugs or other harmful substances prohibited

23A. A licensee shall not—

(a) sell, distribute or permit any person to sell, distribute or consume any dangerous drugs as specified in the Dangerous Drugs Act 1952 [Act 234]; or

(b) permit the sniffing of glues or use of any other harmful substances,  
in the place of entertainment.”.

#### **Amendment of by-law 26**

7. The Principal By-laws are amended by substituting by-law 26(1) with the following:

##### **“Local authority may specify age limit of patrons**

26.—(1) A local authority may specify the minimum age of persons who may patronize a place of entertainment:

Provided that no person under the age of twenty-one years shall, unless permitted pursuant to any direction issued by the Minister, patronize a billiards or snooker saloon or be allowed to play a game of billiards or snooker in such place of entertainment.”.

#### **Substitution of by-law 27**

8. The Principal By-laws are amended by substituting by-law 27 with the following:

##### **“Restriction on children**

27.—(1) No children in school uniform shall be admitted or allowed to remain in any place of entertainment which provides any scheduled entertainment unless they are accompanied by their parents or guardians.

(2) Subject to paragraph (1), where children under the age of twelve years are allowed to be admitted in a place of entertainment, such children shall be accompanied by an adult.”.

#### **Amendment of First Schedule**

9. The First Schedule to the Principal By-laws is amended by substituting conditions (i) and (ii) of the licence in Form B with the following:

- “(i) The business operating hours of the place of entertainment shall be from .....  
to .....
- (ii) No patron shall be allowed to remain in the place of entertainment and no performance shall be held or continued on the premises after .....

Dated this 30th day of June, 2005.

MASBAH BT. HAJI ARIFFIN,  
Clerk to Majlis Mesyuarat Kerajaan Negeri