2. LICENSING OF THEATRES, ETC.

The Theatres and Other Places of Public Amusement (Licences) (Scotland) Regulations, 1949

1949 No. 639 (S. 36)

Made - - - - *29th March,* 1949
Coming into Operation *16th May,* 1949

In exercise of the powers conferred upon him by subsection (4) of section 313 of the Local Government (Scotland) Act, 1947(**a**), the Secretary of State hereby makes the following Regulations:—

1. These Regulations may be cited as the Theatres and Other Places of Public Amusement (Licences) (Scotland) Regulations, 1949, and shall come into operation on the 16th May, 1949.

2.—(1) In these Regulations unless the context otherwise requires—

(*a*) The expression "licence" means a licence under section 5 of the Theatres Act, 1843(**b**), or under section 395 of the Burgh Police (Scotland) Act, 1892(**c**),

(*b*) The expression "local authority" means the county council of a county or the town council of a burgh.

(2) The Interpretation Act, 1889(**d**) shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

(3) These Regulations shall not apply to premises in counties of cities, nor to premises in any burgh in which there are in force regulations made for a like purpose under the Burgh Police Acts.

3. Every application to a local authority for a licence shall be made in the form set out in the First Schedule to these Regulations or in a form to the like effect, and shall be accompanied by such plans and other particulars of the premises for which the licence is desired as the local authority may require.

4. Every application to a local authority for renewal of a licence, whether granted before or after the date of these Regulations, shall be made in the form set out in the Second Schedule to these Regulations or in a form to the like effect and if any alterations to the premises have been made since a licence was last applied for or renewed, the applications shall be accompanied by such plans and other particulars of the premises as the local authority may require.

5. Every application for renewal of a licence shall be lodged with the Clerk of the local authority on or before such date as the authority may fix, not being less than 28 days before the date of the expiry of the licence.

6. Every application duly made shall be considered by the local authority or by a committee thereof appointed in that behalf and shall be granted or refused by the local authority or by such committee, in the case of an application for a licence, at a meeting held within 28 days of the receipt of the application by the Clerk to the authority, or in the case of an application for a renewal, at a meeting held before the date of expiry of the licence.

(**a**) 10 & 11 Geo. 6. c. 43. (**b**) 6 & 7 Vict. c. 68. (**c**) 55 & 56 Vict. c. 55.
(**d**) 52 & 53 Vict. c. 63.

7. Every licence shall be in the appropriate form set out in the Third Schedule to these Regulations or in a form to the like effect, and shall be subject to any conditions which shall be endorsed thereon which the local authority may competently prescribe for the regulation of theatres and other places of public amusement.

8. Every licence shall be signed by the Clerk of the local authority or authenticated in such other manner as the local authority may by Standing Orders or otherwise direct.

Given under the Seal of the Secretary of State this 29th day of March, nineteen hundred and forty-nine.

(L.S.) *C. C. Cunningham,*
Secretary.

Scottish Home Department,
St. Andrew's House,
Edinburgh, 1.

FIRST SCHEDULE

Form of Application for Licence for Theatre or Other Place of Public Amusement

1. Full name of applicant .....
2. Address of applicant.....
3. Is applicant registered under the Theatrical Employers' Registration Acts, 1925 and 1928?.....
4. Address and name of premises for which licence is desired.....
.....
5. Will applicant be the actual responsible manager of the premises?.....
6. Name and address of actual responsible manager of premises (if different from the applicant).....
.....
7. Period for which licence is desired.....
8. State purpose for which premises are to be used.....
9. Has applicant ever held a licence before? If so, give full particulars.....
.....
10. Names and addresses of two responsible persons who can testify, if desired, to the applicant's good character.....
.....
.....
.....

I hereby declare that the information supplied above is true and correct and I hereby apply for a licence in respect of the above premises.

Signature of applicant.....

Date .....

Note:—1. This application should be lodged on completion with the Town (or County) Clerk.

2. A licence can only be granted to the actual and responsible manager of the theatre or place of public amusement.

SECOND SCHEDULE

FORM OF APPLICATION FOR RENEWAL OF LICENCE FOR THEATRE OR OTHER PLACE OF PUBLIC AMUSEMENT

1. Name and address of applicant (as described in the existing licence) .....
.....
2. Address and name of premises for which licence is desired .....
.....
3. Will applicant be the actual responsible manager of the premises? .....
4. Name and address of actual responsible manager of the premises (if different from the applicant) .....
.....
5. Period for which licence is desired .....
6. State purpose for which premises are to be used .....
7. State whether there has been any change in the premises or in the circumstances under which a licence is presently held .....

I hereby declare that the information supplied above is true and correct and I hereby apply for a renewal of the licence in respect of the above premises.

Signature of applicant .....

Date .....

NOTE:—1. This application should be lodged on completion with the Town (or County) Clerk.

2. Applications for renewal of licence must be made on or before .....

3. A licence can only be granted to the actual and responsible manager of the theatre or place of public amusement.

THIRD SCHEDULE

A. FORM OF THEATRE LICENCE

The County Council of ..... in exercise of their powers under section 5 of the Theatres Act, 1843, as read with Section 313 (1) of the Local Government (Scotland) Act, 1947, hereby license .....
..... to use the premises situated at .....
..... as a Theatre for the period from .....
..... to ..... (unless the licence be sooner forfeited or suspended), but only on the terms and conditions endorsed hereon.

Signed .....
County Clerk

Date .....

NOTE:—Application for renewal of this licence must be made on or before .....

B. FORM OF LICENCE FOR THEATRE OR OTHER PLACE OF PUBLIC AMUSEMENT

(for use by Town Councils of Burghs)

The Town Council of ..... in exercise of their powers under *Section 5 of the Theatres Act, 1843, and Section 395 of the Burgh Police (Scotland) Act, 1892, as read with Section 313 (2) of the Local Government (Scotland) Act, 1947, hereby license .....
.....
to use the premises situated at .....
as a ..... for the period from .....
to ..... (unless the licence be sooner forfeited or suspended), but only on the terms and conditions endorsed hereon.

Signed .....
Town Clerk

Date .....

NOTE:—Application for renewal of this licence must be made on or before .....

* Delete where necessary.

MAINTENANCE OF DEPENDANTS

RECIPROCAL ENFORCEMENT

The Maintenance Orders (Facilities for Enforcement) (Ontario) Order in Council, 1949

1949 No. 602

Made - - - - 29th March, 1949

At the Court at Buckingham Palace, the 29th day of March, 1949

Present,

The King's Most Excellent Majesty in Council

Whereas by the Maintenance Orders (Facilities for Enforcement) Act, 1920(a), provision has been made for the enforcement in England and Northern Ireland of maintenance orders made by a court in any part of His Majesty's dominions outside the United Kingdom to which the said Act extends:

And Whereas by the said Act it is amongst other things provided that where His Majesty is satisfied that reciprocal provisions have been made by the Legislature of any part of His Majesty's dominions outside the United Kingdom for the enforcement within that part of maintenance orders made by courts within England and Northern Ireland, His Majesty may by Order in Council extend the said Act to that part, and thereupon that part shall become a part of His Majesty's dominions to which the said Act extends:

And Whereas His Majesty is satisfied that the Legislature of Ontario has made reciprocal provisions for the enforcement within Ontario of maintenance orders made by courts within England and Northern Ireland:

(a) 10 & 11 Geo. 5. c. 33.