



ST. HELENA

CHAPTER 154

PUBLIC DANCES ORDINANCE and Subsidiary Legislation

Non-authoritative Consolidated Text

This is not an authoritative 'revised edition' for the purposes of the Revised Edition of the Laws Ordinance; it has been prepared under the supervision of the Attorney General for the purpose of enabling ready access to the current law, and specifically for the purpose of being made accessible via the internet.

Whilst it is intended that this version accurately reflects the current law, users should refer to the authoritative texts in case of doubt. Enquiries may be addressed to the Attorney General at Essex House, Jamestown
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Visit our [LAWS page](#) to understand the St. Helena legal system and the legal status of this version of the Ordinance.

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¹ These contact details may change during 2011 or early in 2012. In case of difficulty, email shgwebsite@sainthelena.gov.sh or telephone (+290) 2470.

CHAPTER 154**PUBLIC DANCES ORDINANCE**

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CHAPTER 154**PUBLIC DANCES ORDINANCE***(Ordinance 5 of 1945)*

AN ORDINANCE TO PROVIDE FOR THE LICENSING OF PREMISES KEPT OR USED FOR PUBLIC DANCING, AND FOR PURPOSES CONNECTED THEREWITH.

Commencement*[21 August 1945]***Short title**

1. This Ordinance may be cited as the Public Dances Ordinance.

Interpretation

2. In this Ordinance, unless the context otherwise requires—
“**licensing authority**” means the person or body of persons appointed by the Governor in that behalf;
“**premises**” includes any hall, house, room, garden or other building or land.

Licensing of premises for public dancing

3. (1) No person shall keep or use any premises for the purpose of any public dancing, unless he has previously obtained from the licensing authority a licence for the purpose.

(2) Subject to the provisions of this Ordinance and of any regulations made thereunder, the licensing authority may grant annual licences to such persons as he thinks fit to keep or use premises for public dancing on such terms and conditions and subject to such restrictions as he thinks fit.

Public dancing to be licensed

4. (1) No person shall present or hold a public dance, admission to which is obtained by the payment of money or other valuable consideration, in any premises not required to be licensed under the provisions of section 3, without a licence from the licensing authority first had and obtained.

(2) In subsection (1) “**valuable consideration**” shall include money or other reward taken directly or indirectly or any condition of admission such as the purchase of any article.

(3) The licensing authority in his discretion may refuse to grant a licence under the provisions of subsection (1), or may grant such licence on such terms and conditions and subject to such restrictions as he thinks fit.

Power of entry

5. A constable or any person appointed for the purpose by the licensing authority may at all reasonable times enter any premises whether licensed or not, in which he has reason to believe any public dancing is being or about to be given, with a view to seeing whether the provisions of this Ordinance or any regulations made thereunder, and the terms or conditions of any licence issued under this Ordinance, have been complied with.

Exemptions

6. It shall be lawful for the Governor to exempt either absolutely or subject to such restrictions as he may prescribe, any premises or public dancing from compliance with the provisions of section 3 or 4 of this Ordinance, as the case may be.

Regulations

7. (1) The Governor in Council may make regulations for the carrying into effect of any of the purposes or provisions of this Ordinance.

(2) In particular and without prejudice to the generality of the foregoing subsection, such regulations may prescribe—

- (a) the manner in which application for a licence shall be made, and the information to be supplied by applicants;
- (b) the form of any licence, and the fees to be paid on the granting or transfer of any licence;
- (c) the hours during which public dances may be held;
- (d) the age of persons who may be admitted to any public dance;
- (e) the conditions to be observed as to the method of construction, erection, alteration and equipment of any licensed premises;
- (f) the conditions to be observed to secure safety from fire, and otherwise to ensure the safety, health and comfort of persons attending public dances;
- (g) the conditions to be observed in the management of any place licensed under this Ordinance to ensure good manners, decorum, and the public peace.

Offences and penalties

8. (1) Any person who—

- (a) keeps or uses any premises for the purpose of public dancing without a licence; or

- (b) holds, or causes to be held, or takes part in organising any public dance for which a licence is required under section 4, without first having obtained such a licence, or after such licence has been applied for and has been refused; or
- (c) prevents, resists or obstructs the entry of a constable or other person authorised under the provisions of section 5; or
- (d) being the holder of a licence issued under this Ordinance, acts in contravention of, or fails to comply with, any term or condition of such licence or any restriction subject to which it was granted,

shall be guilty of an offence against this Ordinance.

(2) Any person who owns or occupies any premises which are kept or used for the purposes of public dances without a licence shall be guilty of an offence against this Ordinance, unless he proves to the satisfaction of the court that the premises have been so kept or used without his consent or connivance.

(3) Any person who commits an offence against this Ordinance, or any regulation made thereunder, shall be liable—

- (a) for a first offence to a fine not exceeding £25, or to imprisonment for a period not exceeding one month; and
- (b) for a second and subsequent offence to a fine not exceeding £50, or to imprisonment for a period not exceeding three months.

(4) In addition to any penalty awarded under subsection (3), the court awarding such penalty may in its discretion order that any licence, in case there be any such, in respect of which the offence was committed, shall become void or be suspended for any specified period.

PUBLIC DANCES REGULATIONS – SECTION 7

(Legal Notices 34/1945 and 8/1974)

Short title

1. These regulations may be cited as the Public Dances Regulations.

Structure

2.² (1) The structure and stability of all buildings licensed for public dances (hereinafter called “public dance halls”) shall be approved by the licensing authority before a licence (hereafter called a public dance hall licence) is issued. When a licence is applied for, the applicant must satisfy the licensing authority that such premises conform to all building regulations in force at the time the licence is applied for.

(2) All the floors on which dancing takes place shall be capable of taking their full load without undue strain or vibration, and the structure shall be maintained in an approved condition throughout the period of the licence.

Fire precautions

3. (1) Water, directly from the main, shall be laid on, through a pipe of not less than 3/4" internal diameter, to all public dance halls situated within a reasonable distance from a water main.

(2) Fire pails or other containers, painted red and clearly marked “Fire” and of not less than two gallons capacity, and containing sand, shall be provided in every public dance hall.

(3) There shall be not less than three such containers placed near each exit in approved positions, and this number may be increased at the discretion of the licensing authority.

Exits

4. (1) In all public dance halls at least two exits shall be provided in positions and of dimensions to be approved by the licensing authority.

(2) Exit signs, suitably lighted, in not less than five inch, clear, plain lettering shall be fixed immediately over such exits.

(3) All exit doors are to be made in two halves, and to open out, and are to be left either without any locking apparatus, or fitted with suitable panic bolts.

Sanitary accommodation

5. (1) The following shall be provided in all public dance halls for every forty men or part thereof to be admitted—

(a) one wash basin; and

(b) in Jamestown one water closet; elsewhere in St. Helena one earth closet.

(2) For women, separate provision on the same scale shall be made in Jamestown and elsewhere in St. Helena respectively.

(3) The apartments for water or earth closets shall be provided with sufficient opening for lighting and ventilation as near the top as practicable and communicating with external air.

² Regulation 2 amended by L.N. 8/1974

(4) Every sanitary convenience shall be under cover and so partitioned off as to secure privacy, and have a proper door and fastenings.

Ventilation

6. Every public dance hall shall be provided with external windows, equal in area to at least one-tenth of the floor area, the top half of which must be made to open.

Cloak rooms

7. A clean suitable room for overcoats, etc., shall be provided at every public dance hall.

Lighting

8. All public dance halls shall be reasonably lighted at all times whilst a dance is in progress.

Hours

9. (1) No public dance shall continue after 2 a.m. on any day from Monday to Friday inclusive, or after midnight on Saturday.

(2) No public dance shall be held on a Sunday.

Conduct of dances

10. (1) The holder of the licence shall, as far as possible, be present at all dances held in a public dance hall.

In the event of the holder of the licence not being able to attend any dance, a reliable person, selected by him and approved by the licensing authority at the time of granting the licence, shall be present to represent him.

(2) The holder of the licence shall exercise the sole right of granting or refusing admission to a public dance hall, and may exclude any person, or require any person to leave, who is under the influence of liquor or whose presence the licence holder considers for any other reason to be undesirable:

Provided that the holder of the licence, before requesting any person to leave a public dance hall, shall offer to refund to him the sum paid for admission.

Age of admission

11. (1) The holder of a licence, or his representative, shall not admit any young person of either sex who is under sixteen years of age to a public dance held on the premises in respect of which he holds a licence.

(2) Should any young person under sixteen years of age be admitted to any public dance, the holder of the licence shall be guilty of an offence against these Regulations unless he proves that he, or his representative, did not know, and could not with reasonable care have known, that the person admitted was under sixteen years of age.

Admission of police

12. Any policeman on duty shall be permitted to enter any public dance hall at any time.

Fees

13.³ (1) An application for a public dance hall licence shall be in writing and shall be submitted in duplicate to the licensing authority, together with all relevant plans and documents, not less than 21 days before the first date on which it is desired to use the premises for the purpose of public dancing.

(2) The annual fee for a public dance hall licence shall be £5, and for any transfer of a licence to another person approved by the licensing authority, £2.50.

Occasional licences

14.⁴ Occasional licences to hold public dances may be granted in respect of suitable premises on application to the licensing authority.

³ Regulation 13 amended by L.N. 8/1974 and Ord. 8 of 1981

⁴ Regulation 14 amended by L.N. 8/1974