

1980 BILL 52

Second Session, 19th Legislature, 29 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 52

THE AMUSEMENTS AMENDMENT ACT, 1980

MR. COOK

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 52
Mr. Cook

BILL 52

1980

THE AMUSEMENTS AMENDMENT ACT, 1980

(Assented to , 1980)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

1 The Amusements Act is amended by this Act.

2 Section 2 is amended

(a) by repealing clause (b),

(b) by repealing clause (e) and substituting the following:

(e) "film" means cinematographic film, videotape or other medium from which may be produced visual images that may be viewed as moving pictures and includes any part or section of the film, videotape or medium;

(c) by repealing clause (m).

3 Section 3(1) is repealed and the following is substituted:

3(1) No owner or any other person shall directly or indirectly conduct, operate or manage a film exchange or a travelling picture show unless he is the holder of a valid and subsisting licence issued under this Act and complies with this Act and the regulations with respect to a film exchange or travelling picture show.

Explanatory Notes

1 This Bill will amend chapter 18 of the Revised Statutes of Alberta 1970.

2 Section 2 presently reads in part:

(b) "carnival show" means a show consisting wholly or in part of one or more games or other form of amusement or entertainment held either indoors or out-of-doors in order to obtain money from the people who attend the show and participate or take part in any way in the one or more games or other form of amusement or entertainment;

(e) "film"

(i) means a moving picture or cinematograph film or similar device for use in connection with a cinematograph, and

(ii) includes any part or section of a reel of such film;

(m) "special feature" means a film not belonging to or censored for a film exchange licensed in Alberta;

3 Section 3(1) presently reads:

3(1) No owner or any other person shall directly or indirectly

(a) conduct, operate or manage a place of amusement or open it for the reception of the public upon payment of an admission price, or

(b) conduct, operate or manage a carnival show, or

(c) conduct, operate or manage a film exchange, or

(d) conduct, operate or manage a travelling amusement or travelling picture show,

unless he is the holder of a valid and subsisting licence issued under this Act and has complied with this Act and the regulations in respect of the place of amusement, carnival show, film exchange, travelling amusement or travelling picture show.

4 Section 4 is amended

(a) in subsection (1)

(i) by striking out “a place of amusement, carnival show,”, and

(ii) by striking out “, travelling amusement”,

(b) in subsection (2) by striking out “and other than projectionists’ licences,”,

(c) in subsection (4) by striking out “, place of amusement or carnival show”.

5 Section 5 is repealed.

6 Section 6 is amended

(a) in subsection (1)

(i) by striking out “travelling amusement or” wherever it occurs, and

(ii) by striking out “, subsection (1), clause (d)”,

(b) by repealing subsection (2).

7 Section 8(2)(e) is repealed.

4 Section 4 presently reads in part:

4(1) A licence to conduct or operate a place of amusement, carnival show, film exchange, travelling amusement or travelling picture show may be issued by the Minister

(a) upon receipt of a written application therefor from the applicant in such form as the Minister may prescribe, and

(b) upon payment of the licence fees required by the regulations.

(2) Every licence issued by the Minister, other than those to which subsection (3) applies and other than projectionists' licences, expires on the thirty-first day of December following the day of the issue of the licence.

(4) The Minister at any time may require an owner or other person

(a) to give information in writing under oath or otherwise, or

(b) to produce a contract, agreement or other document,

relating to an amusement, place of amusement or carnival show in respect of which application is being made for a licence or that is required to be licensed under this Act.

5 Section 5 presently reads:

5(1) The owner or operator of a place of amusement or carnival show shall at all times display the licence therefor in a conspicuous place therein.

(2) The owner or operator shall on demand produce the licence to an inspector or peace officer.

6 Section 6 presently reads:

6(1) No one shall allow a place of amusement to be used for a travelling amusement or travelling picture show unless the owner of the travelling amusement or travelling picture show is the holder of a valid and subsisting licence as required by section 3, subsection (1), clause (d).

(2) No travelling picture show shall exhibit films in a city, town or village where there is a moving picture theatre duly licensed as a place of amusement under this Act.

7 Section 8(2) (e) presently reads:

(2) An inspector or other officer may without warrant at all reasonable times enter into or upon a place of amusement or an office or place of business used or occupied in connection with an amusement,

(e) to inspect and examine a cinematograph, motion picture machine or other similar apparatus and the equipment used in connection with projection work.

8 Part 2 is repealed.

9 Sections 24 and 25 are repealed.

8 Part 2 presently reads:

PART 2

MOVING PICTURE OPERATORS

11(1) No person shall operate a cinematograph or moving picture machine or other similar apparatus for the public display of any moving pictures unless he

(a) is licensed to do so,

(b) has paid the licence fee which may from time to time be prescribed by the regulations,

(c) has given such proof of his competency by examination or otherwise as may be prescribed by the regulations, and

(d) has paid the fees prescribed for any examination to which he is required to submit.

(2) The fees payable for the licence required by subsection (1) shall not exceed \$10.

12 The Lieutenant Governor in Council shall appoint a Chief Inspector of Theatres who may for any cause set out in the regulations suspend for any period a licence issued under this Part.

13(1) The Lieutenant Governor in Council may appoint an Advisory Board consisting of not more than five members who shall consult with and advise the Minister on the regulations relating to moving picture operators and on any proposed amendments to the regulations.

(2) The Advisory Board shall meet when requested by the Minister.

(3) Members of the Advisory Board shall not receive remuneration for their services but shall be reimbursed all out-of-pocket expenses incurred in attending at meetings of the Board.

14(1) The Lieutenant Governor in Council may also appoint a Special Advisory Board consisting of not more than five members who shall study, consult with and advise the Minister on any matters relating to the moving picture industry which may be referred to the Special Advisory Board by the Minister.

(2) The Special Advisory Board shall meet when requested by the Minister.

(3) Members of the Special Advisory Board shall be paid such allowance as remuneration for their services and for the expenses necessarily incurred in the performance of their duties as the Lieutenant Governor in Council may from time to time determine.

9 Sections 24 and 25 presently read:

24 No person shall sell, barter or exchange a ticket of admission to a place of amusement for a price or consideration greater than that paid or given therefor to the owner of the place to which it authorizes admission.

25 All police officers shall, when required, forward quarterly to the Minister a list of all places of amusement in their district and upon an addition being made to the number of such places of amusement shall notify the Minister thereof.

10 Section 26 is amended

(a) in subsection (1)

(i) by striking out “an amusement, place of amusement or travelling amusement” and substituting “a film exchange or travelling picture show”,

(ii) by striking out “amusement, place of amusement or travelling amusement” and substituting “film exchange or travelling picture show”,

(b) by repealing subsection (2).

11 Section 29 is amended by repealing clauses 10, 11, 12, 13, 14, 22 and 23.

12 This Act comes into force on the day upon which it is assented to.

10 Section 26 presently reads:

26(1) If a city, town or village lawfully requires the owner of an amusement, place of amusement or travelling amusement required to be licensed under this Act to hold also a licence from such city, town or village, no such licence shall be issued unless the applicant is the holder of and produces a valid and subsisting licence issued under this Act in respect of such amusement, place of amusement or travelling amusement.

(2) No such licence shall be issued to a moving picture theatre exhibiting standard films unless the applicant is also the holder of a certificate of compliance obtained from the Chief Inspector of Theatres and certifying that the applicant has complied with the regulations governing the use, operation and safety measures with regard to fire and other hazards.

11 Section 29 presently reads in part:

29 The Lieutenant Governor in Council may make regulations

10 prescribing the method of using projectors and all other machines and instruments used in a theatre,

11 approving the type and style of projectors and projection equipment for use in theatres and prohibiting the use of unapproved types and styles of equipment in theatres,

12 governing the nature and character of the seating accommodation, aisles, entrances, exits, doorways and stairs and the construction of the stage and wings in a theatre,

13 regulating the construction of projection rooms and other parts of theatres,

14 governing generally the use, operation and safety measures with regard to fire or otherwise to be observed in a theatre or place of amusement, and providing for the supervision and inspection thereof,

22 prescribing the place of examination for projectionists or operators of moving picture machines and the conditions of admission to the examinations, and

23 dividing moving picture operators' licences into classes, and prescribing the work that may be performed by members of each class and the places where the work may be performed,