

PROHIBITION OF THE EXHIBITION OF FILMS ON SUNDAYS AND PUBLIC HOLIDAYS ACT 16 OF 1977

[ASSENTED TO 8 MARCH 1977]

[DATE OF COMMENCEMENT: 1 APRIL 1978]

(English text signed by the State President)

as amended by

Prohibition of the Exhibition of Films on Sundays and Public Holidays Amendment Act
102 of 1992

ACT

To prohibit the exhibition of films on Sundays and certain public holidays in certain circumstances and to provide for matters connected therewith.

1 Definitions

In this Act, unless the context otherwise indicates-

'film' includes any picture intended for exhibition through the medium of a mechanical device, and any film cassette, magnetic tape cassette or video-plate;

'local authority' means-

- (a) any institution or body contemplated in section 84 (1) (f) of the Provincial Government Act, 1961 (Act 32 of 1961);
- (b) any local authority as defined in section 1 (1) of the Black Local Authorities Act, 1982 (Act 102 of 1982);
- (c) a board of management or board referred to in section 1 of the Rural Areas Act (House of Representatives), 1987 (Act 9 of 1987);
- (d) any local council established under section 2 of the Local Councils Act (House of Assembly), 1987 (Act 94 of 1987);
- (e) the Local Government Affairs Council established by section 2 of the Local Government Affairs Council Act (House of Assembly), 1989 (Act 84 of 1989);
- (f) any joint or single local authority established under section 15 (a) of the Interim Measures for Local Government Act, 1991 (Act 128 of 1991);
- (g) any person, institution or body that, by virtue of the provisions of any law, exercises the powers and performs the duties which, in the opinion of the Minister of Justice, correspond to the powers and duties ordinarily exercised or performed by a local authority, and which the Minister of Justice, by notice in the *Gazette*, declares to be a local authority for the purposes of this Act;

[Definition of 'local authority' inserted by s. 1 of Act 102 of 1992.]

'Sunday' includes any public holiday mentioned in the Second Schedule to the Public Holidays Act, 1952 (Act 5 of 1952).

2 Prohibition of exhibition of films on Sundays in certain circumstances

(1) No person shall exhibit any film on any Sunday in or at any place to which admission is obtained for any consideration, direct or indirect, or by virtue of membership of any association of persons or by virtue of any contribution towards any fund, unless the local authority of the area concerned where that place is situated, has consented thereto on such conditions as it may determine.

[Sub-s. (1) substituted by s. 2 of Act 102 of 1992.]

(2) Such consent may be granted in general or in a particular case or in cases of a particular nature.

(3) Any person who contravenes the provisions of subsection (1) shall be guilty of an offence and liable on conviction to a fine not exceeding one thousand five hundred rand or to imprisonment for a period not exceeding twelve months or to both such fine and such imprisonment.

3 Repeal of laws

The Act to Secure the Better Observance of the Lord's Day (Act 19 of 1895), of the Cape of Good Hope, The Police Offences Ordinance, 1902 (Ordinance 21 of 1902), of the Orange Free State and Law 28 of 1896 of the Transvaal are hereby repealed in so far as they relate to the exhibition of films on Sundays.

4 Short title and commencement

This Act shall be called the Prohibition of the Exhibition of Films on Sundays and Public Holidays Act, 1977, and shall come into operation on a day fixed by the State President by proclamation in the *Gazette*.

PROHIBITION OF THE EXHIBITION OF FILMS ON SUNDAYS AND PUBLIC HOLIDAYS AMENDMENT ACT 102 OF 1992

[ASSENTED TO 18 JUNE 1992]

[DATE OF COMMENCEMENT: 3 JULY 1992]

(English text signed by the State President)

ACT

To amend the Prohibition of the Exhibition of Films on Sundays and Public Holidays Act, 1977, so as to define a certain expression; and to further regulate the prohibition of the exhibition of films on Sundays; and to provide for matters connected therewith.

1

Amends section 1 of the Prohibition of the Exhibition of Films on Sundays and Public Holidays Act 16 of 1977 by inserting the definition of 'local authority'.

2

Amends section 2 of the Prohibition of the Exhibition of Films on Sundays and Public Holidays Act 16 of 1977 by substituting subsection (1).

3 Short title

This Act shall be called the Prohibition of the Exhibition of Films on Sundays and Public Holidays Amendment Act, 1992.