L.N. 124 of 1995

CODE OF POLICE LAWS
(CAP. 10)

Maintenance of Good Order at Places of Entertainment Regulations, 1995

IN exercise of the powers conferred by section 203 of the Code of Police Laws the Minister for Home Affairs has made the following regulations:—

Citation.

1. These regulations may be cited as the Maintenance of Good Order at Places of Entertainment Regulations, 1995.

Interpretation.

2. In these regulations, unless the context otherwise requires —

Act No. XII of 1994.

"admission ticket" means a ticket supplied by the proprietor showing the total amount paid, including the duty payable under the Value Added Tax Act, 1994;

Cap. 9.

"arm" means any arm proper or improper as defined in section 64 of the Criminal Code and shall include any imitation thereof;

"Commissioner" means the Commissioner of Police and includes any officer of the Malta Police Force;

"place of entertainment" means any dancing hall, discotheque or dancing theatre, excluding such theatre when staged dancing is watched by a seated audience, and includes any other premises licensed for the sale of wine, beer and spirituous liquor where any entertainment, show or dancing is carried out;

"proprietor" in relation to any entertainment means the person organising or managing the entertainment or who is responsible for the organisation or management thereof and includes any person having any pecuniary interest in the entertainment or in the proceeds thereof, and any person on whose behalf payments for an entertainment are received; and in the case of a body of persons, the expression "proprietor" shall also include the manager or any other principal officer of such body of persons.

Admission to dancing place.

3. In the case of dancing halls, discotheques and dancing theatres, admission to any part of the premises shall be refused to anyone who is not provided with an admission ticket by the proprietor.

Dress.

4. No one shall be permitted to enter or to remain inside the premises, who is not properly dressed to the satisfaction of the proprietor.

Police search.

5. The Commissioner may search any person while gaining admission to, while inside or while leaving any place of entertainment.

Admission age.

6. (1) Persons under the age of sixteen shall not be allowed inside a place of entertainment, and young persons over the age of sixteen years shall prior to admission to any such place of entertainment produce and show their identity card to the proprietor.

(2) The proprietor shall be responsible to ensure that no person under the age of sixteen is permitted inside a place of entertainment.

Improper behaviour.

7. (1) Any person who while entering, is within, or is leaving a place of entertainment has in his possession any arm or who conducts himself in a manner likely to cause a breach of the peace shall be guilty of an offence against the provisions of these regulations.

(2) No one shall be allowed to obstruct any part of the premises reserved for dancing.

(3) No one shall be allowed in any part of the premises to which admission is forbidden.

(4) The Commissioner may remove from the premises any person who is disorderly or who disobeys his lawful orders.

(5) In the case of serious disorder, the Commissioner may stop the entertainment at any time and close the premises and require the public to leave the premises.

Display of admission charges.

8. The proprietor shall display the admission charges in a conspicuous place at the entrance to the premises of a place of entertainment in respect of each show, event or entertainment.

Smoking forbidden.

9. No person shall smoke any cigarette, cigar, tobacco or tobacco product on the premises of a place of entertainment. The sale of tobacco or its products within such premises is also prohibited:

Provided that such smoking may only take place on the premises of an open-air place of entertainment.

Offences by persons other than proprietor or his employees.

10. (1) Any person, other than the proprietor or his employees, who commits an offence against these regulations shall be liable on conviction to a fine (*multa*) of not less than twenty-five Maltese liri but not exceeding fifty Maltese liri, and in the case of a second or subsequent conviction to a fine (*multa*) of not less than fifty Maltese liri but not exceeding one hundred Maltese liri.

(2) Where a person has been found guilty of any offence against these regulations the Court may, in addition to the punishment awardable under paragraph (1) of this regulation, prohibit the offender from attending at any place of entertainment for a period not exceeding one year.

Offences by proprietor or his employees.

11. (1) In the case of offences committed by the proprietor or his employees against these regulations, the Court shall on conviction award a fine (*multa*) of not less than two hundred Maltese liri but not exceeding four hundred Maltese liri, and in the case of a second or

subsequent conviction a fine (*multa*) of not less than five hundred Maltese liri but not exceeding one thousand Maltese liri or to imprisonment for a term not exceeding one month, or to both such fine and imprisonment.

(2) In the case of a second or subsequent offence against these regulations, the Court shall at the request of the prosecution suspend the relative licence for a period of not less than one month but not exceeding twelve months.

Graver punishment.

12. Where any person has been found guilty of an offence against these regulations, which offence, under the Criminal Code or any other law, is liable to a penalty graver than that provided under these regulations, the Court shall award such graver punishment.

Repeals G.N. 69 of 1947.

13. The Regulations in regard to public balls at any theatre, cinema hall or other place of public entertainment, published by Government Notice 69 of 1947, are hereby repealed.

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