

Zambia

Theatres and Cinematograph Exhibition Act, 1929

Chapter 158

Legislation as at 31 December 1996

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Theatres and Cinematograph Exhibition Act, 1929 (Chapter 158)

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Zambia

Theatres and Cinematograph Exhibition Act, 1929

Chapter 158

Commenced on 1 January 1930

[This is the version of this document at 31 December 1996.]

[This legislation has been revised and consolidated by the Ministry of Legal Affairs of the Government of the Republic of Zambia. This version is up-to-date as at 31st December 1996.]

[54 of 1929; 1 of 1932; Government Notices 302 of 1964; 497 of 1964; Statutory Instrument 70 of 1964; Act No.13 of 1994]

An Act to regulate and control theatres and cinematograph exhibitions; and to provide for matters incidental thereto or connected therewith.

1. Short title

This Act may be cited as the Theatres and Cinematograph Exhibition Act.

[As amended by No. 1 of 1932]

2. Interpretation

In this Act, unless the context otherwise requires—

"**cinematograph exhibition**" means any exhibition of pictures or other optical effects presented by means of a cinematograph or other similar apparatus;

"**Licensing Officer**" means the District Secretary of the District in which any theatre is situate or such other person as the Minister shall, by *Gazette* notice, appoint for the purposes of this Act;

"**stage play**" includes any tragedy, comedy, farce, opera, burletta, interlude, melodrama, pantomime, dialogue, prologue, epilogue, concert or other dramatic or musical entertainment or any part thereof;

"**theatre**" means any building, tent or other erection open to the public, gratuitously or otherwise, where a stage play or cinematograph exhibition is performed or presented.

3. Licensing of theatres and safety of persons attending thereat

No theatre shall be used for the performance of stage plays or the presentation of cinematograph exhibitions without the licence in writing of the Licensing Officer having been previously obtained. If the Licensing Officer shall consider that the safety and convenience of persons attending such performances or presentations at such theatre are adequately provided for, he may grant such licence either generally or in respect of any single performance or presentation or for such period not exceeding twelve months as he may think fit. The Licensing Officer may refuse to grant such licence or may grant it subject to such terms and conditions as he may think desirable for the purpose of ensuring the safety and convenience of the persons attending such performances or presentations at such theatre. Any such licence may be revoked by the Licensing Officer if he shall consider that the safety or convenience of persons attending such performances or presentations is not adequately provided for.

4. Supervision to ensure safety

Where the Licensing Officer grants any licence as aforesaid upon condition that the stage play or cinematograph exhibition be conducted under the superintendence of some officer or person designated in the licence, then it shall be lawful, at any time, for the officer or person so designated to order such stage play or cinematograph exhibition to cease or to give any other direction which he may think necessary for

ensuring the safety of the premises at which the stage play or cinematograph exhibition takes place and of the persons attending the stage play or cinematograph exhibition.

5. Duty of occupier, etc., of theatre

The occupier or other person who manages or receives the rent of any theatre at which it may be proposed to perform or present any stage play or cinematograph exhibition shall ascertain whether the prescribed licence has been obtained and, if so, the terms of such licence. Such occupier or person shall give notice to the Inspector-General of Police or the officer in charge of the nearest police station, if and so soon as he has reason to believe that there is an intention to proceed with any stage play or cinematograph exhibition either without the prescribed licence or without everything having been done which may be required under such licence or under this Act or under any rules made thereunder to be done previous to such stage play or cinematograph exhibition taking place.

6. Power of entry

A Licensing Officer, a police officer, or any officer authorised for the purpose by the Minister by *Gazette* notice, may at all reasonable times enter any premises in which he has reason to believe that any stage play or cinematograph exhibition is being or is about to be performed or presented with a view to seeing whether the provisions of this Act or any rules made thereunder and the conditions of any licence granted under this Act have been complied with. Any person preventing or obstructing the entry of a police officer or any officer appointed as aforesaid, shall be guilty of an offence under this Act.

[As amended by G.N. No. 302 of 1964]

7. Establishment of Film Censorship Boards

The Minister may, by *Gazette* notice, appoint one or more Film Censorship Boards (hereinafter referred to as "the Board") consisting of such number of persons as the Minister may determine.

[As amended by G.N. No. 302 of 1964 and S.I. No. 70 of 1964]

8. Description of cinematograph scene to be submitted

- (1) A descriptive title of every picture or series of pictures intended to be presented at any cinematograph exhibition and copies of all posters advertising the same shall be sent to the Board with an account of the theatre where and the time when the exhibition is intended to be presented.
- (2) Power to inspect

The Board may inspect or cause to be inspected any picture or pictures, and no picture or series of pictures shall be presented at any cinematograph exhibition nor shall any posters advertising such exhibition be displayed without a permit from the Board previously had and obtained.

9. Appeal to the President

An appeal shall lie to the President in respect of any act or decision of a Licensing Officer or the Board done or made or omitted to be done or made under the provisions of this Act and the President may confirm, disallow or vary such act or decision of a Licensing Officer or the Board or direct him to act in such manner as to the President shall seem fit, subject to the provisions of this Act and any regulations made thereunder.

10. Penalties

Every omission or neglect to comply with and every act done or attempted to be done contrary to the provisions of this Act or of any regulations made thereunder, or in breach of the conditions and restrictions subject to or upon which any licence or permit has been issued, shall be deemed to be an offence against this Act and for every such offence the offender shall be liable to a fine not exceeding nine

hundred penalty units or to imprisonment with or without hard labour for a term not exceeding three months.

11. Application

This Act shall not apply to a performance of a stage play or cinematograph exhibition to which the public are not admitted either gratuitously or otherwise.

[As amended by Act [No. 13 of 1994](#)]

12. Regulations

The President may, by statutory instrument, make regulations—

- (a) prescribing the form of any licence or permit under this Act and the fees payable therefor;
- (b) prescribing conditions to be observed in reference to the erection, alteration and equipment of any theatre;
- (c) prescribing conditions to be observed in reference to the safety from fire or otherwise of any theatre or for the safety, convenience and control of persons attending any such theatre;
- (d) prescribing the quorum, powers and duties of the Board and the area for which such Board is constituted;
- (e) generally for the better carrying into effect of the provisions of this Act.

[As amended by G.N. No. 302 of 1964]