

THE DRAMATIC PERFORMANCES ACT.

[INDIA ACT XIX, 1876.] (16th December, 1876.)

1. * * * *

"Magistrate" defined.

2. In this Act "Magistrate" means the District Magistrate.

Power to prohibit certain dramatic performances.

3. Whenever the President of the Union is of opinion that any play pantomime or other drama performed or about to be performed in a public place is—

- (a) of a scandalous or defamatory nature, or
- (b) likely to excite feelings of disaffection to the Government established by law in the Union of Burma * * *¹, or
- (c) likely to deprave and corrupt persons present at the performance.

the President of the Union, or outside Rangoon the President of the Union or such Magistrate as he may empower in this behalf, may by order prohibit the performance.

Explanation.—Any building or enclosure to which the public are admitted to witness a performance on payment of money shall be deemed a "public place" within the meaning of this section.

Power to serve order of prohibition.

4. A copy of any such order may be served on any person about to take part in the performance so prohibited, or on the owner or occupier of any house, room or place in which such performance is intended to take place; and any person on whom such copy is served, and who does, or willingly permits, any act in disobedience to such order, shall be punished on conviction before a Magistrate with imprisonment for a term which may extend to three months, or with fine, or with both.

Penalty for disobeying order.

Power to notify order.

5. Any such order may be notified by proclamation, and a written or printed notice thereof may be stuck up at any place or places adapted for giving information of the order to the persons intending to take part in or to witness the performance so prohibited.

Penalty for disobeying prohibition.

6. Whoever after the notification of any such order—

- (a) takes part in the performance prohibited thereby or in any performance substantially the same as the performance so prohibited, or
- (b) in any manner assists in conducting any such performance, or
- (c) is in wilful disobedience to such order present as a spectator during the whole or any part of any such performance, or

¹ Omitted by the Union of Burma (Adaptation of Laws) Order, 1948.

(d) being the owner or occupier, or having the use of any house, room or place, opens, keeps or uses the same for any such performance, or permits the same to be opened, kept or used for any such performance,

shall be punishable on conviction before a Magistrate with imprisonment for a term which may extend to three months, or with fine, or with both.

7. For the purpose of ascertaining the character of any intended public dramatic performance, the President of the Union, or such officer as he may specially empower in this behalf, may apply to the author, proprietor or printer of the drama about to be performed, or to the owner or occupier of the place in which it is intended to be performed, for such information as the President of the Union or such officer thinks necessary.

Power to call for information.

Every person so applied to shall be bound to furnish the same to the best of his ability, and whoever contravenes this section shall be deemed to have committed an offence under section 176 of the Penal Code.

8. If any Magistrate has reason to believe that any house, room or place is used, or is about to be used, for any performance prohibited under this Act, he may, by his warrant, authorize any officer of police to enter with such assistance as may be requisite, by night or by day, and by force if necessary, any such house, room or place, and to take into custody all persons whom he finds therein, and to seize all scenery, dresses and other articles found therein and reasonably suspected to have been used, or to be intended to be used, for the purpose of such performance.

Power to grant warrant to police to enter and arrest and seize.

9. No conviction under this Act shall bar a prosecution under section 124A or section 294 of the Penal Code.

Saving of prosecution under Penal Code sections 124A and 294.

10. Whenever it appears to the President of the Union that the provisions of this section are required in any local area, he may declare, by notification in the Gazette, that such provisions are applied to such area from a day to be fixed in the notification.

Power to prohibit dramatic performance in any local area, except under licence.

On and after that day, the President of the Union may order that no dramatic performance shall take place in any place of public entertainment within such area, except under a licence to be granted by the President of the Union, or such officer as he may specially empower in this behalf.

The President of the Union may also order that no dramatic performance shall take place in any place of public entertainment within such area, unless a copy of the piece, if and so far as it is written, or some sufficient account of its purport, if and so far as it is in pantomime, has been furnished, not less than three days before the performance, to the President of the Union, or to such officer as he may appoint in this behalf.

A copy of any order under this section may be served on any keeper of a place of public entertainment; and if thereafter he does or willingly permits

any act in disobedience to such order, he shall be punishable on conviction before a Magistrate with imprisonment for a term which may extend to three months, or with fine, or with both.

11. * * * *

Exclusion of performances at religious festivals.

12. Nothing in this Act applies to any *jatras* or performances of a like kind at religious festivals.

THE CINEMATOGRAPH ACT.

[INDIA ACT II, 1918.] (6th March, 1918.)

1. The President of the Union may, by notification, direct that the whole or any part of this Act shall come into force in the whole or any part of the Union of Burma on such date as shall be specified in the notification.

2. In this Act, unless there is anything repugnant in the subject or context,—

“cinematograph” includes any apparatus for the representation of moving pictures or series of pictures ;

“place” includes also a house, building, tent or vessel ; and

“prescribed” means prescribed by rules made under this Act.

Cinematograph exhibitions to be licensed.

3. Save as otherwise provided in this Act, no person shall give an exhibition by means of a cinematograph elsewhere than in a place licensed under this Act, or otherwise than in compliance with any conditions and restrictions imposed by such licence.

Licensing authority.

4. The authority having power to grant licences under this Act (hereinafter referred to as the “licensing authority”) shall be the District Magistrate, or, in the town of Rangoon, the Commissioner of Police :

Provided that the President of the Union may, by notification in the Gazette, constitute for the whole or any part of the Union of Burma such other authority as he may specify in the notification to be the licensing authority for the purposes of this Act.

Restrictions on powers of licensing authority.

5. (1) The licensing authority shall not grant a licence under this Act, unless it is satisfied that—

(a) the rules made under the Act have been substantially complied with ; and

(b) adequate precautions have been taken in the place in respect of which the licence is to be given to provide for the safety of persons attending exhibitions therein.