

Public Entertainments and Meetings (Demerit Points) Rules

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PUBLIC ENTERTAINMENTS AND MEETINGS ACT (CHAPTER 257, SECTIONS 15 AND 23)

PUBLIC ENTERTAINMENTS AND MEETINGS (DEMERIT POINTS) RULES

R 2

G.N. No. S 407/2001

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(31st January 2002)

[1st September 2001]

Citation

1. These Rules may be cited as the Public Entertainments and Meetings (Demerit Points) Rules.

Definitions

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

“licence” means a licence issued under the Act —

(a) for the provision of any public entertainment in a pub, lounge, discotheque, bar, cabaret, nightclub, restaurant, snack bar or cafe;

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(b) for any of the following public entertainments:

(i) amusement centre;

(ii) amusement park;

(iii) billiard saloon;

(iv) computer games centre; or

(c) for the provision of any machine or device by the manipulation of which chances are given of obtaining prizes in money or kind at any place other than at a fun fair,

and “licensee” shall be construed accordingly;

“scheduled condition” means any condition described in the Schedule;

“fun fair” means an amusement fair which is, or may be, established and operated for a continuous period of not more than 31 days in any place to which the public or any class of the public has access, whether gratuitously or otherwise.

Award of demerit points

3.—(1) Six demerit points shall be awarded to a licensee who has been convicted of, or who has accepted an offer to compound, an offence under section 19(1)(c) of the Act for contravening a scheduled condition of his licence.

(2) Three demerit points shall be awarded to a licensee who has been convicted of, or who has accepted an offer to compound, an offence under section 19(1)(c) of the Act for contravening any other condition (not being a scheduled condition) of his licence.

(3) Any demerit point awarded under paragraph (1) or (2) shall take effect from the date of the commission or alleged commission of the offence.

Demerit points for requiring security

4. The Licensing Officer may —

- (a) require a licensee to give security or (as the case may be) additional security of \$2,000 under section 11(2) of the Act if the licensee has been awarded a total number of 12 or more demerit points but less than 15 demerit points; or
- (b) require a licensee to give security or (as the case may be) additional security of \$5,000 under section 11(2) of the Act if the licensee has been awarded a total number of 15, 18 or 21 demerit points.

Demerit points for forfeiture of security

5. Without prejudice to rule 4(b), the Licensing Officer may forfeit any security of a licensee under section 11(4)(b) of the Act if the licensee has been awarded a total number of 15 or more demerit points.

Demerit points for suspension or cancellation of licence

6. For the purposes of section 14(3) of the Act, the Licensing Officer may —

- (a) suspend a licence if the licensee has been awarded a total number of 21 or more demerit points but less than 24 demerit points; or
- (b) cancel a licence if the licensee has been awarded a total number of 24 or more demerit points.

Calculation of demerit points

7. In calculating the total number of demerit points awarded to a licensee in respect of any place for the purposes of the Act and these Rules —

- (a) only such demerit points as have been awarded to a licensee in respect of that place within a period not exceeding 24 consecutive months, commencing from the date of the first award of demerit points within that period, shall be considered;
- (b) all demerit points awarded to the licensee —
 - (i) in respect of any other place; or
 - (ii) before the period referred to in paragraph (a),shall not be considered; and
- (c) where a licensee holds more than one licence in respect of that place, the aggregate of such demerit points as have been awarded to the licensee in

respect of all the licences held in respect of that place shall be considered.

THE SCHEDULE

Rule 2

SCHEDULED CONDITIONS

PART I

NIGHTCLUBS, CABARETS, DISCOTHEQUES, BARS, LOUNGES AND OTHER PUBLIC HOUSES

1. The licensee shall take all appropriate steps to ensure that the following offences are not committed by staff members, patrons or others in the licensed premises:

- (a) sale, consumption or trafficking of controlled drugs;
- (b) use of criminal force;
- (c) criminal restraint and confinement;
- (d) intentional insult with intent to provoke breach of the peace;
- (e) affray;
- (f) assault;
- (g) rioting;
- (h) sexual offences (for example, rape, outraging of modesty or unnatural offences);
- (i) theft;
- (j) robbery;
- (k) extortion;
- (l) gambling or betting;
- (m) causing the disappearance of evidence after an offence has been committed; and
- (n) offences under the Women's Charter (Cap. 353) relating to prostitution.

2. If any of the offences set out in paragraph 1 has been committed, the licensee —

- (a) shall report the offence to the police as soon as the offence comes to his knowledge;
- (b) shall not remove, conceal or obliterate any evidence of the commission of the offence;
- (c) shall not cause obstruction to the police officers investigating the offence; and
- (d) shall provide reasonable assistance to police officers when requested.

3. The licensee shall not employ, engage or permit any person to provide any service (with or without any consideration) by way of or in connection with surveillance, security, screening or the control of

admission into or in respect of the licensed premises (with or without any consideration) if he knows or ought reasonably to have known that the person is a member or a former member of an unlawful society or has previously been convicted of an offence involving criminal assault, violence, intimidation or any form of criminal trespass to persons or property.

4. The licensee shall ensure that no illegal or immoral activity is carried out in the licensed premises at all times

5.—(1) The licensee shall obtain the prior written approval of the Licensing Officer for patrons to dance in the licensed premises.

(2) If the Licensing Officer grants his approval under sub-paragraph (1), the licensee shall ensure —

- (a) that bar-girls, lounge hostesses and waitresses do not dance with patrons; and
- (b) that persons below the age of 16 years are not allowed into or to remain in the licensed premises, except during the hours that the licensed premises are operated as a restaurant (during which hours no dancing is permitted).

(3) Any approval granted under this paragraph may be revoked if the licensee fails to exercise or maintain proper control of the licensed premises, staff members, performers or patrons.

PART II

COMPUTER GAMES CENTRE

1. The licensee shall take all appropriate steps to ensure that the following offences are not committed by staff members, patrons or others in the licensed premises:

- (a) sale, consumption or trafficking of controlled drugs;
- (b) use of criminal force;
- (c) criminal restraint and confinement;
- (d) intentional insult with intent to provoke breach of the peace;
- (e) affray;
- (f) assault;
- (g) rioting;
- (h) sexual offences (for example, rape, outraging of modesty or unnatural offences);
- (i) theft;
- (j) robbery;
- (k) extortion;
- (l) gambling or betting; and
- (m) causing the disappearance of evidence after an offence has been committed.

2. If any of the offences set out in paragraph 1 has been committed, the licensee —

- (a) shall report the offence to the police as soon as the offence comes to his knowledge;