

THE PUNJAB PROHIBITION OF SMOKING IN CINEMA HOUSES ORDINANCE, 1960

(IV of 1960)

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TEXT

**'THE ²[PUNJAB] PROHIBITION OF SMOKING IN CINEMA HOUSES
ORDINANCE, 1960**

(IV of 1960)

[6 February 1960]

An
Ordinance

to prohibit smoking in cinema houses in the Province of ³[the Punjab].

Preamble.— **WHEREAS** it is expedient to prohibit smoking in cinema houses in the Province of ⁴[the Punjab];

NOW, THEREFORE, in pursuance of the Presidential Proclamation of the seventh day of October, 1958, and in exercise of all powers enabling him in that behalf, the Governor of West Pakistan is pleased to make and promulgate the following Ordinance:—

1. Short title and extent.— (1) This Ordinance may be called the ⁵[Punjab] Prohibition of Smoking in Cinema Houses Ordinance, 1960.

⁶[(2) It extends to the whole of the Province of ⁷[the Punjab], except the Tribal Areas.]

2. Definitions.— In this Ordinance, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them, that is to say—

- (a) “cinema house” means any building, tent, or any roofed and enclosed structure, used ordinarily for the exhibition to the public, whether on payment or otherwise, of cinematographic films;
- (b) “Government” means the ⁸[Provincial Government of the Punjab];
- (c) “management” means the person or persons responsible for managing a performance, demonstration or exhibition in a cinema house.

¹This Ordinance was promulgated by the Governor of West Pakistan on February 4, 1960, published in the West Pakistan Gazette (Extraordinary), dated February 6, 1960, pp. 885-886; saved and given permanent effect by Article 225 of the Constitution of the Islamic Republic of Pakistan (1962).

²Substituted for the words “West Pakistan” by the Punjab Laws (Adaptation) Order, 1974 (1 of 1974) (w.e.f. 14.8.1973), published in the Punjab Gazette (Extraordinary), dated November 20, 1974, pp. 1425-A-1425-PP, Article 2 read with Schedule, Part III, Serial No. 32.

³Ibid.

⁴Ibid.

⁵Ibid.

⁶Substituted by the West Pakistan Laws (Extension to Karachi) Ordinance, 1964 (VII of 1964), published in the West Pakistan Gazette (Extraordinary), dated May 25, 1964, pp. 1679-1688, s. 2 read with Schedule, Serial No. 33.

⁷Substituted for the words “West Pakistan” by the Punjab Laws (Adaptation) Order, 1974 (1 of 1974) (w.e.f. 14.8.1973), published in the Punjab Gazette (Extraordinary), dated November 20, 1974, pp. 1425-A-1425-PP, Article 2 read with Schedule, Part III, Serial No. 32.

⁸Substituted for the words “Government of West Pakistan” by the Order *ibid.*

3. Penalty for smoking in cinema houses.— Whoever smokes, during any performance, demonstration or exhibition, in any part of a cinema house reserved for the audience or the spectators, shall be punished with fine which may extend to one hundred rupees.

Explanation.— For the purpose of this section, a performance, demonstration or exhibition shall be deemed to commence when the audience or the spectators have entered the cinema house to witness the performance, demonstration or exhibition therein and to continue until they have left the house after the final closing of the performance, demonstration or exhibition.

4. Power to arrest without warrant.— Any police officer not below the rank of Sub-Inspector, may arrest without warrant any person who in his presence commits an offence punishable under section 3, but shall release him on his personal bond for attendance before a Magistrate on a specified date.

5. Management to post notices or exhibit slides.— (1) The management shall bring to the notice of the audience or the spectators, by posting notices prominently or by exhibiting slides, that any person smoking during a performance, demonstration or exhibition, in any part of a cinema house reserved for the audience or spectators, shall be liable to arrest without warrant and to fine.

(2) Whoever contravenes the provisions of sub-section (1) shall be punished with fine which may extend to one hundred rupees.

6. Power to exempt.— The ¹[Executive District Officer (Health)] or any officer authorised by him in this behalf, may, by general or special order in writing, direct that the provisions of this Ordinance shall not apply in respect of any cinema house or any performance, demonstration or exhibition therein.

7. Power to make rules.— Government may make rules for carrying out the purposes of this Ordinance.

¹Substituted for the words "District Magistrate" by the Punjab Prohibition of Smoking in Cinema Houses (Amendment) Ordinance, 2001 (LII of 2001), published in the Punjab Gazette (Extraordinary), dated December 10, 2001, pp. 1971-1972, s. 2, which will remain in force under the Provisional Constitution (Amendment) Order 1999 (9 of 1999), Article 4, notwithstanding the maximum limit of three months prescribed under Article 128 of the Constitution of the Islamic Republic of Pakistan.