



# Theatres Act 1968

## 1968 CHAPTER 54

### *Miscellaneous and general*

#### **15 Powers of entry and inspection.**

- (1) If a justice of the peace is satisfied by information on oath that there are reasonable grounds for suspecting, as regards any premises specified in the information—

- (a) that a performance of a play is to be given at those premises, and that an offence under section 2, 5 or 6 of this Act is likely to be committed in respect of that performance; <sup>[F1]</sup>or
- (b) <sup>[F2]</sup><sup>[F3]</sup>that an offence under section 13(1) of this Act is being or will be committed in respect of those premises.]]

the justice may issue a warrant under his hand empowering any police officer <sup>[F4]</sup><sup>[F5]</sup>or, in a case falling within paragraph (b) above, any police officer or authorised officer of the licensing authority]] at any time within <sup>[F6]</sup>fourteen days<sup>[F6]</sup>one month from the date of the warrant to enter the premises and—

- (i) in a case falling within paragraph (a) above, to attend any performance of a play which may be given there;
- (ii) <sup>[F7]</sup>in a case falling within paragraph (b) above, to inspect the premises.]

In the application of this subsection to Scotland, the references to a justice of the peace shall be construed as including references to the sheriff . . . <sup>F8</sup>

- (2) <sup>[F9]</sup><sup>[F10]</sup>Any authorised officer of the licensing authority may, on production if so required of his authority, at all reasonable times enter any premises in respect of which a licence under this Act is in force at which he has reason to believe that a performance of a play is being or is about to be given and inspect them with a view to seeing whether the terms, conditions or restrictions on or subject to which the licence is held are complied with.]]
- (3) <sup>[F9]</sup><sup>[F10]</sup>The power conferred by subsection (2) above on an authorised officer of the licensing authority shall be exercisable also by a police officer who shall not, if wearing uniform, be required to produce any authority.]]

*Changes to legislation: There are currently no known outstanding effects for the Theatres Act 1968, Section 15. (See end of Document for details)*

- (4) <sup>F11</sup><sup>F10</sup>In relation to premises situated in the area of a <sup>F12</sup>fire<sup>F12</sup>relevant]] authority that is not the same body as the licensing authority, subsection (2) above shall have effect as if the references to an authorised officer of the licensing authority included references to an authorised <sup>F13</sup>officer<sup>F13</sup>employee]] of that <sup>F12</sup>fire<sup>F12</sup>relevant]] authority.]]
- (5) <sup>F14</sup><sup>F10</sup>Any person who wilfully obstructs an authorised officer of a licensing authority acting in the execution of a warrant under subsection (1) above or an authorised officer of a licensing authority <sup>F15</sup>or <sup>F16</sup>fire<sup>F16</sup>authorised employee of a relevant]] authority acting in the exercise of his powers under subsection (2) above shall be liable on summary conviction to a fine not exceeding <sup>F17</sup>level 1 on the standard scale].]]
- <sup>F18</sup>(6) .....
- <sup>F19</sup>(7) <sup>F20</sup>In this section, “relevant authority” has the meaning given by section 6 of the [Fire \(Scotland\) Act 2005 \(asp 5\)](#) . ]]

#### Textual Amendments

- F1** Word in s. 15(1) repealed (S.) (27.1.2021) by [Air Weapons and Licensing \(Scotland\) Act 2015 \(asp 10\)](#), **ss. 74(4)(a)(i)**, 88(2); S.S.I. 2019/99, art. 2(2) (with art. 3)
- F2** S. 15(1)(b) repealed (S.) (27.1.2021) by [Air Weapons and Licensing \(Scotland\) Act 2015 \(asp 10\)](#), **ss. 74(4)(a)(ii)**, 88(2); S.S.I. 2019/99, art. 2(2) (with art. 3)
- F3** S. 15(1)(b) and preceding word cease to have effect (E.W.) (24.11.2005) by virtue of [Licensing Act 2003 \(c. 17\)](#), s. 201(2), **Sch. 6 para. 45(a)(i)** (with ss. 2(3), 15(2), 195); S.I. 2005/3056, art. 2(2)
- F4** Words in s. 15(1) cease to have effect (E.W.) (24.11.2005) by [Licensing Act 2003 \(c. 17\)](#), s. 201(2), **Sch. 6 para. 45(a)(ii)** (with ss. 2(3), 15(2), 195); S.I. 2005/3056, art. 2(2)
- F5** Words in s. 15(1) repealed (S.) (27.1.2021) by [Air Weapons and Licensing \(Scotland\) Act 2015 \(asp 10\)](#), **ss. 74(4)(a)(iii)**, 88(2); S.S.I. 2019/99, art. 2(2) (with art. 3)
- F6** Words “one month” substituted (E.W.) for words “fourteen days” by [Police and Criminal Evidence Act 1984 \(c. 60, SIF 95\)](#), s. 119(1), **Sch. 6 para. 18**
- F7** S. 15(1)(ii) repealed (S.) (27.1.2021) by [Air Weapons and Licensing \(Scotland\) Act 2015 \(asp 10\)](#), **ss. 74(4)(a)(iv)**, 88(2); S.S.I. 2019/99, art. 2(2) (with art. 3)
- F8** Words repealed by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), **Sch. 29**
- F9** S. 15(2)(3) repealed (S.) (27.1.2021) by [Air Weapons and Licensing \(Scotland\) Act 2015 \(asp 10\)](#), **ss. 74(4)(b)**, 88(2); S.S.I. 2019/99, art. 2(2) (with art. 3)
- F10** S. 15(2)-(5) ceases to have effect (E.W.) (24.11.2005) by virtue of [Licensing Act 2003 \(c. 17\)](#), s. 201(2), **Sch. 6 para. 45(b)** (with ss. 2(3), 15(2), 195); S.I. 2005/3056, art. 2(2)
- F11** S. 15(4) repealed (S.) (1.10.2006) by [Fire \(Scotland\) Act 2005 \(Consequential Modifications and Savings\) Order 2006 \(S.S.I. 2006/475\)](#), art. 1, **Sch. 2**
- F12** Word in s. 15(4) substituted (S.) (2.8.2005) by [The Fire \(Scotland\) Act 2005 \(Consequential Modifications and Amendments\) Order 2005 \(S.S.I. 2005/383\)](#), art. 1, **Sch. 1 para. 1(a)(i)**
- F13** Word in s. 15(4) substituted (S.) (2.8.2005) by [The Fire \(Scotland\) Act 2005 \(Consequential Modifications and Amendments\) Order 2005 \(S.S.I. 2005/383\)](#), art. 1, **Sch. 1 para. 1(a)(ii)**
- F14** S. 15(5) repealed (S.) (27.1.2021) by [Air Weapons and Licensing \(Scotland\) Act 2015 \(asp 10\)](#), **ss. 74(4)(b)**, 88(2); S.S.I. 2019/99, art. 2(2) (with art. 3)
- F15** Words in s. 15(5) repealed (S.) (1.10.2006) by [Fire \(Scotland\) Act 2005 \(Consequential Modifications and Savings\) Order 2006 \(S.S.I. 2006/475\)](#), art. 1, **Sch. 2**
- F16** Words in s. 15(5) substituted (S.) (2.8.2005) by [The Fire \(Scotland\) Act 2005 \(Consequential Modifications and Amendments\) Order 2005 \(S.S.I. 2005/383\)](#), art. 1, **Sch. 1 para. 1(b)**
- F17** Words substituted by virtue of (E.W.) [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **ss. 38**, 46 and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#) ss. 289F, 289G
- F18** S. 15(6) repealed (24.11.2005) by [Licensing Act 2003 \(c. 17\)](#), s. 201(2), **Sch. 6 para. 45(c)**, **Sch. 7** (with ss. 2(3), 15(2), 195); S.I. 2005/3056, art. 2(2) (with art. 4) and S. 15(6) repealed (S.) (27.1.2021)

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**Changes to legislation:** There are currently no known outstanding effects for the Theatres Act 1968, Section 15. (See end of Document for details)

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by Air Weapons and Licensing (Scotland) Act 2015 (asp 10), **ss. 74(4)(b)**, 88(2); S.S.I. 2019/99, art. 2(2) (with art. 3)

**F19** S. 15(7) added (S.) (2.8.2005) by The Fire (Scotland) Act 2005 (Consequential Modifications and Amendments) Order 2005 (S.S.I. 2005/383), art. 1, **Sch. 1 para. 1(c)**

**F20** S. 15(7) repealed (S.) (1.10.2006) by Fire (Scotland) Act 2005 (Consequential Modifications and Savings) Order 2006 (S.S.I. 2006/475), art. 1, **Sch. 2**

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**Modifications etc. (not altering text)**

**C1** S. 15 extended by Public Order Act 1986 (c.64, SIF 39:2), **s. 20(6)**

**C2** S. 15 applied by 1986 c. 64, s. 29D(5) (as inserted (E.W.) (1.10.2007) by Racial and Religious Hatred Act 2006 (c. 1), s. 3(2), **Sch.**; S.I. 2007/2490, art. 2)

**C3** The reference to section 5 repealed by Public Order Act 1986 (c. 64, SIF 39:2), s. 40(3), **Sch. 3**

**Changes to legislation:**

There are currently no known outstanding effects for the Theatres Act 1968, Section 15.