

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 319
REGULATING THE OPERATION OF NIGHT CLUBS, CABARETS,
DANCING SCHOOLS, AND DANCE HALLS

By virtue of the powers vested in me under Commonwealth Act Numbered Six hundred and one, entitled "An Act to regulate the establishment, maintenance and operation of places of amusement in chartered cities, municipalities and municipal districts," the following rules and regulations governing night clubs, cabarets, dancing schools and dance halls are hereby promulgated:

1. *Definitions.*—(a) "Night club" shall include any place or establishment selling to the public food or drinks where customers are allowed to dance.

(b) "Cabaret, dance hall or dancing school" shall include any place or establishment where dancing is permitted to the public and where professional hostesses or dancers are employed or where an admission fee or any other charge for dancing is collected.

(c) "Professional hostess" shall include any woman employed by any of the establishments herein defined to entertain guests at their table or to dance with them.

(d) "Professional dancer" shall include any woman who dances at any of the establishments herein defined for a fee or remuneration paid directly or indirectly by the operator or by the persons with whom she dances.

(e) "Operator" shall include the owner, manager, administrator or any person who operates and is responsible for the operation of any night club, cabaret, dancing school, or dance hall, in accordance with the provisions of these regulations.

2. *Location.*—No night club, cabaret, dancing school or dance hall shall be established within a distance of one thousand lineal meters from any city hall or municipal building provincial building, public plaza, public school, church, hospital, athletic stadium, public park, or any institution of learning or of charity.

3. *Building requirements.*—(a) In each night club, cabaret, dancing school or dance hall there shall be a dancing space properly ventilated, well lighted and maintained under sanitary conditions at all times while the establishment is open, leaving no dark corners therein. The building should be safe for dancing purposes.

(b) In such establishments there shall be no private rooms nor separate compartments, except those assigned for lavatories, dressing rooms for ladies, bar, and kitchen: *Provided, however,* That the dancing and dining hall of every night club, cabaret, dancing school or dance hall, which is also authorized to operate a hotel, shall be on a floor separate from its lodging rooms. There shall be in such establishments at least two sets of lavatories, one exclusively for women and another for men. The building must be certified to by the city or district engineer as safe for dancing purposes.

(c) Every establishment shall be properly enclosed with fence provided with only one entrance and it shall have no direct or indirect communication whatever with any dwelling place, house or building except through said entrance. It shall also have proper places for parking vehicles in order to

avoid congestion and blocking of traffic. The parking place must be either an open ground or provided with one door for entrance and another for exit.

4. *Days and hours of operation.*—Excepting Christmas eve and New Year's eve, night clubs, cabarets, dancing schools and dance halls shall be open only from 5 o'clock p. m. to 12 o'clock midnight every day, except Saturdays and days preceding official holidays and days falling on town fiestas, when they can be open until 2 o'clock in the morning of the following day: *Provided, however,* That in case of any establishment herein authorized is also duly licensed to operate a regular restaurant, cafe or refreshment parlors, it may remain open before or after said hours to serve only meals or refreshments, without permitting dancing to take place therein.

5. *Restrictions as to persons.*—(a) Minors under eighteen years of age, persons carrying deadly weapons or firearms of any description, except government officials performing their public functions, and intoxicated persons shall not be admitted nor allowed to remain in any night club, cabaret, dancing school or dance hall, either as customer, employee or under any capacity: *Provided, however,* That persons under eighteen years of age may be admitted in such establishments when they are in private parties and accompanied by their parents or guardians.

(b) No woman shall be employed as a professional hostess or dancer, unless she is at least twenty-one years of age and without first having obtained a written certificate from the District or City Health Officer that she is free from contagious or infectious diseases: *Provided,* That with the written consent of her parents or guardians a woman eighteen years of age or more but below twenty-one years may be so employed. No professional hostess or dancer shall be allowed to continue working as such, upon discovery by the District or City Health Officer that she is suffering from any contagious or infectious disease or after conviction of any disorderly, immodest or immoral conduct, or violation of any provision of this Order. The medical certificate required herein shall be obtained once every three months.

6. *Supervision.*—Night clubs, cabarets, dancing schools and any dance halls shall be under the supervision of the Department of the Interior, which is hereby charged with the enforcement of this Executive Order. Whenever public interest so requires, or at the request of the operator, the mayor of the city, municipality or municipal district concerned may assign one or more policemen in any night club, cabaret, dancing school or dance hall, to maintain peace and order in or around its premises and enforce the provisions of this Order and other municipal or sanitary regulations in the premises.

7. *Requisites for the issuance of permits.*—Permits for the opening or operation of night clubs, cabarets, dancing schools or dance halls shall be issued by the city or provincial treasurer or his duly designated representative: *Provided,* That no permit for the opening of any night club, cabaret, dancing school or dance hall shall be issued unless the applicant has complied with the provisions of this Order.

8. *Licenses.*—In addition to the permit herein required, the operator shall obtain a license from the treasurer of the city, municipality, or municipal district concerned, for the operation of a night club, cabaret, dancing school or dance hall, which license shall be issued upon payment of a license fee of not less than two hundred pesos annually or fifty pesos quarterly; *Provided, however,* That existing ordinances prescribing higher fees than two hundred pesos annually or fifty pesos quarterly shall remain in force until otherwise provided for by the President: *Provided, further,* That a city or municipal council desiring to impose a higher fee may do so upon approval of the President.

9. *Complaints.*—Any person who believes that a night club, cabaret, dancing school, or dance hall is established or located in any place not authorized by this Executive Order, may file a protest with the Secretary of the Interior, who is hereby authorized after proper investigation to decide the case or cancel the permit and license.

10. *Appeals.*—Any action of the city, provincial or municipal treasurer under the provisions of paragraphs seven and eight of this Order may be appealed to the Secretary of the Interior whose decision shall be final.

11. *Revocation of permit.*—The Secretary of the Interior shall revoke any permit or license granted under this Order upon satisfactory evidence that gambling or playing of any prohibited game has taken place within the premises of any night club, cabaret, dancing school or dance hall.

12. *Violation of the regulations.*— In case of violation of any of these regulations, the permit for the operation of a night club, cabaret, dancing school or dance hall shall be withdrawn by the Secretary of the Interior and the license revoked. Such revocation of the permit and license shall operate to forfeit to the city or municipality concerned all sums paid therefor.

13. Night clubs, cabarets, dancing schools, or dance halls in operation on January 1, 1941, that are within the prohibited zones or distances prescribed in paragraph 2, or do not comply with the building requirements prescribed in paragraph 3, of this Executive Order shall be given one year's notice within which to close, transfer or otherwise comply with the provisions hereof, but the Secretary of the Interior, with the approval of the President, may in special cases and for justifiable reasons, authorize their continuance in their present location.

Done at the City of Manila, this twenty-fifth day of January, in the year of Our Lord, nineteen hundred and forty-one, and of the Commonwealth of the Philippines, the sixth.

MANUEL L. QUEZON
President of the Philippines

By the President:
JORGE B. VARGAS
Secretary to the President

Source: **Presidential Museum and Library**

Office of the President of the Philippines. (1941). [*Executive Order Nos.: 248 - 399*]. Manila: Presidential Museum and Library.