



Parks Regulation Act 1872

1872 CHAPTER 15 35 and 36 Vict

An Act for the Regulation of the Royal Parks and Gardens.

[27th June 1872]

Modifications etc. (not altering text)

- C1 Act extended by [Parks Regulation \(Amendment\) Act 1926 \(c. 36\), s. 1](#), (with modifications) [Crown Estate Act 1961 \(c. 55\), s. 6\(1\)](#) and (S.) [Agriculture \(Miscellaneous Provisions\) Act 1972 \(c. 62\), s. 23](#); power to extend Act conferred by [Crown Lands Act 1936 \(c. 47\), s. 9\(3\)](#)
- C2 Preamble omitted under authority of [Statute Law Revision \(No. 2\) Act 1893 \(c. 54\)](#)

Commencement Information

- I1 Act wholly in force at Royal Assent

1 Short title.

This Act may be cited for all purposes as “The Parks Regulation Act 1872.”

2^{F1}

Textual Amendments

- F1 [S. 2](#) repealed by [Parks Regulation \(Amendment\) Act 1926 \(c. 36\), Sch. Pt. I](#)

3 Definition of “park-keeper.”

[^{F2}Park constable] shall mean any person who, previously to the passing of this Act, has been or may hereafter be appointed [^{F2}park constable] of a park as defined by this Act.

Textual Amendments

- F2 Words substituted by [Parks Regulation \(Amendment\) Act 1974 \(c. 29\), Sch. para. 1](#)

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Parks Regulation Act 1872. (See end of Document for details)

[^{F3}3A Attestation of park constables.

Every park constable shall on appointment be attested as a constable by making a declaration before a justice of the peace that he will duly execute the office of constable.]

Textual Amendments

F3 S. 3A inserted by Parks Regulation (Amendment) Act 1974 (c. 29), **Sch. para. 2**

4 ^{F4}

Textual Amendments

F4 Ss. 4, 9, Sch. 1 repealed by Parks Regulation (Amendment) Act 1926 (c. 36), **Sch. Pt. II**

[^{F5}5 E+W

Any person who—

- (a) within the view of a park constable acts in contravention of any of the said regulations in the park where the park constable has jurisdiction; and
 - (b) when required by any park constable or by any police constable to give his name and address gives a false name or false address,
- shall be liable on summary conviction to a penalty of an amount not exceeding level 1 on the standard scale, as defined in section 75 of the Criminal Justice Act 1982.]

Extent Information

E1 This version of this provision extends to England and Wales only; a separate version has been created for Scotland only.

Textual Amendments

F5 S. 5 beginning "Any person" substituted (E.W.) for s. 5 beginning Any park constable" by Police and Criminal Evidence Act 1984 (c. 60, SIF 95), s. 119, **Sch. 6 Pt. I para. 6**

5 Park-keeper may apprehend any offender whose name or residence is not known. S

Any [^{F23}park constable] in uniform, and any persons whom he may call to his assistance, may take into custody, without a warrant, any offender who in the park where such [^{F23}park constable] has jurisdiction, and within the view of such [^{F23}park constable] acts in contravention of any of the said regulations, provided that the name or residence of such offender is unknown to and cannot be ascertained by such [^{F23}park constable].

If any such offender, when required by any [^{F23}park constable] or by any police constable to give his name and address, gives a false name or false address, he shall,

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on conviction by a court of summary jurisdiction, by liable to a penalty not exceeding [^{F24}level 1 on the standard scale].

Extent Information

- E2** This version of this provision extends to Scotland only; a separate version has been created for England and Wales only.

Textual Amendments

- F23** Words substituted by [Parks Regulation \(Amendment\) Act 1974 \(c. 29\)](#), [Sch. para. 1](#)
- F24** Words “level 1 on the standard scale” substituted by virtue of (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c.21, SIF 39:1\)](#), ss. , 289C, 289G

Modifications etc. (not altering text)

- C3** The “said regulations” means regulations made under [Parks Regulation \(Amendment\) Act 1926 \(c. 36\)](#); *ibid.*, s. 3(3)

6 Penalty on assaults on park-keeper.

Where any person is convicted of an assault on any [^{F6}park constable] when in the execution of his duty, such person shall, on conviction by a court of summary jurisdiction, in the discretion of the court, be liable either to pay a penalty not exceeding [^{F7}£50][^{F7}level 2 on the standard scale], and in default of payment to be imprisoned, with or without hard labour for a term not exceeding six months, or to be imprisoned for any term not exceeding six months . . . ^{F9}

Textual Amendments

- F6** Words substituted by [Parks Regulation \(Amendment\) Act 1974 \(c. 29\)](#), [Sch. para. 1](#)
- F7** Words “level 2 on the standard scale” substituted by virtue of (E.W.) [Criminal Law Act 1977 \(c. 45\)](#), [s. 31\(5\)\(a\)\(6\)\(b\)\(9\)](#) and [Criminal Justice Act 1982 \(c.48, SIF 39:1\)](#), [s. 46](#) and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c.21, SIF 39:1\)](#), ss. [289C\(4\)\(a\)\(5\)\(b\)\(8\)](#), 289G
- F8** Words substituted by virtue of (E.W.) [Criminal Law Act 1977 \(c. 45\)](#), [s. 31\(5\)\(a\)\(6\)\(b\)\(9\)](#) and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21\)](#), [s. 289C \(4\)\(a\)\(5\)\(b\)\(8\)](#)
- F9** Words omitted by virtue of (E.W.) [Criminal Justice Act 1948 \(c. 58\)](#), [s. 1\(2\)](#) and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21\)](#), [s. 221\(2\)](#)

7 Powers, duties, and privileges of park-keeper.

Every [^{F10}park constable] in addition to any powers and immunities specially conferred on him by this Act, shall, within the limits of the park of which he is [^{F10}park constable], have all such powers, privileges, and immunities, and be liable to all such duties and responsibilities, as any police constable has within the police district in which such park is situated; and any person so appointed a [^{F10}park constable] as aforesaid shall obey such lawful commands as he may from time to time receive from [^{F11}the Secretary of State] in respect of his conduct in the execution of his office.

Textual Amendments

- F10** Words substituted by [Parks Regulation \(Amendment\) Act 1974 \(c. 29\)](#), [Sch. para. 1](#)

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F11 Words substituted by virtue of [Minister of Works Act 1942 \(c. 23\), s. 1, S.I. 1962/1549, \(S.\) 1969/383, arts. 2,5\(1\), Sch. Pt. I and \(E.W.\) 1970/1681, arts. 2,6\(3\)](#)

8 Police constables to have the same powers, &c. as park-keepers.

Every police constable belonging to the police force of the district in which any park, . . . ^{F12} to which this act applies is situate shall have the powers, privileges, and immunities of a [^{F13}park constable] within such park, . . . ^{F12}

Textual Amendments

F12 Words repealed by [Parks Regulation \(Amendment\) Act 1926 \(c. 36\), Sch. Pt. I](#)

F13 Words substituted by [Parks Regulation \(Amendment\) Act 1974 \(c. 29\), Sch. para. 1](#)

9 ^{F14}

Textual Amendments

F14 [Ss. 4, 9, Sch. 1](#) repealed by [Parks Regulation \(Amendment\) Act 1926 \(c. 36\), Sch. Pt. II](#)

10 Publication of regulations.

Copies of regulations to be observed in pursuance of this Act by persons using a . . . ^{F15} park to which this Act applies shall be put up in such park in such conspicuous manner as [^{F16}the Secretary of State] may deem best calculated to give information to the persons using the park.

Textual Amendments

F15 Words repealed by [Parks Regulation \(Amendment\) Act 1926 \(c. 36\), Sch. Pt. I](#)

F16 Words substituted by virtue of [Minister of Works Act 1942 \(c. 23\), s. 1, S.I. 1962/1549, \(S.\) 1969/383, arts. 2,5\(1\), Sch. Pt. I and \(E.W.\) 1970/1681, arts. 2,6\(3\)](#)

11 Saving of certain rights.

Nothing in this Act shall authorise any interference with any rights of way or any right whatever to which any person or persons may be by law entitled.

12 Act to be cumulative.

All powers conferred by this Act shall be deemed to be in addition to and not in derogation of any powers conferred by any other Act of Parliament, and any such powers may be exercised as if this Act had not been passed.

13 Saving of the rights of the Crown.

Nothing in this Act contained shall be deemed to prejudice or affect any prerogative or right of Her Majesty, or any power, right, or duty of [^{F17}the Secretary of State], or

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any powers or duties of any officers, clerks, or servants, appointed by Her Majesty or by [^{F17}the Secretary of State].

Textual Amendments

F17 Words substituted by virtue of [Minister of Works Act 1942 \(c. 23\), s. 1](#), S.I. 1962/1549, (S.) 1969/383, arts. 2,5(1), Sch. Pt. I and (E.W.) 1970/1681, arts. 2,6(3)

14 Saving of metropolitan Streets Act.

Nothing in this Act contained shall affect the Metropolitan Streets Act 1867, or the application thereof to any park to which it is by law applicable.

15 Summary proceedings for offences.

Any offence against this Act may be prosecuted before a court of summary jurisdiction, as follows:

..... ^{F18}

In Scotland, the court of summary jurisdiction shall include any justice or justices of the peace, [^{F19}sheriff principal or sheriff], police or other magistrate, proceedings before whom may be regulated by [^{F20}Part II of the ^{M1}Criminal Procedure (Scotland) Act 1975], upon whom all jurisdictions, powers, and authorities necessary for the purposes of this Act are hereby conferred.

All offences under this Act in Scotland shall be prosecuted and all penalties recovered under the provisions of [^{F20}Part II of the Criminal Procedure (Scotland) Act 1975], at the instance of the procurator fiscal of the court before which such proceedings are instituted.

In Scotland, all penalties under this Act, other than those herein-before provided for, in default of payment may be enforced by imprisonment for a term to be specified in the judgment or sentence of the court, but not exceeding three calendar months, and all penalties imposed and recovered under this Act shall be paid to the clerk of court, and by him accounted for and paid to the fine fund of the court in which the fine is imposed.

“Court of summary jurisdiction” shall in this Act mean and include any justice or justices of the peace, metropolitan police magistrate, stipendiary or other magistrate or officer by whatever name called, to whom jurisdiction in respect of offences arising under this Act is given by this section or any Acts therein referred to.

Textual Amendments

F18 Words repealed by [Statute Law Revision \(No. 2\) Act 1893 \(c. 54\)](#)

F19 Words substituted by virtue of [Sheriff Courts \(Scotland\) Act 1971 \(c. 58\), s. 4](#)

F20 Words substituted by virtue of [Interpretation Act 1978 \(c. 30\), s. 17\(2\)\(a\)](#) and [Criminal Procedure \(Scotland\) Act 1975 \(c. 21\), s. 460\(1\)\(b\)](#)

Marginal Citations

M1 1975 c. 21.

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F21F21 FIRST SCHEDULE

Textual Amendments

F21 Ss. 4, 9, Sch. 1 repealed by Parks Regulation (Amendment) Act 1926 (c. 36), **Sch. Pt. II**

F21

F22F22 SECOND SCHEDULE

Textual Amendments

F22 Sch. 2 repealed by Parks Regulation (Amendment) Act 1926 (c. 36), **Sch. Pt. I**

F22

Status:

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