
STATUTORY INSTRUMENTS

2004 No. 1309

The Adventure Activities Licensing Regulations 2004

Persons who are required to hold a licence

3.—(1) Subject to paragraph (2) a person who provides facilities for adventure activities is required to hold a licence if that person—

- (a) provides such facilities in return for payment; or
- (b) is a local authority and provides the facilities to an educational establishment in respect of the pupils of such an establishment;

and where that person provides those facilities at or from more than one activity centre, and operates those activity centres at the same time throughout any period of 28 days or more, a separate licence shall be required in respect of the facilities provided at or from each such centre.

(2) A person is not required to hold a licence in respect of facilities for adventure activities where those facilities are provided—

- (a) by a voluntary association—
 - (i) to its members;
 - (ii) to the members of some other voluntary association pursuant to an agreement between the associations; or
 - (iii) to persons who are not its members for the purpose only of encouraging interest in its activities or attracting new members; provided that such facilities shall not be provided, in respect of any one person, on more than three days in any period of twelve months;
- (b) by an educational establishment to pupils of that establishment;
- (c) to young persons who are, during their participation in the activities in question, accompanied—
 - (i) by an individual who is their parent or guardian or who has parental responsibility for them within the meaning of the Children Act 1989⁽¹⁾; or
 - (ii) by an individual who has parental rights within the meaning of the Law Reform (Parent and Child) (Scotland) Act 1986⁽²⁾ in respect of them or, on and after the day on which section 1 of the Children (Scotland) Act 1995⁽³⁾ has come into force, has parental responsibilities for them within the meaning of that section; or
- (d) under the authority of a licence held by some other person.

⁽¹⁾ 1989 c. 41.
⁽²⁾ 1986 c. 9.
⁽³⁾ 1995 c. 36.