



Activity Centres (Young Persons' Safety) Act 1995

1995 CHAPTER 15

1 **Adventure activities: licensing.**

- (1) The Secretary of State shall by order designate a person (“the licensing authority”) to exercise such functions as may be prescribed by regulations relating to the licensing of persons providing facilities for adventure activities.
- (2) The Secretary of State shall not make an order under subsection (1) designating a person other than one nominated by [^{F1}the Health and Safety Executive].
- (2A) [^{F2}The Health and Safety Executive may nominate itself under subsection (2)]
- (3) In this section “facilities for adventure activities” means such facilities, for such sporting, recreational or outdoor activities, as may be prescribed by regulations; but the expression does not include—
 - (a) facilities which are provided exclusively for persons who have attained the age of 18; or
 - (b) facilities which do not consist of, or include some element of, instruction or leadership.
- (4) Regulations may make provision as to—
 - (a) the cases or circumstances in which persons providing facilities for adventure activities are, or are not, required to hold a licence;
 - (b) any requirements relating to safety (whether applying to facilities for adventure activities or to other facilities) which must be satisfied by an applicant for a licence;
 - (c) the conditions subject to which licences are granted (which may include conditions relating to inspection by the licensing authority and conditions imposing requirements of the kind referred to in paragraph (b));
 - (d) the variation of such conditions;
 - (e) the renewal, variation, transfer and revocation of licences by the licensing authority;

Changes to legislation: There are currently no known outstanding effects for the Activity Centres (Young Persons' Safety) Act 1995, Section 1. (See end of Document for details)

- (f) the charging by the licensing authority of such fees in connection with licences as may be specified in the regulations;
 - (g) the making of payments by the licensing authority into the Consolidated Fund;
 - (h) the investigation by the licensing authority of complaints concerning licence-holders;
 - (i) the exercise of functions of the licensing authority by persons authorised by them;
 - (j) the keeping, and availability for inspection by the public, of a register of licences;
 - (k) the bringing of appeals to the Secretary of State against such decisions of the licensing authority as may be specified in the regulations; and
 - (l) the procedure to be followed on, and the orders which may be made on determination of, such appeals.
- (5) In exercising their functions under regulations made under this section the licensing authority^{F3} other than the Health and Safety Executive] shall have regard to any guidance given to them from time to time by [^{F4}the Health and Safety Executive]; and before giving guidance under this subsection [^{F4}the Executive] shall consult such persons (if any) as they consider it appropriate to consult.

Textual Amendments

- F1** Words in s. 1(2) substituted (1.4.2008) by Legislative Reform (Health and Safety Executive) Order 2008 (S.I. 2008/960), art. 1, **Sch. 3** (with art. 21, Sch. 2)
- F2** S. 1(2A) inserted (1.4.2008) by Legislative Reform (Health and Safety Executive) Order 2008 (S.I. 2008/960), art. 1, **Sch. 3** (with art. 21, Sch. 2)
- F3** Words in s. 1(5) inserted (1.4.2008) by Legislative Reform (Health and Safety Executive) Order 2008 (S.I. 2008/960), art. 1, **Sch. 3** (with art. 21, Sch. 2)
- F4** Words in s. 1(5) substituted (1.4.2008) by Legislative Reform (Health and Safety Executive) Order 2008 (S.I. 2008/960), art. 1, **Sch. 3** (with art. 21, Sch. 2)

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