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STATUTORY INSTRUMENTS

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**1996 No. 1647**

**HEALTH AND SAFETY**

**The Adventure Activities (Enforcing Authority and Licensing Amendment) Regulations 1996**

<i>Made</i>	- - - -	<i>22nd June 1996</i>
<i>Laid before Parliament</i>		<i>26th June 1996</i>
<i>Coming into force</i>	- -	<i>19th July 1996</i>

The Secretary of State for Education and Employment, in exercise of the powers conferred on her by section 18(2) of the Health and Safety at Work etc. Act 1974<sup>(1)</sup> (“the 1974 Act”), and section 1(1) and (4) of the Activity Centres (Young Persons' Safety) Act 1995<sup>(2)</sup> (“the 1995 Act”) and of all other powers enabling her in that behalf, for the purpose of giving effect to proposals submitted to her by the Health and Safety Commission under section 11(2)(d) of the 1974 Act after the carrying out by the said Commission of consultations in accordance with section 50(3) of the 1974 Act, and after consultation with the said Commission in accordance with section 3(3) of the 1995 Act hereby makes the following Regulations:—

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Adventure Activities (Enforcing Authority and Licensing Amendment) Regulations 1996 and shall come into force on 19th July 1996.

(2) In these Regulations “the 1996 Regulations” means the Adventure Activities Licensing Regulations 1996<sup>(3)</sup>.

**Application of Health and Safety (Enforcing Authority) Regulations 1989**

2.—(1) The Health and Safety (Enforcing Authority) Regulations 1989<sup>(4)</sup> shall, subject to paragraph (2) below, apply in respect of the enforcement of the 1996 Regulations.

(2) Where, by virtue of paragraph (1) above, a local authority is responsible for the enforcement of the 1996 Regulations in relation to premises, it shall be responsible for such enforcement in relation to the provision of facilities for adventure activities (within the meaning of the 1996 Regulations)—

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(1) 1974 c. 37; section 18 was applied in respect of the enforcement of the Adventure Activities Licensing Regulations 1996 (S.I. 1996/772) by regulation 17 of those Regulations.  
(2) 1995 c. 15.  
(3) S.I. 1996/772.  
(4) S.I. 1989/1903 to which there are amendments not relevant to these Regulations.

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*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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- (a) at those premises; and
- (b) from those premises if the premises are, at the time in question, primarily used for, or as a base for, the provision of instruction or leadership in sporting, recreational or outdoor activities;

and references in the said Regulations of 1989 to an enforcing authority for premises shall be construed accordingly.

### **Amendment of 1996 Regulations**

3.—(1) The 1996 Regulations shall be amended as follows.

(2) In regulation 7(1)(a) for “regulation 5(1)(a)” there shall be substituted “regulation 5(1)(a)(i)” and for “regulation 5(1)(b)” there shall be substituted “regulation 5(1)(a)(ii)”.

22nd June 1996

*Henley*  
Minister of State,  
Department for Education and Employment

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations—

- (a) apply with modifications the Health and Safety (Enforcing Authority) Regulations 1989 (which allocate enforcement responsibilities between local authorities and the Health and Safety Executive) in respect of the enforcement of the Adventure Activities Licensing Regulations 1996 (regulation 2); and
- (b) amend the Adventure Activities Licensing Regulations 1996 by altering cross references in regulation 7(1)(a) (regulation 3).