

2007 No. 446

HEALTH AND SAFETY

**The Adventure Activities Licensing (Amendment) Regulations
2007**

<i>Made</i>	- - - -	<i>16th February 2007</i>
<i>Laid before Parliament</i>		<i>26th February 2007</i>
<i>Coming into force</i>	- -	<i>1st April 2007</i>

The Secretary of State, acting in relation to England and Scotland, in exercise of the powers conferred by sections 1(4)(i) and 3(2)(a) of the Activity Centres (Young Persons' Safety) Act 1995(a), and having consulted the Health and Safety Commission and other persons he considered appropriate in accordance with section 3(3) of that Act and the Scottish Ministers in accordance with section 88(2) of the Scotland Act 1998(b),

and

the National Assembly for Wales, acting in relation to Wales, in exercise of the powers conferred on the Secretary of State by sections 1(4)(i) and 3(2)(a) of the Activity Centres (Young Persons' Safety) Act 1995 and now vested in it(c), and having consulted the Health and Safety Commission in accordance with section 3(3) of that Act,

make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Adventure Activities Licensing (Amendment) Regulations 2007 and come into force on 1st April 2007.

Amendment of the Adventure Activities Licensing Regulations 2004

2.—(1) Regulation 12 of the Adventure Activities Licensing Regulations 2004(d) is amended as follows.

-
- (a) 1995 c. 15.
(b) 1998 c. 46. Section 88(2) requires a Minister of the Crown to consult the Scottish Ministers before he exercises, in relation to a cross-border public authority, any specific function which relates to any appointment or removal of the authority or of any members or office-holders of the authority or whose exercise might affect Scotland otherwise than wholly in relation to reserved matters. The person designated for the purposes of section 1(1) of the Activity Centres (Young Persons' Safety) Act 1995 is a cross-border public authority by virtue of the Scotland Act 1998 (Cross-Border Public Authorities) (Specification) Order 1999 (S.I. 1999/1319).
(c) The functions of the Secretary of State were, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales by article 2 of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672). See entry in Schedule 1 for the Activity Centres (Young Persons' Safety) Act 1995.
(d) S.I. 2004/1309.

(2) For paragraph (1) substitute—

“(1) The licensing authority may authorise suitably experienced or qualified persons (whether or not its officers or employees) to exercise any function conferred on the authority pursuant to these Regulations.”.

16th February 2007

Andrew Adonis
Parliamentary Under Secretary of State
Department for Education and Skills

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(a)

14th February 2007

D. Elis-Thomas
The Presiding Officer of the National Assembly

EXPLANATORY NOTE

(This note is not part of the Regulations.)

This instrument amends regulation 12 of the Adventure Activities Licensing Regulations 2004 (“the Regulations”) to remove a restriction on the persons whom the licensing authority under the Activity Centres (Young Persons’ Safety) Act 1995 may authorise to exercise the functions conferred on it by the Regulations. The licensing authority may authorise any suitably experienced or qualified person to exercise those functions. It is no longer necessary for that person to be an officer or employee of the authority in relation to the exercise of some of the authority’s functions.

A full regulatory impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

(a) 1998 c. 38.

£3.00

© Crown copyright 2007

Printed and published in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo, Controller of Her Majesty’s
Stationery Office and Queen’s Printer of Acts of Parliament.

E0207 2/2007 170207T 19585