



Public Health Act 1961

1961 CHAPTER 64

PART VI

MISCELLANEOUS

75 Byelaws as to pleasure fairs and roller skating rinks

- (1) A local authority may make byelaws—
- (a) for regulating the hours during which pleasure fairs and roller skating rinks may be open to the public;
 - (b) for securing safe and adequate means of ingress to, and egress from, any pleasure fair or roller skating rink ;
 - (c) for the prevention and suppression of nuisances, and the preservation of sanitary conditions, cleanliness, order and public safety, at any pleasure fair or roller skating rink;
- and it shall be the duty of the local authority to enforce byelaws made by them under this section.
- (2) In this section—
- (a) "pleasure fair" means any place—
 - (i) which is for the time being used wholly or mainly for providing, whether or not in combination with any other entertainment, any entertainment to which this section applies, and
 - (ii) for admission to which, or for the use of the contrivances in which, a charge is made ;
 - (b) " roller skating rink " means any place which is for the time being used wholly or mainly for roller skating and for admission to which a charge is made.
- (3) Subject to the provisions of the next following subsection, the entertainments to which this section applies are the following:—
- (a) circuses;
 - (b) exhibitions of human beings or of performing animals;
 - (c) merry-go-rounds, roundabouts, swings, switchback railways;

Status: This is the original version (as it was originally enacted).

- (d) coco-nut shies, hoop-las, shooting galleries, bowling alleys;
 - (e) dodgems or other mechanical riding or driving contrivances;
 - (f) automatic or other machines intended for entertainment or amusement;
 - (g) anything similar to any of the foregoing.
- (4) Nothing in this section, or the byelaws made thereunder, shall apply to—
- (a) a fair held by statute, royal charter, royal licence, letters patent or ancient custom, or
 - (b) a place owned by, or under the management and control of, an authority having power to make byelaws with respect to entertainments provided at that place.
- (5) Different byelaws may be made under this section for pleasure fairs and roller skating rinks and for different kinds of pleasure fairs.
- (6) Section two hundred and eighty-seven of the Public Health Act, 1936 (which relates to powers of entry), shall have effect as if this section were contained in that Act.
- (7) Section thirty-eight of the Public Health Acts Amendment Act, 1890 (under which byelaws may be made for the prevention of danger from roundabouts, swings and shooting galleries), shall cease to have effect, but any byelaws under that section in force at the commencement of this Act shall continue in force and may be revoked at any time as if they had been made under this section.
- (8) The Secretary of State shall be the confirming authority as respects byelaws under this section, and the Secretary of State shall not confirm any byelaw under this section unless he is satisfied that all bodies which appear to him to be representative of the interests of those who carry on pleasure fairs and entertainments to which this section applies have been consulted on the matters dealt with by the byelaw.