
STATUTORY INSTRUMENTS

1978 No. 1049

**Pollution Control and Local Government
(Northern Ireland) Order 1978**

PART VI

MISCELLANEOUS AND GENERAL

Miscellaneous functions of district councils

Bye-laws as to pleasure fairs

67.—(1) A district council may make bye-laws—

- (a) for regulating the hours during which pleasure fairs may be open to the public;
- (b) for securing safe and adequate means of ingress to, and egress from, any pleasure fair;
- (c) for the prevention and suppression of nuisances, and the preservation of sanitary conditions, cleanliness, order and public safety, at any pleasure fair;
- (d) without prejudice to the generality of sub-paragraph (c), for the prevention of outbreaks of fire which might endanger—
 - (i) stands, stalls or other structures used or intended for use in connection with any pleasure fair; or
 - (ii) caravans used or intended for use as sleeping accommodation in connection with any pleasure fair;

and for the reduction of the risks of, and the spread of fire from, such an outbreak;

and the district council shall enforce bye-laws made by it under this Article.

(2) Bye-laws made under this Article may provide that a person contravening them shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding^[F1] level 4 on the standard scale] and, in the case of a continuing offence, a further fine not exceeding £5 for each day on which the offence continues after conviction.

(3) In this Article “pleasure fair” means any place^[F2], other than a place in respect of which an entertainments licence under Schedule 1 to the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985 is for the time being in force,] 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 Article applies.

(4) The entertainments to which this Article applies are—

- (a) circuses;
- (b) exhibitions of human beings or of performing animals;
- (c) merry-go-rounds, roundabouts, swings, switchback railways;
- (d) coco-nut shies, hoop-las, shooting galleries, bowling alleys;
- (e) roller skating rinks;

- (f) dodgems or other mechanical riding or driving contrivances;
- (g) automatic or other machines intended for entertainment or amusement;
- (h) anything similar to any of the foregoing.

(5) The Department shall be the Department concerned as respects bye-laws under this Article and the Department shall not confirm any bye-law under this Article unless satisfied that all bodies which appear to be representative of the interests of those who carry on pleasure fairs and entertainments to which this Article applies and, in the case of a bye-law made under paragraph (1)(d), [^{F3}the Northern Ireland Fire and Rescue Service Board] have been consulted on the matters dealt with by the bye-laws.

F1 1984 NI 3

F2 1985 NI 15

F3 Words in art. 67(5) substituted (1.7.2006) by [Fire and Rescue Services \(Northern Ireland\) Order 2006 \(S.I. 2006/1254 \(N.I. 9\)\)](#), arts. 1(3), 63(1), **Sch. 3 para. 13** (with arts. 49, 62); S.R. 2006/257, **art. 2(d)**

Changes to legislation:

There are currently no known outstanding effects for the Pollution Control and Local Government (Northern Ireland) Order 1978, Section 67.