



# Physical Training and Recreation Act 1937

1937 CHAPTER 46 1 Edw 8 and 1 Geo 6

An Act to provide for the development of facilities for, and the encouragement of, physical training and recreation, and to facilitate the establishment of centres for social activities. [13th July 1937]

## Modifications etc. (not altering text)

C1 Act: transfer of functions (1.7.1999) by S.I. 1999/672, art. 2, Sch. 1

1, 2. ....<sup>F1</sup>

## Textual Amendments

F1 Ss. 1, 2 repealed by (E.W.) Education Act 1944 (c. 31), Sch. 9, Pt. I and (S.) Education (Scotland) Act 1945 (c. 37), Sch. 6

## 3 Powers of Board of Education.

- (1) The [<sup>F2</sup>Secretary of State] may, in accordance with . . . <sup>F3</sup> arrangements approved by the Treasury, make grants—
- (a) towards the expenses of a . . . <sup>F4</sup> local voluntary organisation in providing, whether as a part of wider activities or not, or in aiding the provision of, facilities for physical training and recreation, including, but without prejudice to the generality of the foregoing words, the provision and equipment of gymnasiums, playing fields, swimming baths, bathing places, holiday camps and camping sites, and other buildings and premises for physical training and recreation;
  - (b) towards the expenses of a . . . <sup>F4</sup> local voluntary organisation in respect of the training and supply of teachers and leaders; and
  - (c) to the funds of any national voluntary organisation having such objects as aforesaid, either in aid of its work as a whole, or in aid of any specified branch of its work.

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The powers of the [F<sup>2</sup>Secretary of State] under paragraph (a) of this subsection shall not extend to the making of a grant in aid of the maintenance of such facilities as aforesaid, except that, if the [F<sup>2</sup>Secretary of State] . . . F<sup>3</sup>[F<sup>2</sup>certifies] that the circumstances of a local voluntary organisation are such that special hardship or difficulty would be occasioned if such a grant were not made to it, the [F<sup>2</sup>Secretary of State] may make such a grant.

- (2) The [F<sup>2</sup>Secretary of State] when making a grant under the preceding subsection may attach thereto such conditions, including, in the case of a grant to a voluntary association, conditions for securing the continuity of the undertaking assisted, as the [F<sup>2</sup>Secretary of State] may think proper.
- (3) The [F<sup>2</sup>Secretary of State], . . . F<sup>3</sup> may, . . . F<sup>3</sup> with the approval of the Treasury, take steps for disseminating knowledge with respect to the value of physical training and recreation.

#### Textual Amendments

- F2** Words substituted by virtue of [Education Act 1944 \(c. 31\), s. 2\(1\)](#), S.I. 1964/490, arts. 2(1), 3(2), 1969/1497, art. 2, 1970/1681, arts. 2(1), 6(3)
- F3** Words repealed by (E.W.) [Education Act 1944 \(c. 31\), Sch. 9 Pt. I](#) and (S.) [Education \(Scotland\) Act 1945 \(c. 37\), Sch. 6](#)
- F4** Words repealed by (E.W.) [Local Government Act 1958 \(c. 55\), Sch. 9 Pt. II](#) and (S.) [Local Government \(Scotland\) Act 1973 \(c. 65\), Sch. 29](#)

#### 4 Extension of powers of local authorities.

[F<sup>5</sup>(1) A local authority may acquire, lay out, provide with suitable buildings and otherwise equip, and maintain lands, whether situate within or without their area, for the purpose of gymnasiums, playing fields, [F<sup>6</sup>swimming baths or bathing places] holiday camps or camping sites, or for the purpose of centres for the use of clubs, societies or organisations having athletic, social or educational objects, and may manage those lands and buildings themselves, either with or without a charge for the use thereof or admission thereto, or may let them, or any portion thereof, at a nominal or other rent to any person, club, society or organisation for use for any of the purposes aforesaid.

The authority may also provide and, where necessary, arrange for the training of, such wardens, teachers and leaders as they may deem requisite for securing that effective use is made of the facilities for exercise, recreation and social activities so provided.

[F<sup>7</sup>(2) Any premises provided by a local authority under the last foregoing subsection . . . F<sup>8</sup> may be used for the purposes of concerts or other entertainments which may be provided by the local authority or any other person, and any such premises . . . F<sup>8</sup> may be let by the authority for those purposes or for the purpose of meetings at such times and in such manner as will not interfere with the purposes for which the premises . . . F<sup>8</sup> are provided:]

. . . F<sup>9</sup>

(3) . . . F<sup>10</sup>

(4) A local authority may contribute towards expenses incurred by another local authority [F<sup>11</sup>or by an education authority within the meaning of The M<sup>1</sup>Education (Scotland) Act

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1962], whether under this or any other Act, or by a voluntary organisation, in providing or maintaining within the area of the contributing authority, or on a site where it will benefit any of the inhabitants of that area, anything mentioned in subsection (1) of this section, or a swimming bath or bathing place.]

(5) ..... <sup>F10F12</sup>

**Textual Amendments**

- F5** S. 4(1)–(4) repealed (S.) by [Local Government and Planning \(Scotland\) Act 1982 \(c. 43, SIF 81:2\)](#), s. 66(2), [Sch. 4 Pt. I](#)
- F6** Words inserted by s. 10(5) of this Act
- F7** S. 4(2) substituted by s. 10(5) of this Act
- F8** Words repealed by [Local Government \(Scotland\) Act 1947 \(c. 43\)](#), [Sch. 14](#)
- F9** S. 4(2) proviso repealed by [Local Government Act 1948 \(c. 26\)](#), [Sch. 2 Pt. V](#)
- F10** Ss. 4(3), (5) repealed by [Local Government \(Miscellaneous Provisions\) Act 1976 \(c. 57\)](#), [Sch. 2](#)
- F11** Words inserted by s. 10(5A) of this Act
- F12** Ss. 5, 7 repealed (S.) by [Local Government and Planning \(Scotland\) Act 1982 \(c. 43, SIF 81:2\)](#), s. 66(2), [Sch. 4 Pt. I](#)

**Modifications etc. (not altering text)**

- C2** S. 4 repealed (E.W.) by [Local Government \(Miscellaneous Provisions\) Act 1976 \(c. 57\)](#), [Sch. 2](#)
- C3** S. 4(4) extended by [Physical Training and Recreation Act 1958 \(c. 36\)](#), [s. 1\(1\)](#)

**Marginal Citations**

- M1** 1962 c. 47.

[<sup>F13</sup> **Supplemental provisions as to exercise of powers by local authorities.**

A local authority may acquire [<sup>F14</sup>by agreement or, if so authorised by the Secretary of State, compulsorily] land for the purposes of subsection (1) of section four of this Act . . . <sup>F15</sup>].

**Textual Amendments**

- F13** S. 5 substituted by s. 10(6) of this Act
- F14** Words inserted by [Acquisition of Land \(Authorisation Procedure\) Act 1946 \(c. 49\)](#), [Sch. 4](#)
- F15** Words repealed by [Acquisition of Land \(Authorisation Procedure\) Act 1946 \(c. 49\)](#), [Sch. 4](#)

**Modifications etc. (not altering text)**

- C4** S. 5 repealed (E.W.) by [Local Government \(Miscellaneous Provisions\) Act 1976 \(c. 57\)](#), [Sch. 2](#)

6 ..... <sup>F16</sup>

**Textual Amendments**

- F16** S. 6 repealed by [Education Act 1944 \(c. 31\)](#), [Sch. 9, Pt. I](#)

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## 7 National College of Physical Training for England and Wales.

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### Textual Amendments

F17 S. 7 repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 1 Pt. 13](#)

## 8 Expenses of executing Act.

(1) All expenses incurred by the [F18Secretary of State] for the purposes of this Act, including the amount of any grants paid or payable under or by virtue of this Act, shall be defrayed out of moneys provided by Parliament.

(2) ..... F19

### Textual Amendments

F18 Words substituted by virtue of [Education Act 1944 \(c. 31\)](#), [s. 2\(1\)](#), S.I. 1964/490, arts. 2(1), 3(2), 1969/1497, art. 2, 1970/1681, arts. 2(1), 6(3)

F19 [S. 8\(2\)](#) repealed by (E.W.) [Education Act 1944 \(c. 31\)](#), [Sch. 9](#), Pt. I, and (S.) [Education \(Scotland\) Act 1945 \(c. 37\)](#), [Sch. 6](#)

## 9 Interpretation.

In this Act, unless the context otherwise requires—

“local authority” means the council of a county, county borough, [F20London borough][F21district] or parish, and the common council of the city of London [F22and The Greater London Council];

“voluntary organisation” means any person or body of persons, whether corporate or unincorporate, carrying on, or proposing to carry on, an undertaking otherwise than for profit.

### Textual Amendments

F20 Words added by [S.I. 1965/602](#), [art. 5](#)

F21 Words substituted by virtue of [Local Government Act 1972 \(c. 70\)](#), [s. 179\(3\)](#)

F22 Words substituted by virtue of [London Government Act 1963 \(c. 33\)](#), [s. 4\(2\)](#)

## 10 Application to Scotland.

(1) The provisions of this section shall have effect for the purpose of the application of this Act to Scotland.

(2) For any reference to the [F23Secretary of State] there shall be substituted a reference to the Secretary of State; . . . F24

(3) ..... F25

[F26(4) “Local authority” means a [F27regional islands] or district council:

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... <sup>F28</sup>]

[<sup>F29</sup>(5) Section four of this Act shall have effect as if in subsection (1) after the words “playing fields” the words “swimming baths or bathing places” were inserted, and as if for subsection (2) the following subsection were substituted:—

“(2) Any premises provided by a local authority under the last foregoing subsection or any offices provided by a local authority for the transaction of their business may be used for the purposes of concerts or other entertainments which may be provided by the local authority or any other person, and any such premises or offices may be let by the authority for those purposes or for the purposes of meetings at such times and in such manner as will not interfere with the purposes for which the premises or offices are provided:

Provided that no concert or other entertainment provided by a local authority under this subsection shall include—

- (a) the performance of a stage play; or
- (b) any performance in the nature of a variety entertainment, or in which scenery, theatrical costumes, or scenic or theatrical accessories are used; or
- (c) the showing of any cinematograph film (other than a film illustrative of questions relating to health or disease).”

(6) For section five of this Act the following section shall be substituted:—

“(5) A local authority may acquire land for the purposes of subsection (1) of section four of this Act and, if they are unable to do so by agreement on terms which are in their opinion reasonable, they may purchase the land by means of a compulsory purchase order made by them, and confirmed by the Department of Health for Scotland, and the following provisions of the Town and Country Planning (Scotland) Act, 1932, viz. :— Part III of the First Schedule (except paragraph 5), Part I of the Third Schedule (except paragraph 2 and sub-paragraph (iii) of paragraph 3), and paragraph 2 of Part II of the Third Schedule shall, subject to any necessary modifications, apply to a compulsory purchase order under this section.”]

[<sup>F26</sup>(7) A local authority shall have power to borrow for any purpose of this Act to which capital is properly applicable . . . <sup>F30</sup>]

(8) . . . . . <sup>F31</sup>

(9) . . . . . <sup>F32</sup>

(10) . . . . . <sup>F33</sup>

[<sup>F34</sup>(11) Section seven of this Act shall not apply.]

#### Textual Amendments

**F23** Words substituted by virtue of [Education Act 1944 \(c. 31\)](#), [s. 2\(1\)](#), [S.I. 1964/490](#), arts. 2(1), 3(2), 1969/1497, art. 2, 1970/1681, arts. 2(1), 6(3)

**F24** Words repealed by [Education \(Scotland\) Act 1945 \(c. 37\)](#), [Sch. 6](#) and [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), [Sch. 29](#)

**F25** [S. 10\(3\)](#) repealed by [Education \(Scotland\) Act 1945 \(c. 37\)](#), [Sch. 6](#)

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- F26** S. 10(4)(7) repealed (S.) by Local Government and Planning (Scotland) Act 1982 (c. 43, SIF 81:2), s. 66(2), **Sch. 4 Pt. I**
- F27** Words substituted by Local Government (Scotland) Act 1973 (c. 65), **s. 162(1)**
- F28** S. 10(4) proviso repealed by Education (Scotland) Act 1945 (c. 37), **Sch. 6**
- F29** S. 10(5)–(6) repealed (S.) by Local Government and Planning (Scotland) Act 1982 (c. 43, SIF 81:2), s. 66(2), **Sch. 4 Pt. I**
- F30** Words repealed by Local Government (Scotland) Act 1947 (c. 43), **Sch. 14**
- F31** S. 10(8) repealed by Local Government (Scotland) Act 1947 (c. 43), s. 381, **Sch. 14**
- F32** S. 10(9) repealed by Local Government (Scotland) Act 1973 (c. 65), **Sch. 29**
- F33** S. 10(10) repealed by Education (Scotland) Act 1945 (c. 37), **Sch. 6**
- F34** S. 10(11) repealed (S.) by Local Government and Planning (Scotland) Act 1982 (c. 43, SIF 81:2), s. 66(2), **Sch. 4 Pt. I**

**Modifications etc. (not altering text)**

- C5** The text of s. 10(5)(6) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**11 Short title and extent.**

- (1) This Act may be cited as the Physical Training and Recreation Act 1937.
- (2) ..... **F35**
- (3) This Act shall not apply to Northern Ireland.

**Textual Amendments**

- F35** S. 11(2), **Sch.** repealed by Statute Law Revision Act 1950 (c. 6)

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**Textual Amendments**

**F36** S. 11(2), Sch. repealed by [Statute Law Revision Act 1950 \(c. 6\)](#)

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**Status:**

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**Changes to legislation:**

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