



Police, Factories, & c. (Miscellaneous Provisions) Act 1916

1916 CHAPTER 31 6 and 7 Geo 5

An Act to amend the Enactments relating to the Police and certain other Enactments with the administration of which the Secretary of State for the Home Department is concerned.
[3rd August 1916]

Modifications etc. (not altering text)

- C1 This Act is not necessarily in the form in which it has effect in Northern Ireland
- C2 Act applied (*temp.*) by 2002 c. i, ss. 1(2)-(4), 21(5)(a) (with ss. 38, 39)

Commencement Information

- I1 Act wholly in force at Royal Assent

PART I

POLICE

1 F1

Textual Amendments

- F1 s. 1 repealed by Police (Pensions) Act 1918 (c. 51), s. 3

2 F2

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Textual Amendments
F2 s. 2 repealed by Statute Law Revision Act 1927 (c. 42)

3 F3

Textual Amendments
F3 s. 3 repealed by Statute Law (Repeals) Act 1973 (c. 39), Sch. 1 Pt. XIII

4 F4

Textual Amendments
F4 s. 4 repealed by Local Government Act 1929 (c. 17), Sch. 12 Pt. VI

5 Regulations of street collections.

(1) [F5Each of the authorities specified in subsection (1A) below] may make regulations with respect to the places where and the conditions under which persons may be permitted in any street or public place, within [F5their] area, to collect money or sell articles for the benefit of charitable or other purposes, and any person who acts in contravention of any such regulation shall be liable on summary conviction to a fine not exceeding [F6level 1 on the standard scale] or in the case of a second or subsequent offence not exceeding [F7level 1 on the standard scale]:

Provided that—

- (a) regulations made under this section shall not come into operation until they have been confirmed by the Secretary of State F8 ..., and published for such time and in such manner as the Secretary of State F8 ... may direct; and
- (b) regulations made under this section shall not apply to the selling of articles in any street or public place when the articles are sold in the ordinary course of trade, and for the purpose of earning a livelihood, and no representation is made by or on behalf of the seller that any part of the proceeds of sale will be devoted to any charitable purpose.

[F9(1A) The authorities referred to in subsection (1) above are—

- (a) the Common Council of the City of London,
- [F10(b) the Mayor's Office for Policing and Crime, and]
- (c) the council of each district;

but any regulations made by a district council under that subsection shall not have effect with respect to any street or public place which is within the Metropolitan Police District as well as within the district.]

(2) This section, except subsection (3) thereof, shall apply to Ireland with the following modifications:—

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- (a) references to the Secretary of State ^{F11}... shall be construed as references to the Lord Lieutenant; and
- (b) references to [^{F12}the Mayor's Office for Policing and Crime] shall . . . ^{F13} be construed as references to the Inspector General of the Royal Irish Constabulary.
- (3) ^{F14}
- (4) In this section—
- the expression “street” includes any highway and any public bridge, road, lane, footway, square, court, alley, or passage, whether a thoroughfare or not.

Textual Amendments

- F5** Words substituted by [Local Government Act 1972 \(c. 70\)](#), [Sch. 29 para. 22](#)
- F6** Words substituted by virtue of [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [s. 46](#)
- F7** Words substituted by virtue of [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [s. 46](#)
- F8** Words in s. 5(1)(a) omitted (9.11.2016) by virtue of [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), art. 1(2), [Sch. 2 para. 1](#) (with art. 12)
- F9** S. 5(1A) inserted by [Local Government Act 1972 \(c. 70\)](#), [Sch. 29 para. 22](#)
- F10** S. 5(1A)(b) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 65\(2\)](#); S.I. 2011/3019, art. 3, Sch. 1
- F11** Words in s. 5(2) omitted (9.11.2016) by virtue of [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), art. 1(2), [Sch. 2 para. 1](#) (with art. 12)
- F12** Words in s. 5(2)(b) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 65\(3\)](#); S.I. 2011/3019, art. 3, Sch. 1
- F13** Words omitted by virtue of [Statute Law Revision Act 1927 \(c. 42\)](#), [s. 3](#)
- F14** S. 5(3) repealed by [Civic Government \(Scotland\) Act 1982 \(c. 45, SIF 81:2\)](#), [s. 119\(15\)](#)

Modifications etc. (not altering text)

- C3** S. 5: functions of local authority not to be responsibility of an executive of the authority (E.) (16.11.2000) by virtue of [S.I. 2000/2853, reg. 2\(1\)](#), [Sch. 1 Table B\(39\)](#)
- C4** S. 5(1) functions made exercisable concurrently (13.12.2006) by [Transfer of Functions \(Third Sector, Communities and Equality\) Order 2006 \(S.I. 2006/2951\)](#), arts. 1(2), [3\(1\)](#)
- C5** S. 5(1) function no longer exercisable concurrently (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), arts. 1(2), [10\(4\)](#) (with arts. 11, 12)
- C6** Functions of Lord Lieutenant of Ireland now exercisable by Secretary of State: [Irish Free State \(Consequential Provisions\) Act 1922 \(13 Geo. 5 Sess. 2 c. 2\)](#), [Sch. 1 para. 1\(1\)](#) and [Northern Ireland Constitution Act 1973 \(c. 36\)](#), [Sch. 5 para. 4](#)

6 Extent of Part I.

This Part of this Act shall not apply, except where otherwise expressly provided, to Scotland or Ireland.

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PART II

7—9 **F15**

Textual Amendments

F15 ss. 7–9 repealed by [Factories Act 1937 \(c. 67\)](#), **Sch. 4**

PART III

MISCELLANEOUS AND GENERAL

10 **F16**

Textual Amendments

F16 s. 10 repealed by [Mines and Quarries Act 1954 \(c. 70\)](#), **Sch. 5**

11 **F17**

Textual Amendments

F17 s. 11 repealed by [Mental Health Act 1959 \(c. 72\)](#), **Sch. 8 Pt. I**

12 **F18**

Textual Amendments

F18 s. 12 repealed by [Criminal Justice Act 1948 \(c. 58\)](#), **Sch. 10 Pt. I**

13 **Short title.**

This Act may be cited as the Police, Factories, &c. (Miscellaneous Provisions) Act 1916.

SCHEDULE

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F19F19 SCHEDULE

Textual Amendments

F19 Sch. repealed by [Statute Law Revision Act 1927 \(c. 42\)](#)

F19

Changes to legislation:

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Changes and effects yet to be applied to :

- s. 5(1) words repealed by [2008 c. 12 \(N.I.\) Sch. 8 para. 1\(3\)](#)[Sch. 9](#)
- s. 5(1) words repealed by [2006 c. 50 Sch. 8 para. 15\(3\)](#)[Sch. 9](#)
- s. 5(1) words substituted by [2008 c. 12 \(N.I.\) Sch. 8 para. 1\(2\)](#)
- s. 5(1) words substituted by [2006 c. 50 Sch. 8 para. 15\(2\)](#)
- s. 5(4) words inserted by [2008 c. 12 \(N.I.\) Sch. 8 para. 1\(4\)](#)
- s. 5(4) words inserted by [2006 c. 50 Sch. 8 para. 15\(4\)](#)