



# Hypnotism Act 1952

1952 CHAPTER 46 15 and 16 Geo 6 and 1 Eliz 2

An Act to regulate the demonstration of hypnotic phenomena for purposes of public entertainment. [1st August, 1952]

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

- C1** Act: 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 B16

**1 Control of demonstrations of hypnotism at places licensed for public entertainment.**

- (1) Where under any enactment an authority in any area have power to grant licences for the regulation of places kept or ordinarily used for public dancing, singing, music or other public entertainment of the like kind, any power conferred by any enactment to attach conditions to any such licence shall include power to attach conditions regulating or prohibiting the giving of an exhibition, demonstration or performance of hypnotism on any person at the place to which the licence relates.
- (2) In the application of this section to Scotland, for the reference to places kept or ordinarily used for public dancing, singing, music or other public entertainment of the like kind there shall be substituted a reference to theatres or other places of public amusement or public entertainment.

**2 Control of demonstrations of hypnotism at other places.**

- (1) No person shall give an exhibition, demonstration or performance of hypnotism on any living person at or in connection with an entertainment to which the public are admitted, whether on payment or otherwise, at any place in relation to which such a licence as is mentioned in section one of this Act is not in force unless the controlling authority have authorised that exhibition, demonstration or performance.

[<sup>F1</sup>(1A) The foregoing subsection shall not apply to an exhibition, demonstration or performance of hypnotism that takes place in the course of a performance of a play (within the meaning of the Theatres Act 1968) given either at premises in respect of

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which a licence under that Act is in force or under the authority of any such letters patent as are mentioned in section 17(1) of that Act.]

- (2) Any authorisation under this section may be made subject to any conditions.
- (3) If a person gives any exhibition, demonstration or performance of hypnotism in contravention of this section, or in contravention of any conditions attached to an authorisation under this section, he shall be liable on summary conviction to a fine not exceeding [<sup>F2</sup>level 3 on the standard scale].

[<sup>F3</sup>(4) In this section, the expression “controlling authority” means—

- (a) in relation to a place in any such area as is mentioned in section one of this Act, the authority having power to grant licences of the kind mentioned in that section in that area;
- (b) in relation to a place in any other area in England, the council of the . . .  
<sup>F4</sup> district where the place is, and in relation to a place in any other area in Scotland, [<sup>F5</sup>the islands or district council for the area] where the place is.]

[<sup>F3</sup>(4) In this section, the expression “controlling authority” in relation to a place in any area means the authority having power to grant licences of the kind mentioned in section 1 above in that area.]

#### Textual Amendments

- F1** S. 2(1A) inserted by [Theatres Act 1968 \(c. 54\)](#), [Sch. 2](#)
- F2** Words substituted by virtue of (E.W.) [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [ss. 38, 46](#) and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#) ss. 289F, 289G
- F3** S. 2(4) containing the words “the expression “controlling authority” in relation to” substituted (E.W.) for s. 2(4) containing the words “the expression “controlling authority” means—” by [Local Government \(Miscellaneous Provisions\) Act 1982 \(c. 30, SIF 81:1\)](#), s. 1, [Sch. 2 para. 1](#)
- F4** Words repealed by [Local Government Act 1972 \(c. 70\)](#), [Sch. 30](#)
- F5** Words substituted by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), [Sch. 24 para. 40](#)

#### [<sup>F6</sup>2A Fee.

The person making an application to a controlling authority, being the council of a London borough, for an authorisation under section 2 of this Act shall on making the application pay to the council such reasonable fee as the council may determine.]

#### Textual Amendments

- F6** S. 2A added (21.9.1994) by [1994 c. xii](#), [ss. 1](#), 7(1)

### 3 Prohibition on hypnotising persons under twenty-one.

A person who gives an exhibition, demonstration or performance of hypnotism on a person who has not attained the age of [<sup>F7</sup>eighteen] years at or in connection with an entertainment to which the public are admitted, whether on payment or otherwise, shall, unless he had reasonable cause to believe that that person had attained that age, be liable on summary conviction to a fine not exceeding [<sup>F8</sup>level 3 on the standard scale].

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#### **Textual Amendments**

- F7** Word substituted (S.) by [Age of Majority \(Scotland\) Act 1969 \(c. 39\)](#) , s. 1(3) , [Sch. 1 Pt. I](#) and (E.W) by [Family Law Reform Act 1969 \(c. 46\)](#) , s. 1(3) , [Sch. 1 Pt. I](#)
- F8** Words substituted by virtue of (E.W.) [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#) , [ss. 38](#) , [46](#) and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#) ss. 289F, 289G

#### **4 Entry of premises.**

Any police constable may enter any premises where any entertainment is held if he has reasonable cause to believe that any act is being or may be done in contravention of this Act.

#### **5 Saving for scientific purposes.**

Nothing in this Act shall prevent the exhibition, demonstration or performance of hypnotism (otherwise than at or in connection with an entertainment) for scientific or research purposes or for the treatment of mental or physical disease.

#### **6 Interpretation.**

In this Act, except where the context otherwise requires it, the following expression shall have the meaning hereby assigned to it, that is to say:—

“hypnotism” includes hypnotism, mesmerism and any similar act or process which produces or is intended to produce in any person any form of induced sleep or trance in which the susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased but does not include hypnotism, mesmerism or any such similar act or process which is self-induced.

#### **7 Short title, extent and commencement.**

- (1) This Act may be cited as the Hypnotism Act 1952.
- (2) This Act shall not extend to Northern Ireland.
- (3) This Act shall come into force on the first day of April, nineteen hundred and fifty-three.

**Status:**

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**Changes to legislation:**

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