



Activity Centres (Young Persons' Safety) Act 1995

1995 CHAPTER 15

2 Offences.

- (1) Regulations may provide for it to be an offence—
 - (a) to do anything for which a licence is required under the regulations, otherwise than in accordance with a licence; or
 - (b) for the purposes of obtaining or holding a licence—
 - (i) to make a statement to the licensing authority (or someone acting on their behalf) knowing it to be false in a material particular, or
 - (ii) recklessly to make a statement to the licensing authority (or someone acting on their behalf) which is false in a material particular.
- (2) A person convicted of an offence under regulations made under subsection (1) shall be liable—
 - (a) on summary conviction, to a fine not exceeding the statutory maximum;
 - (b) on conviction on indictment—
 - (i) for an offence under regulations made under subsection (1)(a), to imprisonment for a term not exceeding two years, or a fine, or both;
 - (ii) for an offence under regulations made under subsection (1)(b), to a fine.
- (3) Regulations under subsection (1)—
 - (a) may provide defences to be available in proceedings for an offence under the regulations either generally or in specified circumstances;
 - (b) may make, in relation to provisions of the regulations, provision which applies (with or without modifications), or has a similar purpose to that of, any of the provisions of the ^{M1}Health and Safety at Work etc. Act 1974 set out in subsection (4).
- (4) The provisions mentioned in subsection (3)(b) are:
 - (a) sections 15(7) and 35 (venue);
 - (b) sections 18 to 20 and 26 (enforcement authorities and inspectors);

Changes to legislation: There are currently no known outstanding effects for the Activity Centres (Young Persons' Safety) Act 1995, Section 2. (See end of Document for details)

- (c) sections 21 to 24 (improvement and prohibition notices);
- (d) section 25 (power to deal with cause of imminent danger);
- (e) sections 27 and 28 (obtaining and disclosure of information);
- (f) section 33(1)(e) to (j), (n) and (o)^{F1} and (2) (and the related provisions of Schedule 3A)] (ancillary offences);
- (g) section 34(2) to (6) (extension of time for bringing summary proceedings);
- (h) sections 36(1) and 37 (offences due to fault of other person and offences by bodies corporate);
- (i) sections 38 and 39 (prosecutions in England and Wales only by inspectors or by or with the consent of the Director of Public Prosecutions);
- (j) sections 40 and 41 (onus of proving limits of what is practicable, and evidence);
- (k) section 42 (power of court to order cause of offence to be remedied); and
- (l) section 46 (service of notices).

Textual Amendments

- F1** Words in s. 2(4)(f) substituted (16.1.2009) by [Health and Safety \(Offences\) Act 2008 \(c. 20\), s. 3\(2\), Sch. 3 para. 4](#) (with s. 3(3))

Marginal Citations

- M1** 1974 c. 37.

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