

CHAPTER 15.

An Act for the regulation of the Royal Parks and Gardens. A.D. 1872.

[27th June 1872.]

WHEREAS it is expedient to protect from injury the Royal parks, gardens, and possessions under the management of the Commissioners of Her Majesty's Works and Public Buildings, herein-after called the Commissioners, and to secure the public from molestation and annoyance while enjoying such parks, gardens, and possessions:

And whereas a list of such of the said parks and gardens and possessions as are now under the management of the Commissioners is contained in the second schedule hereto:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as "The Parks Regulation Act, 1872."

Application of Act.

2. This Act shall apply to all the Royal parks, gardens, and possessions, the management of which is for the time being vested in the Commissioners, and such parks, gardens, and possessions are herein-after included under the term "park."

Definition of "park-keeper."

3. "Park-keeper" shall mean any person who, previously to the passing of this Act, has been or may hereafter be appointed keeper of a park as defined by this Act.

Penalty on violating regulations in schedule.

4. If any person does any act in contravention of any regulation contained in the first schedule annexed hereto, he shall, on conviction by a court of summary jurisdiction, be liable to a penalty not exceeding five pounds; but the regulations contained in the said schedule shall not take effect until the expiration of one calendar month after the passing of this Act.

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Park-keeper may apprehend any offender whose name or residence is not known.

5. Any park-keeper in uniform, and any persons whom he may call to his assistance, may take into custody, without a warrant, any offender who in the park where such keeper has jurisdiction, and within the view of such keeper, acts in contravention of any of the said regulations, provided that the name or residence of such offender is unknown to and cannot be ascertained by such park-keeper.

If any such offender, when required by any park-keeper or by any police constable to give his name and address, gives a false name or false address, he shall, on conviction by a court of summary jurisdiction, be liable to a penalty not exceeding five pounds.

Penalty on assaults on park-keeper.

6. Where any person is convicted of an assault on any park-keeper when in the execution of his duty, such person shall, on conviction by a court of summary jurisdiction, in the discretion of the court, be liable either to pay a penalty not exceeding twenty pounds, and in default of payment to be imprisoned, with or without hard labour, for a term not exceeding six months, or to be imprisoned for any term not exceeding six months, with or without hard labour.

Powers, duties, and privileges of park-keeper.

7. Every park-keeper, in addition to any powers and immunities specially conferred on him by this Act, shall, within the limits of the park of which he is keeper, have all such powers, privileges, and immunities, and be liable to all such duties and responsibilities, as any police constable has within the police district in which such park is situated; and any person so appointed a park-keeper as aforesaid shall obey such lawful commands as he may from time to time receive from the Commissioners in respect of his conduct in the execution of his office.

Police constables to have the same powers, &c. as park-keepers.

8. Every police constable belonging to the police force of the district in which any park, garden, or possession to which this Act applies is situate shall have the powers, privileges, and immunities of a park-keeper within such park, garden, or possession.

Rules to be laid before Parliament.

9. Any rule made in pursuance of the first schedule to this Act shall be forthwith laid before both Houses of Parliament, if Parliament be sitting, or if not, then within three weeks after the beginning of the then next ensuing session of Parliament; and if any such rules shall be disapproved of by either House of Parliament within one month after the same shall have been so laid before Parliament, such rules, or such parts thereof as shall be disapproved of, shall not be enforced.

Publication of regulations.

10. Copies of regulations to be observed in pursuance of this Act by persons using a Royal park to which this Act applies shall be put up in such park in such conspicuous manner as the Commissioners may deem best calculated to give information to the persons using the park.

Saving of certain rights.

11. Nothing in this Act shall authorise any interference with any rights of way or any right whatever to which any person or persons may be by law entitled.

Act to be cumulative.

12. All powers conferred by this Act shall be deemed to be in addition to and not in derogation of any powers conferred by any other Act of Parliament, and any such powers may be exercised as if this Act had not been passed.

Saving of the rights of the Crown.

13. Nothing in this Act contained shall be deemed to prejudice or affect any prerogative or right of Her Majesty, or any power, right, or duty of the Commissioners, or any powers or duties of any officers, clerks, or servants, appointed by Her Majesty or by the Commissioners.

Saving of Metropolitan Streets Act.

14. Nothing in this Act contained shall affect the Metropolitan Streets Act, 1867, or the application thereof to any park to which it is by law applicable.

Summary proceedings for offences.

15. Any offence against this Act may be prosecuted before a court of summary jurisdiction, as follows:

In England, in manner directed by the Act of the session of the eleventh and twelfth years of the reign of Her present Majesty, chapter forty-three, intituled "An Act to facilitate "the performance of the duties of justices of the peace out of "sessions within England and Wales with respect to summary "convictions and orders," and any Act amending the last-mentioned Act.

In Scotland, the court of summary jurisdiction shall include any justice or justices of the peace, sheriff or sheriff substitute, police or other magistrate, proceedings before whom may be regulated by "The Summary Procedure Act, 1864," upon whom all jurisdictions, powers, and authorities necessary for the purposes of this Act are hereby conferred.

All offences under this Act in Scotland shall be prosecuted and all penalties recovered under the provisions of the Summary Procedure Act, 1864, at the instance of the procurator fiscal of the court before which such proceedings are instituted.

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In Scotland, all penalties under this Act, other than those hereinbefore provided for, in default of payment may be enforced by imprisonment for a term to be specified in the judgment or sentence of the court, but not exceeding three calendar months; and all penalties imposed and recovered under this Act shall be paid to the clerk of court, and by him accounted for and paid to the fine fund of the court in which the fine is imposed.

"Court of summary jurisdiction" shall in this Act mean and include any justice or justices of the peace, metropolitan police magistrate, stipendiary or other magistrate or officer, by whatever name called, to whom jurisdiction in respect of offences arising under this Act is given by this section or any Acts therein referred to.

The FIRST SCHEDULE above referred to.

Regulations to be observed by Persons using the Royal Parks.

1. No person shall drive or wheel into a park any vehicle, barrow, truck, or machine not admitted therein by the rules of the park.

2. No person shall drive or wheel in a park any vehicle, barrow, truck, or machine except in accordance with the rules of the park.

3. No person shall ride any horse or other animal in a park except in accordance with the rules of the park.

4. No groom or horsebreaker shall exercise or train any horse in any part of a park except at the times and in manner permitted by the rules of the park.

5. No person shall ride or drive furiously so as to endanger the safety or convenience of any other person using a park.

6. No person shall ride or drive on any road ordinarily set apart for riding or driving during such period as by notice in writing affixed thereto it may be declared unfit for use by reason of repairs or for any other special reason.

7. No person shall drill or practise military evolutions, or use arms, or play any game or music, or practise gymnastics, or sell or let any commodity, in a park, except in accordance with the rules of the park.

8. No person shall deliver, or invite any person to deliver, any public address in a park except in accordance with the rules of the park.

9. No intoxicated person shall enter or remain in a park.

10. No person shall walk upon any shrubbery or flower bed, or enclosed plantation, or any other land specially enclosed.

11. No person shall use any water in a park for fishing, bathing, washing, or skating, or for any other purpose, except in accordance with the rules of the park.

12. No person shall allow any dog to be at large in a park except in accordance with the rules of the park.

13. No person shall destroy or injure any tree, shrub, or plant, or pluck any flower or leaf thereof, or injure or deface any building, structure, seat, railing, or other property in or enclosing a park, or put up, fix, or exhibit any advertisement, posting bill, or other paper in a park.

14. No person shall commit any act in violation of public decency, or use profane, indecent, or obscene language to the annoyance of other persons using a park.

15. No person shall discharge any firearm, or wantonly throw or discharge any stone or other missile to the damage or danger of any person, or make any bonfire, or throw or set fire to any firework in a park.

16. No person shall wilfully interfere with or annoy any other person using or enjoying a park, or any part thereof, in accordance with the rules of the park, or otherwise using or enjoying the same in any lawful manner.

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17. No person shall wilfully disturb any animal grazing in a park, or otherwise worry or ill-treat any animal in a park, or in the waters thereof.

18. No person shall enter into or remain in any part of a park during any time between sunset and sunrise appointed for closing the same, except for the purpose of passing along a way kept open for the use of the public.

19. For the purposes of this schedule "the rules of the park" shall be deemed to be such rules as may in relation to any matter within the jurisdiction of the ranger (if any) of the park be from time to time made by the ranger, and in relation to any other matter to which these regulations are applicable be from time to time made by the Commissioners of Her Majesty's Works and Public Buildings.

20. Any rules, whether made by the ranger or by the Commissioners of Her Majesty's Works and Public Buildings, shall be issued under the common seal of the said Commissioners; and any rules purporting to be the rules of the park may be proved by the production of a copy thereof purporting to be printed by the printers of Her Majesty.

The SECOND SCHEDULE above referred to.

Hyde Park.
Saint James's Park.
The Green Park.
Kensington Gardens.
Parliament Square Garden.
Regent's Park.
Kennington Park.
Primrose Hill.
Victoria Park.
Battersea Park.
Greenwich Park.
Kew Gardens, Pleasure Grounds, and Green.
Hampton Court Park, Hampton Court Gardens and Green.
Richmond Park and Green.
Bushy Park.
Holyrood Park.
Linlithgow Peel or Park.

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