



STATUTORY INSTRUMENTS.

S.I. No. 457 of 2025



PLANNING AND DEVELOPMENT (FUNFAIRS AND FAIRGROUND
EQUIPMENT) REGULATIONS 2025

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PLANNING AND DEVELOPMENT (FUNFAIRS AND FAIRGROUND
EQUIPMENT) REGULATIONS 2025

I, JAMES BROWNE, Minister for Housing, Local Government and Heritage, in exercise of the powers conferred on me by sections 4(1), 487(2) and (3) and 489 of the Planning and Development Act 2024 (No. 34 of 2024), hereby make the following regulations:

Citation and commencement

1. (1) These Regulations may be cited as the Planning and Development (Funfairs and Fairground Equipment) Regulations 2025.

(2) These Regulations shall come into operation on the 2nd day of October 2025.

Definitions

2. In these Regulations—

“applicant” means a person who has made an application for a certificate of safety;

“certificate of safety” has the meaning given to it in section 476(1) of the Principal Act;

“certificate of safety disc” shall be construed in accordance with Regulation 7;

“fairground equipment” shall be construed in accordance with section 476(1) of the Principal Act;

“funfair” has the meaning given to it in section 476(1) of the Principal Act;

“guidance document” has the meaning given to it in Regulation 13;

“inflatable” means fairground equipment with a structure which relies on air to maintain its shape;

“Minister” means the Minister for Housing, Local Government and Heritage;

“playground equipment” means permanently-installed public equipment or structures in a designated area designed and built for the purpose of children at play;

“Principal Act” means the Planning and Development Act 2024 (No. 34 of 2024);

“relevant standard” means a standard in connection with the inspection and testing of fairground equipment published from time to time by the National Standards Authority of Ireland;

“suitably-qualified individual” has the meaning given to it in Regulation 3.

Suitably-qualified individual

3. For the purposes of these Regulations, a suitably-qualified individual means—

- (a) an individual that—
 - (i) holds a qualification at level 8 or above on the National Framework for Qualifications, or equivalent, in mechanical, structural, process safety or civil engineering,
 - (ii) is an Associate or Chartered Engineer on the register kept by Engineers Ireland pursuant to The Institution of Civil Engineers of Ireland (Charter Amendment) Act 1969 (No. 1 of 1969 (Private)),
 - (iii) holds a suitable policy of professional indemnity insurance, and
 - (iv) has the experience, knowledge and skills to inspect fairground equipment, or
- (b) in respect of the performance of his or her functions in the case of an inflatable with a platform height less than 9 metres, an individual that—
 - (i) has—
 - (I) successfully completed an apprenticeship or holds a qualification at level 5 or above on the National Framework for Qualifications, or equivalent, in engineering, electrical, motor mechanics or another relevant discipline, or
 - (II) been performing duties commensurate with those of a suitably-qualified individual for a period of not less than five years in the State (which shall not include for the purposes of calculating that five-year period, any such performance which occurred on, or after, the date of the coming into operation of these Regulations),
 - (ii) has completed relevant training in portable appliance testing not more than five years previous to the date of the performance of a function under these Regulations,
 - (iii) holds a suitable policy of professional indemnity insurance, and
 - (iv) has the experience, knowledge and skills to inspect inflatables.

Functions of suitably-qualified individual

4. A suitably-qualified individual, to whom an application for a certificate of safety is made under Regulation 5, shall perform the following functions:

- (a) process the application in accordance with these Regulations;

- (b) inspect the fairground equipment to which the application relates;
- (c) ensure that the subject matter of the application complies with, and in any subsequent certificate of safety issued specify that the equipment concerned complies with, the relevant standards;
- (d) interpret the results of other competent persons' inspection reports relating to the equipment concerned and, where applicable, require the applicant to undertake any reasonable action considered necessary by him or her prior to the issue of a safety certificate.

Applications for certificates of safety

5. (1) An application for a certificate of safety shall be made to a suitably-qualified individual.

(2) A separate application for a certificate of safety shall be made in respect of each separate piece of fairground equipment.

(3) An application for a certificate of safety shall be accompanied by such plans, specifications, operator's manual, test results or other information as the suitably-qualified individual may reasonably require.

(4) For the performance of his or her functions under Regulation 4(a), a suitably-qualified individual may, by notice in writing, require an applicant to provide to him or her, within such time as may be specified in the notice, such further information or documentation as he or she may require.

(5) Where a request by notice is made under paragraph (4) and the required information or documentation is not provided to the suitably-qualified individual concerned within the time specified in the notice, or such further extension of that time that the suitably-qualified individual in his or her sole discretion may permit in writing, he or she may refuse to grant a certificate of safety to the applicant.

Information to be contained in certificate of safety

6. Subject to Regulation 8, certificates of safety shall contain the following information:

- (a) the name and address of the owner of the fairground equipment;
- (b) the name and address of the suitably-qualified individual issuing the certificate;
- (c) the signature of the suitably-qualified individual concerned;
- (d) the following details in relation to the fairground equipment concerned:
 - (i) the generic name, or class, of the equipment;
 - (ii) the manufacturer of the equipment;
 - (iii) the date of manufacture of the equipment;

- (iv) the serial number, or a unique identification number, of the equipment;
- (v) one, or more, photographs of the equipment showing that equipment fully assembled on the date of its testing;
- (e) subject to paragraph (f), all the inspection types undertaken, as required by the relevant standards, for the fairground equipment;
- (f) for each inspection type, referred to in paragraph (e), the following details:
 - (i) the examination procedure and results of the inspection;
 - (ii) the name of the person carrying out the inspection;
 - (iii) a unique report reference number;
 - (iv) the date of inspection;
 - (v) the location at which the inspection was carried out;
- (g) the date of certification of the fairground equipment;
- (h) subject to Regulation 12, the date of expiration of the certificate of safety issued for the fairground equipment concerned.

Certificate of safety disc

7. (1) Each certificate of safety shall have a corresponding certificate of safety disc issued by the suitably-qualified individual with the relevant certificate of safety.

(2) A valid certificate of safety disc shall be displayed prominently, in a manner accessible and easily readable by users and customers, at a location to the front of the entrance to each piece of fairground equipment.

(3) A certificate of safety disc shall cease to be valid on the day on which the certificate of safety to which it relates either ceases to be in force or is cancelled pursuant to Regulation 10.

(4) A certificate of safety disc shall contain the following:

- (a) the serial number or unique identification number for the fairground equipment concerned;
- (b) the period of validity for the certificate of safety;
- (c) the name of the suitably-qualified individual that granted the certificate under Regulation 8;
- (d) the generic name or class of fairground equipment concerned.

Grant of certificate of safety

8. (1) A suitably-qualified individual shall only grant a certificate of safety for the purpose of these Regulations where he or she has satisfied himself or herself that the fairground equipment to which the certificate relates—

- (a) has been tested in respect of its compliance with the relevant standards, and
 - (b) has met the requirements outlined in those standards.
- (2) Where a suitably-qualified individual decides to grant a certificate of safety in accordance with these Regulations, he or she shall—
- (a) grant the certificate, with or without conditions, and
 - (b) cause the certificate and all relevant inspection reports to be sent to the applicant.
- (3) A certificate of safety and all relevant inspection reports, or legible copies of either, shall be retained for a period of not less than seven years from the dates thereon by—
- (a) the suitably-qualified individual concerned, and
 - (b) the owner of the fairground equipment concerned.

Refusal to grant certificate of safety

9. (1) Where a suitably-qualified individual decides to refuse to grant a certificate of safety in accordance with these Regulations, he or she shall, as soon as practicable—
- (a) notify the applicant in writing of his or her decision and the reasons therefor, and
 - (b) cause the relevant reports to be sent to the applicant.
- (2) The notification of his or her decision to refuse to grant a certificate of safety and the relevant reports shall be retained for a period of not less than seven years from the dates thereon by—
- (a) the suitably-qualified individual concerned, and
 - (b) the owner of the fairground equipment concerned.

Cancellation of certificate of safety

10. Where, after the issue of the certificate of safety under these Regulations, a piece of fairground equipment concerned undergoes any substantial alteration or repair likely to affect the specified safe working of the equipment, that certificate is cancelled and the equipment shall not be operated before a new replacement certificate of safety is granted and notified to the owner of the equipment.

Fees and timing for certification

11. A suitably-qualified individual shall determine an application for a certificate of safety within such period and for such fee as may be agreed between the applicant and the suitably-qualified individual.

Period of validity for certificate of safety

12. A certificate of safety shall be valid for a period of 12 months from the date of its issue or any shorter period as may be specified by the suitably-qualified individual concerned on the certificate.

Guidance documents

13. The Minister may from time to time prepare and publish, or arrange to have published on his or her behalf, guidance (in these Regulations, referred to as a guidance document) for the purpose of providing guidance on matters to be taken into account in determining applications for certificates of safety, including guidance on compliance by fairground operators with such safety standards, codes of practice or related documents as may be considered necessary for the grant of a certificate of safety.

Notice to organise funfair

14. Any period of notice in writing, from a person who intends to organise a funfair, that is less than two weeks, that is acceptable to the local authority in whose functional area the funfair is to be held, is prescribed as such other period of notice mentioned in section 489(1) of the Principal Act.

Classes of fairground equipment

15. (1) Playground equipment is prescribed under section 487(3)(b) of the Principal Act as an exempted class of fairground equipment for the purposes of Part 16 of that Act.

(2) An inflatable is prescribed under section 487(3)(a) of the Principal Act as a class of fairground equipment for the purposes of Part 16 of that Act.

Transitional provision

16. Notwithstanding the revocation of the Regulations mentioned in Regulation 17, any—

- (a) certificate of safety granted,
- (b) application for a certificate of safety, or
- (c) notice given to a local authority,

under those Regulations may be continued or considered as if those Regulations had not been revoked and any certificate granted, application made or notice given shall have effect accordingly.

Revocations

17. The following Regulations are revoked:

- (a) the Planning and Development Act 2000 (Certification of Fairground Equipment) Regulations 2003 (S.I. No. 449 of 2003);

- (b) the Planning and Development Act 2000 (Certification of Fairground Equipment) (Amendment) Regulations 2007 (S.I. No. 590 of 2007).



GIVEN under my Official Seal,
2 October, 2025.

JAMES BROWNE,
Minister for Housing, Local Government and Heritage.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

The purpose of these Regulations is to deal with the notices to organise a funfair and the matters of procedure, administration and control in relation to applications for, and grant of, certificates of safety for funfair equipment.

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