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What we mean by amusement device

This policy's purpose

'Amusement device' is defined in section 21A(1) of the Machinery Act 1950 (the Act). The definition is made up of several elements.

This policy explains how we interpret each of these elements.

How does the Act define an amusement device?

The Act defines 'amusement device' as:

'An appliance to which the motion of a prime mover is transmitted and which is used, or designed or intended to be used, for the amusement, recreation, or entertainment of persons being carried, raised, lowered, or moved by the appliance or any part thereof while it is in motion; and includes the prime mover, transmission machinery, supporting structure, and any equipment used or intended to be used in connection therewith.'

How we interpret the elements of an amusement device

Our Inspectors of Machinery decide whether a device is an amusement device or not. When we're making this decision, we break the definition down into parts. We interpret each part as follows.

'Prime mover' and 'transmission machinery' are defined by the Act'.

'Prime mover' means:

- an engine, motor, or other appliance which provides mechanical energy derived from steam, water, wind, electricity, gas, gaseous products, compressed air, the combustion of fuel, or any other source.

'Transmission machinery' means:

- any shaft, wheel, drum, pulley, system of fast and loose pulleys, gearing, coupling, clutch, driving belt, chain, rope, band, or other device by which the motion of a prime mover is transmitted to or received by any machine or appliance.

A 'separate appliance' includes (but isn't limited to):

- a seat, capsule, carriage or other apparatus that contains or supports a person which is separate to, and not inbuilt within the same device that incorporates, the prime mover.

'Used, or designed or intended to be used, for the amusement, recreation, or entertainment of persons being carried, raised, lowered, or moved by the appliance or any part thereof while it is in motion' means that:

- there's (or there's intended to be) some form of propulsion of a separate appliance by the prime mover. This results in people being carried, raised, lowered, or moved by the separate appliance, and
- the movement of the separate appliance, while it's being mechanically driven by the prime mover, is the amusement, recreation or entertainment for the persons in or on the separate appliance.

'Includes the prime mover, transmission machinery, supporting structure, and any equipment used or intended to be used in connection therewith' means that:

- the device includes the prime mover, transmission machinery, separate appliance, and all structural components and associated equipment used or intended to be used for its operation.

Other things we consider

We also consider two other things to help us determine whether something is an amusement device. An amusement device:

- must be 'erected' or 'constructed' before it's operated. This can be for varying lengths of time and includes permanent devices
- isn't a single vehicle with all elements of an amusement device built into one unit, such as a go-kart.

What we expect of owners and operators of amusement devices

Before an amusement device can be used or erected for use, we expect owners and operators to have it:

- examined and issued with a certificate of examination by a chartered professional engineer. In the case of a model engineering amusement device, this can be a competent person, and
- registered by a WorkSafe Inspector of Machinery.

They must also have a permit from the Local Authority to operate the amusement device. They must have a permit for every location they intend to operate.