



**HYPNOTISM ACT 1952**

**Guidance on when an authorisation is required.**

Where the premises concerns hold a licence under the Licensing Act 2003 for Regulated entertainment then no authorisation under the Hypnotism Act is required unless there are conditions on the premises licence that require one or that imposes conditions in respect of Hypnotism (in which case these must be complied with).

Where the premises concerned does not hold a licence for Regulated entertainment under the Licensing Act 2003 then an authorisation under the Hypnotism Act (by way of this form) is required.

Hypnotism includes 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.

Exhibitions, demonstrations or performances of hypnotism that takes place in the course of a performance of a play are exempt from the authorisation process.

**Application**

**To: Licensing, Milton Keynes City Council**

I, (State full name) .....

being the (state position held) .....

Of (address) .....

.....

Telephone Number ..... e-mail .....@.....

hereby apply to the Milton Keynes Council for authorisation in respect of a public exhibition, demonstration or performance of hypnotism (as defined in Section 6 of the Hypnotism Act 1952).

The exhibition, demonstration or performance will occur at the following address/ premises:

.....  
.....

On what date will the event occur: .....

Please provide the details of the person carrying out the exhibition, demonstration or performance (i.e. the Hypnotist):

Hypnotist name: .....

Hypnotist address: .....

.....

Please provide a description of the event (continue on a separate sheet if necessary):

.....

Has the Hypnotist ever previously been refused or had withdrawn a consent by any licensing authority or been convicted of an offence under the Hypnotism Act 1952 or of an offence involving the breach of a condition regulating or prohibiting the giving of an exhibition, demonstration or performance of hypnotism on any person at a place licensed for public entertainment?

Yes  No

I enclose the prescribed fee (cheques payable to MKCC or call direct 01908 252409)  
The current fee payable is on our Website.

Signed ..... dated .....

The applicant is reminded that by signing this application they are confirming that details above are correct and that they and the hypnotist will ensure compliance with the attached conditions. It is an offence to make a false statement knowingly or recklessly on this form.

Where an email address is provided the licence, and any official written communication will be sent to that address.

### **Privacy Statement**

MKC collect and use information about you so that we can provide you with council services. Full details about how we use this data and the rights you have around this can be found at [www.milton-keynes.gov.uk/privacy](http://www.milton-keynes.gov.uk/privacy). If you have any data protection queries, please contact the Data Protection Officer at [data.protection@milton-keynes.gov.uk](mailto:data.protection@milton-keynes.gov.uk)

### **Conditions for Hypnotism Act Licence**

The following conditions shall apply to any consent given:

1. Publicity

(a) no poster, advertisement or programme for the performance which is likely to cause public offence shall be displayed, sold or supplied, by or on behalf of the licensee either at the premises or elsewhere;

(b) every poster, advertisement or programme for the performance which is displayed, sold or supplied shall include, clearly and legibly, the following statement:

*“Volunteers, who must be aged 18 or over, can refuse at any point to continue taking part in the performance.”*

2. Insurance

- (a) the performance shall be covered by public liability insurance. The hypnotist must provide evidence of this to the local authority if requested; and it must be available for inspection at the performance.

3. Physical arrangements

- (a) the means of access between the auditorium and the stage for participants shall be properly lit and free from obstruction.
- (b) a continuous white or yellow line shall be provided on the floor of any raised stage at a safe distance from the edge. This line shall run parallel with the edge of the stage for its whole width. The hypnotist shall inform all subjects that they must not cross the line while under hypnosis unless specifically told to do so as a part of the performance.

4. Treatment of audience and subjects

- (a) before starting the performance, the hypnotist shall make a statement to the audience, in a serious manner. The following is a suggested statement, which might be amended as necessary to suit individual styles as long as the overall message remains the same:

*“I shall be looking for volunteers aged over 18 who are willing to be hypnotised and participate in the show. Anyone who comes forward should be prepared to take part in a range of entertaining hypnotic suggestions but can be assured that they will not be asked to do anything which is indecent, offensive or harmful. Volunteers need to be in normal physical and mental health and I must ask that no-one volunteers if they have a history of mental illness, are under the influence of alcohol or other drugs or are pregnant.”*

- (b) No form of coercion shall be used to persuade members of the audience to participate in the performance. In particular, hypnotists shall not use selection techniques, which seek to identify and coerce onto the stage the most suggestible members of the audience without their prior knowledge of what is intended. Any use of such selection techniques (e.g. asking members of the audience to clasp their hands together and asking those who cannot free them again to come onto the stage) should only be used when the audience is fully aware of what is intended, and that participation is entirely voluntary at every stage.
- (c) If volunteers are to remain hypnotised during an interval in the performance, a reasonable number of attendants as agreed with the licensing authority shall be in attendance throughout to ensure their safety.

5. Prohibited Actions

- (a) The performance shall be so conducted as not to be likely to cause offence to any person in the audience or any hypnotised subject.

- (b) The performance shall be so conducted as not to be likely to cause harm, anxiety, or distress to any person in the audience or any hypnotised subject. In particular, the performance shall not include: -
- i) any suggestion involving the age regression of a subject (i.e. asking the subject to revert to an earlier age in their life; this does not prohibit the hypnotist from asking subjects to act as if they were a child etc);
  - ii) any suggestions that the subject has lost something (e.g. a body part) which, if it really, occurred, could cause considerable distress;
  - iii) any demonstration in which the subject is suspended between supports (so-called "catalepsy")
  - iv) the consumption of any harmful or noxious substance
  - v) any demonstration of the power of hypnosis to block pain (e.g. pushing a needle through the skin)
- (c) the performance shall not include giving hypnotherapy or any other form of treatment.

## 6. Completion

- (a) All hypnotised subject shall remain in the presence of the hypnotist and in the room where the performance takes place until all hypnotic suggestions have been removed;
- (b) All hypnotic or post-hypnotic suggestions shall be completely removed from the minds of the subjects and the audience before the performance ends. All hypnotised subjects shall have the suggestions removed both individually and collectively and the hypnotist shall confirm with each of them that they feel well and relaxed (the restriction on post-hypnotic suggestions does not prevent the hypnotist telling subjects that they will feel well and relaxed after the suggestions are removed).

## 7. Authorised access

Where a constable; or an authorised officer of licensing authority; or an authorised officer of the fire authority has reason to believe that a performance is being, or is about to be, given he may enter the venue with a view to seeing whether the conditions on which approval for the performance was granted are being complied with.