

Is Father Christmas Breaking The 'Santa Laws'?

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(PhysOrg.com) -- As if Santa Claus didn't have enough to do this time of year, a University of Derby Law expert says he can also add a sledge-load of official and legal paperwork.

Kevin Bampton, Head of the UK's University of Derby School of Law, has revealed Father Christmas' activities could otherwise place him at risk of violating a whole range of UK and European laws to do with health and safety, property damage, data protection, consumer rights and even animal husbandry.

In a light-hearted lecture in the run up to Christmas, busy Law students at the University were treated to a lecture by Kevin - entitled Santa Laws: Red cape or red tape? - revealing which rules the big man in red-and-white could fall foul of.

And, in the spirit of the season, the experienced academic has offered to provide free legal advice to the famous client if the worst happens.

Legal queries Santa might be faced with include:

Citizenship and country of residence - Santa's been claimed as a Turkey national and to be a resident of practically every Nordic State, but a lack of definite nationality could pose problems for the world's most travelled man. The UK Border Agency asks visitors in transit entering the country to supply documents proving their origin, and financial and employment status. Luckily, Canada's government formally

awarded him Canadian citizenship in 2008. (He'll still need to bring a lot of paperwork with him).

Letters to Santa - data protection laws are very strict on what information you keep on people, for how long and what reasonable access they have to it. Santa could quite rightly argue that he'd need to retain the information after each December 25, in case of any gift-related lawsuits - but would putting someone on a 'naughty or nice list' raise problems under the Regulation of Investigatory Powers Act?

Transport - to use reindeer, Santa might need to show he'd passed a training course for livestock transport. Rudolph and the rest would also need to have proper rest stops, which would be quite difficult on a time schedule as tight as one night. Going from the Arctic to the high temperatures experienced in supersonic flight (the sleigh must travel at an estimated 650 miles per second to complete its rounds) would certainly breach a European Directive or two.

Reindeer movement - that's without considering the fact that to move deer in the first place you need to fill in a Standard Movement (AML24) document and all movements must be reported to the proper authorities, (in the UK this comes under the 2006 Animal Welfare Act). As for Rudolph, his red nose is obviously a symptom of infectious bovine rhinotracheitis (IBR) - a reportable disease.

Kevin said: "These days Santa's more likely to be wrapped up in red tape himself, than wrapping presents. I calculate he will need at least thirty or forty pieces of official paper just to make it in and out of the UK.

"Fortunately, if he gets caught at the border the University of Derby's 'legal elves' will be poised to help him out."

Kevin's Christmas-themed lecture was part of the series of, usually more

serious, talks regularly given by the University's 'Law in Society' research group.

Provided by University of Derby

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