



# Safety of Sports Grounds Act 1975

## 1975 CHAPTER 52

An Act to make provision for safety at sports stadia and other sports grounds. [1st August 1975]

### Modifications etc. (not altering text)

- C1** Act extended with modifications (E.W.) by [S.I. 1986/1044, art. 2\(1\)](#)
- C2** Act extended (E.W.) (3.6.1991) by [Football Spectators Act 1989 \(c. 37, SIF 45A\), s. 13\(5\)](#)  
Act: functions of local authority not to be responsibility of an executive of the authority (E.) (16.11.2000) by virtue of [S.I. 2000/2853, reg. 2\(1\), Sch. 1](#) Table B26

### 1 †Safety certificates for large sports stadia.

(1) The Secretary of State may by order designate as [<sup>F1</sup>a sports ground] requiring a certificate under this Act (in this Act referred to as a “safety certificate”) [<sup>F1</sup>any sports ground] which in his opinion has accommodation for more than 10,000 spectators.

[<sup>F2</sup>(1A) The Secretary of State may by order substitute, for the number for the time being specified in subsection (1) above, such other number as he considers appropriate; but no order made under this subsection shall affect the validity of any designation previously made.

(1B) An order under subsection (1A) above may make different substitutions for different classes of sports ground.]

(2) The Secretary of State—

- (a) may estimate, by any means which he considers appropriate, for how many spectators a sports [<sup>F3</sup>ground] has accommodation; and
- (b) may require any person concerned with the organisation or management of a sports [<sup>F3</sup>ground] to furnish him within such reasonable time as he may specify with such information as he considers necessary for the purpose of making such an estimate.

(3) A safety certificate may be either—

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- (a) a certificate issued by the local authority for the area in which a [F1]sports ground] is situated in respect of the use of the [F1]sports ground] for an activity or a number of activities specified in the certificate during an indefinite period commencing with a date so specified; or
  - (b) a certificate issued by that authority in respect of the use of the [F1]sports ground] for an activity or a number of activities specified in the certificate on an occasion or series of occasions so specified.
- (4) In this Act—
- [F1]“designated sports ground” ] means [F1]a sports ground] in respect of which a designation order is in operation;
  - “designation order” means an order under this section;
  - “general safety certificate” means such a safety certificate as is mentioned in subsection (3)(a) above; and
  - “special safety certificate” means such a safety certificate as is mentioned in subsection (3)(b) above.

#### Textual Amendments

- F1** Words substituted by [Fire Safety and Safety of Places of Sport Act 1987 \(c. 27, SIF 45A\), s. 19\(1\), Sch. 2](#)
- F2** [S. 1\(1A\)\(1B\)](#) inserted by [Fire Safety and Safety of Places of Sport Act 1987 \(c. 27, SIF 45A\), s. 20](#)
- F3** Word substituted by [Fire Safety and Safety of Places of Sport Act 1987 \(c. 27, SIF 45A\), s. 19\(1\), Sch. 2](#)

#### Modifications etc. (not altering text)

- C3** Unreliable margin note
- C4** [S. 1\(1\)](#) amended (25.3.1996) by [S.I. 1996/499, arts. 2, 3](#)

## 2 Contents of safety certificates.

- (1) A safety certificate shall contain such terms and conditions as the local authority consider necessary or expedient to secure reasonable safety at the [F4]sports ground] when it is in use for the specified activity or activities, and the terms and conditions may be such as to involve alterations or additions to the [F4]sports ground].
- [F5](2) In so far as an order under section 15A below so requires as respects any class of sports ground, a safety certificate shall include such terms and conditions as may be provided for in the order.]
- [F6](2A) No condition of a safety certificate shall require the provision of the services at the ground of any members of a police force unless the extent of the provision of their services is reserved for the determination of the chief officer of police of the force.]
- (3) Without prejudice to subsection (1) above, a safety certificate may include a condition that the following records shall be kept—
  - (a) records of the attendance of spectators at the [F4]sports ground]; and
  - (b) records relating to the maintenance of safety at the [F4]sports ground].
- (4) A general safety certificate shall contain or have attached to it a plan of the [F4]sports ground], and the terms and conditions in the certificate, or in any special safety

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certificate issued for the [<sup>F4</sup>sports ground], shall be framed, where appropriate, by reference to that plan.

- (5) A safety certificate may include different terms and conditions in relation to different activities.
- (6) Nothing in a safety certificate shall derogate from any requirements imposed by regulations under section 6(2) below.

#### Textual Amendments

- F4** Words substituted by [Fire Safety and Safety of Places of Sport Act 1987 \(c. 27, SIF 45A\), s. 19\(1\), Sch. 2](#)
- F5** [S. 2\(2\)](#) substituted by [Fire Safety and Safety of Places of Sport Act 1987 \(c. 27, SIF 45A\), s. 19\(2\)\(a\)](#)
- F6** [S. 2\(2A\)](#) inserted by [Fire Safety and Safety of Places of Sport Act 1987 \(c. 27, SIF 45A\), s. 21](#)

### 3 Applications for certificates.

- (1) If a local authority receive an application for a safety certificate for a designated [<sup>F7</sup>sports ground] in their area, it shall be their duty to determine whether the applicant is a person likely to be in a position to prevent contravention of the terms and conditions of a certificate; and such a person is referred to in this Act as a “qualified person”.
- (2) If a local authority determine that an applicant is a qualified person—
  - (a) where no general safety certificate for the [<sup>F7</sup>sports ground] is in operation, they shall issue such a certificate for it to him; and
  - (b) where a general safety certificate for the [<sup>F7</sup>sports ground] is in operation, they may issue a special safety certificate for it to him.
- (3) The local authority shall send a copy of an application for a safety certificate for a [<sup>F7</sup>sports ground] to the chief officer of police and [<sup>F8</sup>where the local authority is in Greater London or a metropolitan county, the fire authority or, in any other case,] the building authority for the area in which it is situated, and shall consult them about the terms and conditions to be included in the certificate.
- (4) The local authority may by notice in writing require an applicant for a safety certificate to furnish them within such reasonable time as they may specify in the notice with such information and such plans as they consider necessary to enable them to determine the terms and conditions which ought to be included in any certificate issued in response to his application.
- (5) If an applicant for a safety certificate fails to comply with a requirement under subsection (4) above within the time specified by the local authority, or within such further time as they may allow, he shall be deemed to have withdrawn his application.

#### Textual Amendments

- F7** Words substituted by [Fire Safety and Safety of Places of Sport Act 1987 \(c. 27, SIF 45A\), s. 19\(1\), Sch. 2](#)
- F8** Words inserted by [Local Government Act 1985 \(c. 51, SIF 81:1\), d. 16, Sch. 8 para. 7\(1\)](#)

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#### **Modifications etc. (not altering text)**

**C5** S. 3(3) excluded (E.W.)(3.6.1991) by [Football Spectators Act 1989 \(c. 37, SIF 45A\)](#), s. 13(4)

#### **4 Amendment etc. of certificates.**

- (1) The local authority may, in any case in which it appears appropriate to them to do so—
  - (a) amend a safety certificate by notice in writing to its holder; or
  - (b) replace a safety certificate.
- (2) A safety certificate may be amended or replaced either on the application of the holder or without such an application.
- (3) Section 2 above shall apply on the amendment or replacement of a safety certificate.
- (4) A notice under subsection (1)(a) above amending a general safety certificate shall specify the date on which the amendment to which it relates is to come into operation, and the date so specified may be a date later than the date of issue of the notice.
- (5) If the local authority receive an application for the transfer of a safety certificate from the holder to some other person, it shall be their duty to determine whether that person is a qualified person; and if they so determine, they may transfer the certificate to him.
- (6) An application under subsection (5) above may be made either by the holder of a safety certificate or by a person to whom it is proposed that it should be transferred.
- (7) The local authority shall send a copy of an application for the transfer of a safety certificate for a [<sup>F9</sup>sports ground] to the chief officer of police and [<sup>F10</sup>where the local authority is in Greater London or a metropolitan county, the fire authority or, in any other case,] the building authority for the area in which it is situated.
- (8) The local authority shall consult the chief officer of police and [<sup>F10</sup>where the local authority is in Greater London or a metropolitan county, the fire authority or, in any other case,] the building authority about any proposal to amend, replace or transfer a safety certificate.
- (9) The holder of a safety certificate may surrender it to the local authority, and it shall thereupon cease to have effect.
- (10) The local authority may cancel a safety certificate if the holder dies or (if a body corporate) is dissolved.

#### **Textual Amendments**

**F9** Words substituted by [Fire Safety and Safety of Places of Sport Act 1987 \(c. 27, SIF 45A\)](#), s. 19(1), [Sch. 2](#)

**F10** Words inserted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), d. 16, Sch. 8 para. 7(1)

#### **Modifications etc. (not altering text)**

**C6** S. 4(8) excluded (E.W.)(3.6.1991) by [Football Spectators Act 1989 \(c. 37, SIF 45A\)](#), s. 13(4)

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## 5 Appeals.

- (1) A local authority shall serve on a person whom they determine not to be a qualified person notice in writing of their determination, and a person on whom such a notice is served may appeal against the determination to the [F11court].
- (2) An applicant for a special safety certificate may also appeal to the [F11court] against a refusal of his application on grounds other than a determination that he is not a qualified person.
- (3) An interested party may appeal to the [F11court] against—
  - (i) the inclusion of anything in, or the omission of anything from, a safety certificate; or
  - (ii) the refusal of the local authority to amend or replace a safety certificate [F12but not against the inclusion in a safety certificate of anything required to be included in it by the Football Licensing Authority under section 13(2) of the Football Spectators Act 1989].

[F13(3A) An appeal to the court under this section in England and Wales shall be by way of complaint for an order, the making of the complaint shall be deemed to be the bringing of the appeal and the M1Magistrates’ Courts Act 1980 shall apply to the proceedings.

(3B) An appeal to the court under this section in Scotland shall be by summary application.

(3C) In England and Wales any of the following persons may appeal to the Crown Court against an order under this section, namely—

- (a) the local authority; and
- (b) any interested party.

(3D) In Scotland any of the following persons may appeal against an order made in an appeal under this section, namely—

- (a) the local authority; and
- (b) any interested party,

notwithstanding that that person was not party to the proceedings on the application.]

(4) ..... F14

(5) In [F15this section]“interested party” includes—

- (a) the holder of a safety certificate;
- (b) any other person who is or may be concerned in ensuring compliance with the terms and conditions of a safety certificate;
- (c) the chief officer of police; and
- (d) [F16where the local authority is in Greater London or a metropolitan county, the fire authority or, in any other case,] the building authority.

(6) ..... F17

### Textual Amendments

**F11** Words substituted by [Fire Safety and Safety of Places of Sport Act 1987 \(c. 27, SIF 45A\)](#), ss. 22(2), 49, [Sch. 5 para. 6](#)

**F12** Words inserted (3. 6 1991) as provided by [Football Spectators Act 1989 \(c. 37, SIF 45A\)](#), s. 13(8)

**F13** S. 5(3A)-(3D) inserted by [Fire Safety and Safety of Places of Sport Act 1987 \(c. 27, SIF 45A\)](#), s. 22(3), 49, [Sch. 5 para.6](#)

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- F14** S. 5(4) repealed by Fire Safety and Safety of Places of Sport Act 1987 (c. 27, SIF 45A), ss. 22(4), 49, Sch. 4, **Sch. 5 para. 6**
- F15** Words substituted by Fire Safety and Safety of Places of Sport Act 1987 (c. 27, SIF 45A), ss. 22(5), 49, **Sch. 5 para. 6**
- F16** Words inserted by Local Government Act 1985 (c. 51, SIF 81:1), d. 16, Sch. 8 para. 7(1)
- F17** S. 5(6)–(8) repealed by Fire Safety and Safety of Places of Sport Act 1987 (c. 27, SIF 45A), ss. 22(6), 49, Sch. 4, **Sch. 5 para. 6**

#### Marginal Citations

- M1** 1980 c. 43.

## 6 Regulations.

- (1) The Secretary of State may by regulations—
- (a) prescribe the procedure (subject to the provisions of this Act) for the issue, amendment, replacement, transfer and cancellation of safety certificates and the particulars to be given in applications for their issue, amendment, replacement or transfer;
  - (b) authorise local authorities to determine, subject to such limits or in accordance with such provisions as may be prescribed by the regulations, the fees (if any) to be charged in respect of such applications; and
  - <sup>F18</sup>(c) prescribe the time within which appeals under section 5 above are to be brought.]
- (2) The Secretary of State may by regulations make provision for securing safety at sports grounds.
- (3) Regulations under subsection (2) above may provide, without prejudice to its generality, that the following records shall be kept—
- (a) records of the attendance of spectators at sports grounds; and
  - (b) records relating to the maintenance of safety at sports grounds.
- (4) Regulations under this section may contain such incidental and supplementary provisions as the Secretary of State thinks expedient.

#### Textual Amendments

- F18** S. 6(1)(c) substituted by Fire Safety and Safety of Places of Sport Act 1987 (c. 27, SIF 45A), ss. 22(7), 49, **Sch. 5 para. 6**

## 7 Determinations and appeals—supplementary.

- (1) Subject to subsection (2) below, if a local authority serve a notice under section 5(1) above on any <sup>F19</sup>applicant for a safety certificate, he shall be deemed to have withdrawn his application] on the expiry of the period within which, by virtue of regulations under section 6 above, <sup>F19</sup>an appeal against the authority's determination may be brought.]
- <sup>F20</sup>(2) Subsection (1) above shall not have effect if an appeal is brought before the expiry of the period there mentioned, but if the appeal is withdrawn or the court upholds the authority's determination, the appellant shall be deemed to have withdrawn his application on the date of the withdrawal of his appeal or of the court's determination.]

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- (3) Where [<sup>F21</sup>an appeal is brought] against the inclusion of any term or condition in a safety certificate (whether it was included in the certificate originally or only on its amendment or replacement), the operation of that term or condition shall be suspended . . . <sup>F22</sup> until the [<sup>F23</sup>court] has determined the appeal.
- (4) . . . . . <sup>F24</sup>

**Textual Amendments**

- F19** Words substituted by [Fire Safety and Safety of Places of Sport Act 1987 \(c. 27, SIF 45A\)](#), ss. 22(8)(a), 49, [Sch. 5 para. 6](#)
- F20** Words substituted by [Fire Safety and Safety of Places of Sport Act 1987 \(c. 27, SIF 45A\)](#), ss. 22(8)(b), 49, [Sch. 5 para. 6](#)
- F21** Words substituted by [Fire Safety and Safety of Places of Sport Act 1987 \(c. 27, SIF 45A\)](#), ss. 22(8)(c), 49, [Sch. 5 para. 6](#)
- F22** Words repealed by [Fire Safety and Safety of Places of Sport Act 1987 \(c. 27, SIF 45A\)](#), ss. 22(8)(c), 49, [Sch. 4](#), [Sch. 5 para. 6](#)
- F23** Word substituted by [Fire Safety and Safety of Places of Sport Act 1987 \(c. 27, SIF 45A\)](#), ss. 22(8)(c), 49, [Sch. 5 para. 6](#)
- F24** S. 7(4)(5) repealed by [Fire Safety and Safety of Places of Sport Act 1987 \(c. 27, SIF 45A\)](#), ss. 22(8)(d), 49, [Sch. 4](#), [Sch. 5 para. 6](#)

**8 Alterations and extensions.**

- (1) If while a general safety certificate is in operation with respect to a [<sup>F25</sup>sports ground] it is proposed to alter or extend that [<sup>F25</sup>sports ground] or any of its installations, and the alteration or extension is likely to affect the safety of persons at the [<sup>F25</sup>sports ground], the holder of the certificate shall, before the carrying out of the proposals is begun, give notice of the proposals to the local authority.
- (2) Subsection (1) above in particular requires notice when it is proposed to alter the entrances to or exits from a [<sup>F25</sup>sports ground] or any part of it (including any means of escape in case of fire or other emergency) or the means of access to any such entrances or exits.

**Textual Amendments**

- F25** Words substituted by [Fire Safety and Safety of Places of Sport Act 1987 \(c. 27, SIF 45A\)](#), s. 19(1), [Sch. 2](#)

**9 Exclusion of other statutory requirements.**

- (1) While a general safety certificate is in force in relation to a [<sup>F26</sup>sports ground], the following provisions shall not apply to it, that is to say—
- (a) section 37(1) of the <sup>M2</sup>Public Health Acts Amendment Act 1890 (platforms for public occasions);
  - (b) [<sup>F26</sup>section 89 of the <sup>M3</sup>Civic Government (Scotland) Act 1982 (which makes provision as to the safety of platforms, stands, and other structures), in so far as that section relates] to any matter in relation to which requirements are imposed by the terms and conditions of the safety certificate;



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- (c) [<sup>F27</sup>sections 24 and 71 of the <sup>M4</sup>Building Act 1984] (exits, entrances, etc. in the case of certain public and other buildings);
  - (d) any provision of the <sup>M5</sup>Fire Precautions Act 1971 or of a fire certificate issued under that Act in so far as it relates to any matter in relation to which requirements are imposed by the terms and conditions of the safety certificate; and
  - (e) any provision of a local Act in so far as it relates to any matter in relation to which requirements are imposed by those terms and conditions.
- (2) Where any enactment provides for the licensing of premises of any class or description and the authority responsible for licences thereunder is required or authorised to impose terms, conditions or restrictions in connection with such licences, then, so long as there is in operation with respect to the premises a safety certificate covering the use of the premises by reason of which a licence under that enactment is required, any term, condition or restriction imposed with respect to those premises in connection with any licence under that enactment shall be of no effect in so far as it relates to any matter in relation to which requirements are imposed by the terms and conditions of that certificate.
- (3) A person required by or under a local Act to do anything that would involve a contravention of the terms or conditions of a safety certificate shall not be treated as having contravened that Act if he fails to do it.

#### Textual Amendments

- F26** Words substituted by [Fire Safety and Safety of Places of Sport Act 1987 \(c. 27, SIF 45A\)](#), s. 19(1), [Sch. 2](#)
- F27** Words substituted (E.W.) by [Building Act 1984 \(c. 55, SIF 15\)](#), s. 133(1), [Sch.6 para. 15](#)

#### Marginal Citations

- M2** 1890 c. 59.
- M3** 1982 c. 45.
- M4** 1984 c. 55.
- M5** 1971 c. 40.

#### [<sup>F28</sup>10] **Special procedure in case of serious risk: prohibition notices.**

- (1) If the local authority are of the opinion that the admission of spectators to a sports ground or any part of a sports ground involves or will involve a risk to them so serious that, until steps have been taken to reduce it to a reasonable level, admission of spectators to the ground or that part of the ground ought to be prohibited or restricted, the authority may serve a notice (in this Act referred to as a “prohibition notice”) on such persons as are specified in subsection (6) below.
- (2) A prohibition notice shall—
- (a) state that the local authority are of that opinion;
  - (b) specify the matters which in their opinion give or, as the case may be, will give rise to that risk; and
  - (c) direct that no, or no more than a specified number of, spectators shall be admitted to, or to a specified part of, the sports ground until the specified matters have been remedied.



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- (3) A prohibition notice may prohibit or restrict the admission of spectators generally or on a specified occasion.
- (4) A prohibition notice may include directions as to the steps which will have to be taken to reduce the risk to a reasonable level and these may require alterations or additions to the ground or things to be done or omitted which would contravene the terms or conditions of a safety certificate for the ground or for any stand at the ground.
- (5) No prohibition notice shall include directions compliance with which would require the provision of the services at the sports ground of any members of a police force unless the chief officer of police of the force has consented to their inclusion and the extent of the provision of their services is reserved for his determination.
- (6) A prohibition notice shall be served on the persons specified in the following paragraphs in the circumstances specified in those paragraphs, that is to say—
  - (a) if a general safety certificate is in operation for the ground, on the holder of it;
  - (b) if the prohibition or restriction applies to an occasion in respect of which a special safety certificate for the ground is in operation, on the holder of it;
  - (c) if no safety certificate is in operation for the ground, on the person who appears to the local authority to be responsible for the management of the ground;
  - (d) if the prohibition or restriction applies to an occasion and no safety certificate is in operation for the ground, on each person who appears to the local authority to be responsible for organising an activity at the ground on that occasion;
  - (e) if a general safety certificate is in operation for a stand at the ground, on the holder of it;
  - (f) if the prohibition or restriction applies to an occasion in respect of which a special safety certificate for a stand at the ground is in operation, on the holder of it;but the validity of a prohibition notice served on any person under any of the foregoing provisions shall not be affected by a failure to serve another person required to be served with such a notice under those provisions.
- (7) A prohibition or restriction contained in a prohibition notice shall take effect immediately it is served if the authority are of the opinion, and so state in the notice, that the risk to spectators is or, as the case may be, will be imminent, and in any other case shall take effect at the end of a period specified in the notice.
- (8) A copy of any prohibition notice shall be sent by the local authority to each of the following, namely—
  - (a) the chief officer of police; and
  - (b) where the local authority is in Greater London or a metropolitan county, the fire authority, or, in any other case, the building authority.
- (9) The local authority who have served a prohibition notice may, in any case where it appears appropriate to them to do so, amend the prohibition notice by notice served on the persons specified in subsection (6) above (subject to the saving in that subsection), and copies shall be sent to the officer and authorities specified in subsection (8) above.
- (10) A notice under subsection (9) above amending a prohibition notice shall specify the date on which the amendment is to come into operation.

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- (11) Where a notice has been served under subsection (1) or (9) above the local authority may withdraw the notice at any time.]

**Textual Amendments**

**F28** S. 10 substituted by [Fire Safety and Safety of Places of Sport Act 1987 \(c. 27, SIF 45A\)](#), ss. 23(1), 49, [Sch. 5 para. 7](#)

[<sup>F29</sup>**10A Appeals against prohibition notices.**

- (1) Any person aggrieved by a prohibition notice may appeal to the court against the notice if he does so within such period as the Secretary of State may by regulations prescribe.
- (2) Subsection (1) above applies to any amendment of a prohibition notice as it applies to the prohibition notice in its original form.
- (3) An appeal to the court under this section in England and Wales shall be by way of complaint for an order, the making of the complaint shall be deemed to be the bringing of the appeal and the <sup>M6</sup>Magistrates' Courts Act 1980 shall apply to the proceedings.
- (4) An appeal to the court under this section in Scotland shall be by summary application.
- (5) On an appeal under subsection (1) above, the court may either cancel or affirm the notice or, in the case of an appeal against an amendment, annul or affirm the amendment and, if it affirms the notice or the notice as amended, as the case may be, may do so either in its original form or as amended, as the case may be, or with such modifications of the notice as the court may in the circumstances think fit.
- (6) Where an appeal is brought under this section against a prohibition notice or an amendment of it, the bringing of the appeal shall not have the effect of suspending the operation of the notice or the notice as amended, as the case may be.
- (7) In England and Wales any of the following persons may appeal to the Crown Court against an order under this section, namely—
  - (a) any person aggrieved by the notice;
  - (b) the local authority;
  - (c) the chief officer of police; and
  - (d) where the local authority is in Greater London or a metropolitan county, the fire authority, or, in any other case, the building authority.
- (8) In Scotland any of the following persons may appeal against an order made in an appeal under this section, namely—
  - (a) any person aggrieved by the notice;
  - (b) the local authority;
  - (c) the chief officer of police; and
  - (d) the building authority;
 notwithstanding that that person was not party to the proceedings on the application.
- (9) The persons who are, for the purposes of this section, “aggrieved” by a prohibition notice are the persons on whom, in accordance with section 10(6) of this Act, the notice is required to be served.]

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#### Textual Amendments

**F29** S. 10A inserted by [Fire Safety and Safety of Places of Sport Act 1987 \(c. 27, SIF 45A\)](#), s. 24

#### Marginal Citations

**M6** 1980 c. 43.

### [<sup>F30</sup> 10B Enforcement.

- (1) It shall be the duty of every local authority to enforce within their area the provisions of this Act and of regulations made under it and for that purpose to arrange for the periodical inspection of designated sports grounds; but nothing in this subsection shall be taken to authorise a local authority in Scotland to institute proceedings for an offence.
- (2) In performing the duty imposed by subsection (1) above so far as it requires designated sports grounds in their areas to be inspected, local authorities shall act in accordance with such guidance as the Secretary of State may give them.
- (3) For the purposes of subsection (1) above, “periodical” means at least once in every twelve months.]

#### Textual Amendments

**F30** S. 10B inserted by [Fire Safety and Safety of Places of Sport Act 1987 \(c. 27, SIF 45A\)](#), s. 25(1)

## 11 Powers of entry and inspection.

A person authorised by—

- (a) the local authority;
- (b) the chief officer of police;
- (c) [<sup>F31</sup>where the local authority is in Greater London or a metropolitan county, the fire authority or, in any other case,] the building authority; [<sup>F32</sup>or
- (d) the Secretary of State,]

may, on production if so required of his authority, enter a sports ground at any reasonable time, and make such inspection of it and such inquiries relating to it as he considers necessary for the purposes of this Act, and in particular may examine records of attendance at the ground and records relating to the maintenance of safety at the ground, and take copies of such records.

#### Textual Amendments

**F31** Words inserted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), d. 16, Sch. 8 para. 7(1)

**F32** Words repealed (S.) by [Local Government and Planning \(Scotland\) Act 1982 \(c. 43, SIF 81:2\)](#), s. 66(2), [Sch. 4 Pt. II](#)

## 12 Offences.

- (1) Subject to subsection (4) below, if—

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*Changes to legislation: There are currently no known outstanding effects for the Safety of Sports Grounds Act 1975. (See end of Document for details)*

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- (a) spectators are admitted to a designated [<sup>F33</sup>sports ground] after the date on which the designation order relating to it comes into operation but at a time when no application for a general safety certificate in respect of it has been made or such an application has been made but has been withdrawn, or is deemed to have been withdrawn; or
- (b) when a general safety certificate is in operation in respect of a [<sup>F33</sup>sports ground] spectators are admitted to the [<sup>F33</sup>sports ground] on an occasion when it is used for an activity to which neither the general safety certificate nor a special safety certificate relates; or
- (c) spectators are admitted to a designated [<sup>F33</sup>sports ground] on an occasion when, following the surrender or cancellation of a safety certificate, no safety certificate is in operation in respect of that [<sup>F33</sup>sports ground]; or
- (d) any term or condition of a safety certificate is contravened [<sup>F34</sup>otherwise than in pursuance of a prohibition notice]; or
- (e) spectators are admitted to a sports ground in contravention of [<sup>F35</sup>a prohibition notice] under section 10 above,

any responsible person and, if a safety certificate is in operation, the holder of the certificate, shall be guilty of an offence.

- (2) In subsection (1) above “responsible person” means a person who is concerned in the management of the . . . <sup>F36</sup> sports ground in question or the organisation of any activity taking place there at the time when an offence is alleged to have been committed.
- (3) A person guilty of an offence under subsection (1) above shall be liable—
  - (a) on summary conviction, to a fine of not more than £400; or
  - (b) on conviction on indictment, to imprisonment for not more than two years or a fine or to both.
- (4) Where any person is charged with an offence under subsection (1) above it shall be a defence to prove—
  - (a) that the spectators were admitted or the contravention of the certificate or [<sup>F37</sup>prohibition notice] in question took place without his consent; and
  - (b) that he took all reasonable precautions and exercised all due diligence to avoid the commission of such an offence by himself or any person under his control.
- (5) Regulations under section 6(2) above may provide that a breach of the regulations shall be an offence punishable as provided by the regulations, but shall not provide that a person guilty of such an offence shall be liable to punishments greater than those specified in subsection (3) above.
- (6) Any person who—
  - (a) without reasonable excuse, refuses, neglects or otherwise fails to comply with a requirement under section 1(2)(b) above within the time specified by the Secretary of State; or
  - (b) in purporting to carry out such a requirement, or a requirement under section 3(4) above, or for the purpose of procuring a safety certificate or the amendment, replacement or transfer of a safety certificate, knowingly or recklessly makes a false statement or knowingly or recklessly produces, furnishes, signs or otherwise makes use of a document containing a false statement; or
  - (c) fails to give a notice required by section 8(1) above; or

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- (d) [<sup>F38</sup>intentionally] obstructs any person in the exercise of powers under section 11 above, or without reasonable excuse refuses, neglects or otherwise fails to answer any question asked by any person in the exercise of such powers,
- shall be guilty of an offence and liable on summary conviction to a fine not exceeding [<sup>F39</sup>level 5 on the standard scale].
- (7) Where an offence under this Act which has been committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, a director, manager, secretary or other similar officer of the body corporate, or any person who was purporting to act in any such capacity, he, as well as the body corporate, shall be guilty of that offence and be liable to be proceeded against and punished accordingly.
- (8) Where the affairs of a body corporate are managed by its members, subsection (7) above shall apply in relation to the acts and defaults of a member in connection with his functions of management as if he were a director of the body corporate.

#### Textual Amendments

- F33** Words substituted by [Fire Safety and Safety of Places of Sport Act 1987 \(c. 27, SIF 45A\), s. 19\(1\), Sch. 2](#)
- F34** Words inserted by [Fire Safety and Safety of Places of Sport Act 1987 \(c. 27, SIF 45A\), s. 23\(2\)\(a\), 49, Sch. 5 para.7](#)
- F35** Words substituted by [Fire Safety and Safety of Places of Sport Act 1987 \(c. 27, SIF 45A\), ss. 22\(2\)\(b\), 49, Sch. 5 para. 7](#)
- F36** Words repealed by [Fire Safety and Safety of Places of Sport Act 1987 \(c. 27, SIF 45A\), s.19\(1\), 49, Schs. 2, 4](#)
- F37** Words substituted by [Fire Safety and Safety of Places of Sport Act 1987 \(c. 27, SIF 45A\), ss. 23\(2\)\(c\), 49, Sch. 5 para. 7](#)
- F38** Words substituted by [Fire Safety and Safety of Places of Sport Act 1987 \(c. 27, SIF 45A\), s. 25\(2\)](#)
- F39** Words substituted by virtue of (E. W>) [Criminal Justice Act 1982 \(c. 48, SIF 39:1\), ss. 38, 46](#) and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\), ss. 289F, 289G](#)

### 13 Civil liability.

Except in so far as this Act otherwise expressly provides, and subject to [<sup>F40</sup>section 18 of the <sup>M7</sup>Interpretation Act 1978] (offences under two or more laws), the provisions of this Act shall not be construed as—

- (a) conferring a right of action in any civil proceedings (other than proceedings for the recovery of a fine) in respect of any contravention of this Act or of any regulations made under this Act or of any of the terms or conditions of a safety certificate; or
- (b) affecting any requirement or restriction imposed by or under any other enactment whether contained in a public general Act or in a local or private Act; or
- (c) derogating from any right of action or other remedy (whether civil or criminal) in proceedings instituted otherwise than under this Act.

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#### Textual Amendments

**F40** Words substituted by virtue of [Interpretation Act 1978 \(c. 30, SIF 115:1\)](#), [s. 17\(2\)\(a\)](#)

#### Marginal Citations

**M7** [1978 c. 30.](#)

### 14 Service of documents.

- (1) Any notice or other document required or authorised by or by virtue of this Act to be served on any person may be served on him either by delivering it to him or by leaving it at his proper address or by sending it by post.
- (2) Any notice or other document so required or authorised to be served on a body corporate or a firm shall be duly served if it is served on the secretary or clerk of that body or a partner of that firm.
- (3) For the purposes of this section, and of [<sup>F41</sup>section 7 of the <sup>M8</sup>Interpretation Act 1978] in its application to this section, the proper address of a person, in the case of a secretary or clerk of a body corporate, shall be that of the registered or principal office of that body, in the case of a partner of a firm shall be that of the principal office of the firm, and in any other case shall be the last known address of the person to be served.

#### Textual Amendments

**F41** Words substituted by virtue of [Interpretation Act 1978 \(c. 30, SIF 115:1\)](#), [s. 17\(2\)\(a\)](#)

#### Marginal Citations

**M8** [1978 c. 30.](#)

### 15 .....<sup>F42</sup>

#### Textual Amendments

**F42** [S. 15](#) repealed by [Fire Safety and Safety of Places of Sport Act 1987 \(c. 27, SIF 45A\)](#), [ss. 19\(2\)\(b\), 49, Sch. 4](#)

### [<sup>F43</sup>15A Power to modify Act for classes of grounds.

- (1) The Secretary of State may, as respects any specified class of sports ground, by order modify the provisions of this Act (except section 1(1) above) in their application to sports grounds of that class.
- (2) An order under this section may—
  - (a) make different modifications in relation to different activities at the same class of ground; and
  - (b) include such supplementary and transitional provision as the Secretary of State thinks expedient.]

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*Changes to legislation: There are currently no known outstanding effects for the Safety of Sports Grounds Act 1975. (See end of Document for details)*

### Textual Amendments

**F43** S. 15A inserted by [Fire Safety and Safety of Places of Sport Act 1987 \(c. 27, SIF 45A\)](#), s. 19(2)(c)

## 16 Application to Crown.

- (1) Sections 1 to 4 and 6(2) above bind the Crown, but shall have effect, in relation to premises occupied by the Crown, with the substitution of a reference to the Secretary of State for any reference to the local authority.
- (2) Nothing in this Act shall be taken to authorise the entry of premises occupied by the Crown.

## 17 Interpretation.

- (1) In this Act unless the context otherwise requires,—
  - [<sup>F44</sup>“building authority” means—
    - (a) in England outside Greater London and the metropolitan counties, or in Wales, the district council;
    - (b) in Scotland, the local authority within the meaning of the <sup>M9</sup>Building (Scotland) Act 1959]
      - “the court” means, in relation to premises in England or Wales, a magistrates’ court acting for the petty sessions area in which they are situated and, in relation to premises in Scotland, the sheriff within whose jurisdiction they are situated;
      - [<sup>F45</sup>“designated sports ground” ] and “designation order” have the meanings assigned to them by section 1(4) above;
      - “general safety certificate” has the meaning assigned to it by section 1(4) above;
    - [<sup>F46</sup>“local authority” means—
      - (a) in Greater London, the London borough council or the Common Council of the City of London;
      - (b) in England, in the metropolitan counties, the district council;
      - (c) in England outside Greater London and the metropolitan counties, or in Wales, the county council;
      - (d) in Scotland, the regional or islands council;]
        - “means of access” includes means of access from a [<sup>F47</sup>highway][<sup>F47</sup>road];
        - “qualified person” has the meaning assigned to it by section 3(1) above;
        - [<sup>F48</sup>“prohibition notice” has the meaning assigned to it by section 10(1);]
        - “safety” does not include safety from danger inherent in participation in a sporting or competitive activity;
    - “safety certificate” [<sup>F49</sup>, except with reference to a stand at a sports ground,] has the meaning assigned to it by section 1(1) above [<sup>F49</sup>and, where it refers to a stand, means a safety certificate (whether general or special) under Part III of the <sup>M10</sup>Fire Safety and Safety of Places of Sport Act 1987];
    - “special safety certificate” has the meaning assigned to it by section 1(4) above;



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“spectator” means any person occupying accommodation provided for spectators at a sports ground;

“sports ground” means any place where sports or other competitive activities take place in the open air and where accommodation has been provided for spectators, consisting of artificial structures or of natural structures artificially modified for the purpose;<sup>F50</sup>

- (2) Any reference in this Act to any enactment is a reference to it as amended, and includes a reference to it as applied by or under any other enactment, including this Act.

#### Textual Amendments

- F44** Definition substituted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 16, [Sch. 8 para. 7\(2\)](#)
- F45** Words substituted by [Fire Safety and Safety of Places of Sport Act 1987 \(c. 27, SIF 45A\)](#), s. 19(1), [Sch. 2](#)
- F46** Definition substituted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 16, [Sch. 8 para. 7\(3\)](#)
- F47** Word “road” substituted (S.) for “highway” by [Roads \(Scotland\) Act 1984 \(c. 54, SIF 108\)](#), s. 156(1), [Sch. 9 para. 75](#)
- F48** Definition inserted by [Fire Safety and Safety of Places of Sport Act 1987 \(c. 27, SIF 45A\)](#), [s. 23\(3\)\(a\)](#)
- F49** Words inserted by [Fire Safety and Safety of Places of Sport Act 1987 \(c. 27, SIF 45A\)](#), [s. 23\(3\)\(b\)](#)
- F50** Definition repealed by [Fire Safety and Safety of Places of Sport Act 1987 \(c. 27, SIF 45A\)](#), ss. 19(1), 49, [Schs. 2, 4](#)

#### Marginal Citations

- M9** 1959 c. 24.
- M10** 1987 c. 27.

## 18 Orders and regulations.

- (1) Any power to make an order or regulations conferred on the Secretary of State by any provision of this Act shall be exercisable by statutory instrument.

[<sup>F51</sup>(1A) Regulations under any provision of this Act may make different provision for different classes of sports ground.]

- (2) Any power to make an order conferred by any provision of this Act shall include power to make an order varying or revoking any order previously made under that provision.
- (3) Orders and regulations under this Act (except an order under section 19(6) below) shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (4) It shall be the duty of the Secretary of State, before making an order or regulations under any of the preceding provisions of this Act, to consult with such persons or bodies of persons as appear to him requisite.

#### Textual Amendments

- F51** [S. 18\(1A\)](#) inserted by [Fire Safety and Safety of Places of Sport Act 1987 \(c. 27, SIF 45A\)](#), [s. 19\(2\)\(d\)](#)

## 19 Short title, extent and commencement.

- (1) This Act may be cited as the <sup>M11</sup>Safety of Sports Grounds Act 1975.

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- (2) This Act does not extend to Northern Ireland.
- (3) Except as provided by an order under this section, this Act does not extend to the Isles of Scilly.
- (4) The Secretary of State may by order direct that this Act shall, subject to such exceptions, adaptations and modifications as may be specified in the order, extend to the Isles of Scilly.
- (5) An order made under subsection (4) above may contain such incidental and consequential provisions, including provisions conferring powers or imposing duties on the Council of the Isles of Scilly, as the Secretary of State thinks necessary.
- (6) This Act shall come into force on such day as the Secretary of State may by order appoint, and different days may be so appointed for different provisions and for different purposes.

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**Modifications etc. (not altering text)**

**C7** Power of appointment conferred by s. 19(6) fully exercised: 1.9.1975 appointed by [S.I. 1975/1375](#)

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**Marginal Citations**

**M11** [1975 c. 52.](#)

**Status:**

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**Changes to legislation:**

There are currently no known outstanding effects for the Safety of Sports Grounds Act 1975.