

# **SAFETY OF SPORTS GROUNDS (NORTHERN IRELAND) ORDER 2006**

**S.I. 2006 No. 313 (N.I. 2)**

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## **EXPLANATORY MEMORANDUM**

### **COMMENTARY ON ARTICLES**

#### **Part I – Introductory**

##### *Article 2 – Interpretation*

11. The definition of a sports ground provided in Article 2 can be interpreted to mean all types of sports grounds including sports stadiums (e.g. association football, gaelic and rugby grounds), horse racing tracks, golf courses and motor racing tracks. This is so that stands, which meet the criteria detailed in Part III, can be regulated by District Councils.

#### **Part II – Safety of Designated Sports Grounds**

##### *Article 4 – Designation of sports grounds*

12. *Article 4* empowers the Department to designate a sports ground as requiring a safety certificate that in its opinion provides accommodation for more than 5,000 spectators. It also empowers the Department to change the figure of 5,000 after consultation with all interested parties (this may include the club/organisation, District Council and/or governing sporting body).
13. Although Article 4(1) empowers the Department to designate sports grounds with a capacity of more than 5,000 spectators, it is the Department's intention that this will only apply to enclosed type sports grounds e.g. sports stadia and sports arenas i.e. sports stadia that host association football, gaelic games, rugby football, hockey and cricket. It is not the Department's intention that this Order will be used to designate golf courses, horse racing courses, motor racing tracks or other sporting events such as horse trials and point to point meetings that are held outdoors over a large area.
14. A District Council may issue a safety certificate for an indefinite period of time which will cover the normal sporting activities played at the designated sports ground e.g. a safety certificate could be issued to an association football club that will cover all association football matches played at the ground or to a county gaelic ground that will cover all GAA games played at the ground.
15. A District Council may issue a safety certificate known as a special safety certificate for a single event or activity or for a specified number of events or activities at a designated sports ground even though there is a safety certificate in operation. A special certificate would cover any other sporting or non-sporting event held at the designated sports ground, e.g. an evangelical meeting, dog show or a boxing tournament.

**Article 6 – Applications for safety certificates**

16. **Article 6** sets out who should apply for safety certificates for designated sports grounds and empowers District Councils to determine who is a qualified person for the purposes of issuing certificates to. The qualified person is someone considered by the District Council likely to be in a position to prevent any contravention of the terms and conditions of a safety certificate but it does not necessarily have to be an individual; it can be the body corporate if the organisation applying for the certificate is an incorporated company.

**Article 8 – Appeals**

17. **Article 8** sets out the appeal procedures as they relate to the issuing of safety certificates for designated sports grounds. It allows for appeals to be made to the Courts by anyone who has applied for a safety certificate and who a District Council has determined is not a qualified person or by an interested party against any of the terms and conditions included in the certificate.

**Article 11 – Offences**

18. **Article 11** sets out the offences and penalties as they relate to Part II of this Order. Offences include admitting more spectators than is permitted by the safety certificate to a designated sports ground or part of the ground or admitting spectators when a certificate has been surrendered or cancelled. Other offences include contravening the terms and conditions of a safety certificate or a prohibition notice.

**Part III – Safety Of Stands At Other Sports Grounds**

**Article 12 - Interpretation of Part III**

19. **Article 12** defines some of the words used throughout Part III and gives the definition of a “stand” that this Order applies to.

**Article 13 – Safety certificates for stands at sports grounds which are not designated under Part II**

20. This Article specifies that a safety certificate is required for any stand (as defined in Article 12 of this Order) at a sports ground (ie as defined in Article 2 of this Order) which provides accommodation for more than 500 spectators. It also empowers the Department to change the figure of 500, after consultation with all interested parties, to a smaller number. Safety certificates issued using this Article will be similar to those issued under Article 4 for designated sports grounds (see paragraph’s 14 and 15).

**Article 15 – Issue of certificates**

21. **Article 15** sets out who a safety certificate for a regulated stand should be issued to and allows District Councils to determine whether someone is suitable to be issued with a certificate. The District Council will issue the certificate to someone who is likely to be in a position to prevent any contravention of the terms and conditions of a safety certificate but this does not necessarily have to be an individual; it can be the body corporate if the organisation applying for the certificate is an incorporated company.

**Article 17 – Appeals**

22. **Article 17** sets out the appeal procedures in relation to whether or not a stand is a regulated stand, whether or not the person applying for the certificate is suitable or against any of the terms and conditions included by a District Council in a safety certificate.

**Article 18 – Offences**

23. **Article 18** sets out the offences and penalties as they relate to Part III of this Order. Offences include admitting more spectators than is permitted by the safety certificate to a regulated stand or admitting spectators when a certificate has been surrendered or cancelled. Other offences include contravening the terms and conditions of a safety certificate or a prohibition notice.