Safety of Sports Grounds Act 1975

1975 CHAPTER 52

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 **[**[F1]court**]**.

(2) An applicant for a special safety certificate may also appeal to the **[**[F1]court**]** 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 **[**[F1]court**]** 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 **[**[F2]but not against the inclusion in a safety certificate of anything required to be included in it by the **[**[F3]Sports Grounds Safety Authority**]** under section 13(2) of the Football Spectators Act 1989**]**.

[[F4](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 [M1]Magistrates' 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) . . . . . [F5]

(5) In [[F6]this 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) [[F7]if the local authority are not the fire and rescue authority, the fire and rescue authority; and

(e) if the local authority are not the building authority, the building authority.]

(6) . . . . . [F10]

Textual Amendments

F1 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**

F2 Words inserted (3. 6 1991) as provided by Football Spectators Act 1989 (c. 37, SIF 45A), **s. 13(8)**

F3 Words in s. 5(3) substituted (1.11.2011) by Sports Grounds Safety Authority Act 2011 (c. 6), s. 8(1), **Sch. 2 para. 5**; S.I. 2011/2597, art. 2

F4 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**

F5 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**

F6 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**

F7 S. 5(5)(d)(e) substituted for s. 5(5)(d) (E.W.) (1.10.2004 except in relation to W., 10.11.2004 for W.) by Fire and Rescue Services Act 2004 (c. 21), s. 61, **Sch. 1 para. 47(4)**; S.I. 2004/2304, art. 2; S.I. 2004/2917, art. 2

F8 Words inserted by Local Government Act 1985 (c. 51, SIF 81:1), d. 16, Sch. 8 para. 7(1)

F9 Word in s. 5(5)(d) inserted (1.4.1996) by 1994 c. 19, s. 66(6), **Sch. 16 para. 47(1)(c)** (with ss. 54(5)(7), 55(5), Sch. 17 para. 22(1), 23(2)); S.I. 1996/396, art. 4, **Sch. 2**

F10 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.

Changes to legislation:
There are currently no known outstanding effects for the Safety of Sports Grounds Act 1975, Section 5.