

# COMMUNITY EMPOWERMENT (SCOTLAND) ACT 2015

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 7: Football Clubs**

##### **Supporter ownership**

364. [Section 101](#) elaborates on the regulations which may be made under section 99(1)(b) to facilitate supporter ownership of football clubs.
365. As with other regulations which may be made under section 99(1), provision may specify the types of club that are subject to the regulations (paragraph (a)) and the steps a person must take, firstly to be recognised as a supporter and secondly in order to be able to exercise rights conferred by the section (paragraph (e)).
366. Additionally, regulations in connection with facilitating supporter ownership may address the type of asset that the supporters are to be able to buy (paragraph (b)), how the value of that asset is to be ascertained (paragraph (c)), the circumstances in which the rights may be exercised (paragraph (d)), how supporters are to go about the purchase (paragraph (e)), and the rights and obligations of the owners, creditors and other people with an interest in the club (paragraphs (g), (h) and (i)). Given the variety of ownership models for football clubs the regulations may need to set out different procedures in relation to different types of club and asset.
367. Supporters may be required to form into bodies or associations to be able to exercise any right to buy (paragraph (e)). In that situation, it is expected that the regulations would deal with the constitution of such a body or association and how it represents its members and makes decisions.
368. Regulations under this section may also deal with the resolution of disputes, appeals and the consequences of failing to comply with the regulations (paragraphs (h), (j) and (k)). Again, the regulations may have to cater for a variety of circumstances in this regard given the range of interests in football clubs and the different types of assets involved.