
STATUTORY INSTRUMENTS

2006 No. 313

The Safety of Sports Grounds (Northern Ireland) Order 2006

PART II

SAFETY OF DESIGNATED SPORTS GROUNDS

Offences

11.—(1) Subject to paragraphs (4) and (5) if—

- (a) spectators are admitted to a designated 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for a general safety certificate in respect of it has been made or such an application has been made but has been withdrawn or is deemed to have been withdrawn; or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 sports ground spectators are admitted to the sports ground on an occasion when it is used for an activity to which neither the general certificate nor a special safety certificate relates; or
- (c) spectators are admitted to a designated 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 sports ground; or
- (d) any term or condition of a safety certificate is contravened otherwise than in pursuance of a prohibition notice; or
- (e) spectators are admitted to a sports ground in contravention of a prohibition notice,

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

(2) In paragraph (1) “responsible person” means a person who is concerned in the management of the 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 paragraph (1) shall be liable—

- (a) on summary conviction, to a fine not exceeding the statutory maximum; or
- (b) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine, or to both.

(4) Paragraph (1)(b) does not apply if—

- (a) the activity for which the sports ground is used is an entertainment to which paragraph 2 of Schedule 1 to the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985 (NI 15) applies (outdoor musical events); and
- (b) a licence under that paragraph is in force in respect of the provision of that entertainment at the sports ground.

(5) Where any person is charged with an offence under paragraph (1) it shall be a defence to prove—

- (a) that the spectators were admitted or the contravention of the certificate or 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.
- (6) Any person who—
- (a) without reasonable excuse, refuses, neglects or otherwise fails to comply with a requirement under Article 4(4)(b) within the time specified by the Department; or
 - (b) in purporting to carry out such a requirement, or a requirement under Article 6(4), or for the purpose of procuring a safety certificate or the amendment, replacement or transfer of a safety certificate, knowingly or recklessly—
 - (i) makes a false statement; or
 - (ii) produces, furnishes, signs or otherwise makes use of a document containing a false statement,
- shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.

Changes to legislation:

There are currently no known outstanding effects for the The Safety of Sports Grounds (Northern Ireland) Order 2006, Section 11.