
STATUTORY INSTRUMENTS

2006 No. 313

The Safety of Sports Grounds (Northern Ireland) Order 2006

PART III

SAFETY OF STANDS AT OTHER SPORTS GROUNDS

Appeals

17.—(1) A person who has been served with a notice of a determination, which is or has become a final determination of a council, that any stand at a sports ground is a regulated stand may appeal against the determination to the court.

(2) Any person who, on an application for the issue or transfer to him of a safety certificate for a regulated stand at a sports ground, has been served with a notice of the determination of a council that he does not or, in the case of an application for a transfer, would not qualify for the issue of the certificate may appeal against the determination to the court.

(3) An applicant for a special safety certificate for a regulated stand at a sports ground may also appeal to the court against a refusal of his application on grounds other than a determination that he does not qualify for the issue of the certificate.

(4) An interested party may appeal to the court against—

- (a) the inclusion of anything in, or the omission of anything from, a safety certificate for a regulated stand at a sports ground; or
- (b) the refusal of the council to amend or replace a safety certificate for a regulated stand at a sports ground.

(5) Any appeal to the court under this Article shall be brought—

- (a) in accordance with Part VII of the Magistrates' Courts (Northern Ireland) Order 1981 (NI 26); and
- (b) within the period prescribed under Article 19(1)(c).

(6) In this Article “interested party”, in relation to a safety certificate, means—

- (a) the holder of the certificate;
- (b) any other person who is or may be concerned in ensuring compliance with the terms and conditions of the certificate;
- (c) the Chief Constable; and
- (d) the [^{F1}Fire and Rescue Service Board] .

(7) Subject to paragraph (8), if a council serves on any applicant for a safety certificate a notice of its determination that he does not qualify for the issue of the certificate, he shall be deemed to have withdrawn his application on the expiry of the period within which an appeal must, by virtue of paragraph (5)(b), be brought.

(8) Paragraph (7) shall not have effect if an appeal is brought before the expiry of the period referred to in that paragraph, but if the appeal is withdrawn or the court upholds the council's

determination, the appellant shall be deemed to have withdrawn his application on the date of the withdrawal of his appeal or of the court's order on the appeal.

(9) Where 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 bringing of the appeal shall not have the effect of suspending the operation of the term or condition.

(10) The council or an interested party may appeal to the county court against an order of the court under this Article.

Textual Amendments

F1 Words in art. 17 substituted (15.11.2010) by [Fire and Rescue Services \(Northern Ireland\) Order 2006 \(S.I. 2006/1254 \(N.I. 9\)\)](#), arts. 1(3), 63(1), [Sch. 3 para. 27](#) (with arts. 49, 62); S.R. 2010/328, [art. 2](#)

Changes to legislation:

There are currently no known outstanding effects for the The Safety of Sports Grounds (Northern Ireland) Order 2006, Section 17.