



Safety of Sports Grounds Act 1975

1975 CHAPTER 52

12 Offences

- (1) Subject to subsection (4) below, if—
- (a) spectators are admitted to a designated stadium 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for a general safety certificate in respect of it has been made or such an application has been made but has been withdrawn, or is deemed to have been withdrawn; or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 stadium spectators are admitted to the stadium on an occasion when it is used for an activity to which neither the general safety certificate nor a special safety certificate relates ; or
 - (c) spectators are admitted to a designated stadium on an occasion when, following the surrender or cancellation of a safety certificate, no safety certificate is in operation in respect of that stadium; or
 - (d) any term or condition of a safety certificate is contravened ; or
 - (e) spectators are admitted to a sports ground in contravention of an order under section 10 above,
- any responsible person and, if a safety certificate is in operation, the holder of the certificate, shall be guilty of an offence.
- (2) In subsection (1) above " responsible person" means a person who is concerned in the management of the stadium or other 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 subsection (1) above shall be liable—
- (a) on summary conviction, to a fine of not more than £400; or
 - (b) on conviction on indictment, to imprisonment for not more than two years or a fine or to both.
- (4) Where any person is charged with an offence under subsection (1) above it shall be a defence to prove—

Status: This is the original version (as it was originally enacted).

- (a) that the spectators were admitted or the contravention of the certificate or order 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.
- (5) Regulations under section 6(2) above may provide that a breach of the regulations shall be an offence punishable as provided by the regulations, but shall not provide that a person guilty of such an offence shall be liable to punishments greater than those specified in subsection (3) above.
- (6) Any person who—
- (a) without reasonable excuse, refuses, neglects or otherwise fails to comply with a requirement under section 1(2)(b) above within the time specified by the Secretary of State; or
 - (b) in purporting to carry out such a requirement, or a requirement under section 3(4) above, or for the purpose of procuring a safety certificate or the amendment, replacement or transfer of a safety certificate, knowingly or recklessly makes a false statement or knowingly or recklessly produces, furnishes, signs or otherwise makes use of a document containing a false statement; or
 - (c) fails to give a notice required by section 8(1) above; or
 - (d) wilfully obstructs any person in the exercise of powers under section 11 above, or without reasonable excuse refuses, neglects or otherwise fails to answer any question asked by any person in the exercise of such powers,
- shall be guilty of an offence and liable on summary conviction to a fine not exceeding £400.
- (7) Where an offence under this Act which has been committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, a director, manager, secretary or other similar officer of the body corporate, or any person who was purporting to act in any such capacity, he, as well as the body corporate, shall be guilty of that offence and be liable to be proceeded against and punished accordingly.
- (8) Where the affairs of a body corporate are managed by its members, subsection (7) above shall apply in relation to the acts and defaults of a member in connection with his functions of management as if he were a director of the body corporate.