

Status: Point in time view as at 01/04/2005.

Changes to legislation: Sporting Events (Control of Alcohol etc.) Act 1985 is up to date with all changes known to be in force on or before 25 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULE

PROCEDURE

- 1 An application for or in respect of an order under section 3 of this Act shall be made by complaint to a justice of the peace ^{F1}....

Textual Amendments

- F1** Words in [Sch. para. 1](#) omitted (1.4.2005) by virtue of [Courts Act 2003 \(Consequential Provisions\) Order 2005 \(S.I. 2005/886\)](#), art. 1, [Sch. para. 44\(c\)](#)

- 2 (1) A complaint for the making or variation of such an order may be made—
- (a) in respect of licensed premises, by the holder of the justices' licence, and
 - (b) in respect of registered club premises, by the chairman or secretary of the club.
- (2) The justice of the peace to whom the complaint is so made shall issue—
- (a) a summons directed to the chief officer of police, and
 - (b) a summons directed to the local authority,
- and each summons shall require the person to whom it is directed to appear before the magistrates' court to show why the order should not be made or, as the case may be, varied.
- (3) A summons directed to a local authority under this paragraph shall not have effect (and accordingly the local authority shall not be party to the proceedings) unless there is in force in respect of the sports ground concerned a certificate under the ^{M1}Safety of Sports Grounds Act 1975.
- (4) A copy of any order made on a complaint made by any of the persons mentioned in sub-paragraph (1) above shall be sent to the chief officer of police and (where the local authority are party to the proceedings) to the local authority.

Marginal Citations

- M1** 1975 c. 52.

- 3 (1) A complaint for the variation or revocation of such an order may be made—
- (a) by the chief officer of police, or
 - (b) where such a certificate is in force in respect of the sports ground concerned, by the local authority.
- (2) The justice of the peace to whom the complaint is so made shall issue a summons directed to the holder of the justices' licence or, in the case of registered club premises, to the chairman or secretary of the club requiring him to appear before the magistrates' court to show cause why the order should not be varied or revoked.
- (3) A copy of any order made on a complaint made by any of the persons mentioned in sub-paragraph (1) above shall be sent to the holder of the justices' licence or, as the case may be, to the chairman or secretary of the club.
- 4 Where a complaint is made for a new order under section 3 of this Act—

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- (a) there shall be delivered to the justice of the peace at the time the complaint is made a plan of the sports ground showing the premises within that ground where intoxicating liquor would be sold or supplied in pursuance of the proposed order, and
 - (b) the hearing shall not take place before the end of the period of 28 days beginning with the day on which the complaint is made.
- 5 On any complaint made to a magistrates' court for or in respect of an order under section 3 of this Act, or appeal to the Crown Court in respect of such a complaint, to which a club is a party, the club, if not represented by counsel or a solicitor, shall be heard by the chairman or secretary, by any member of the committee having the general management of the affairs of the club or by any officer of the club duly authorised.
- 6 In this Schedule, "local authority" has the same meaning as in the ^{M2}Safety of Sports Grounds Act 1975.

Marginal Citations

M2 1975 c. 52.

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