



Fire Safety and Safety of Places of Sport Act 1987

1987 CHAPTER 27

PART IV

INDOOR SPORTS LICENCES

Licensing in Scotland

44 Licensing of indoor sports premises in Scotland

- (1) After section 41 of the Civic Government (Scotland) Act 1982 ("the 1982 Act") there shall be inserted the following section—

“41A Indoor sports entertainment licences.

- (1) Subject to subsection (2) below, a licence to be known as an "indoor sports entertainment licence" shall be required for the use of premises as a place of public sports entertainment.
- (2) Subsection (1) above shall not apply to any occasion on which the entertainment of the public by the sport is not the principal purpose for which the premises are used but this provision does not apply in relation to a sports complex.
- (3) Without prejudice to paragraph 5 of Schedule 1 to this Act, a licensing authority may attach conditions to an indoor sports entertainment licence—
 - (a) restricting the use of the premises to a specified kind or specified kinds of public sports entertainment;
 - (b) limiting the number of persons to be admitted to the premises;
 - (c) fixing the days and times when the premises may be open for the purposes of public sports entertainment.

Status: This is the original version (as it was originally enacted).

(4) In this section—

"premises" means any permanent or temporary building and any tent or inflatable structure and includes a part of a building where the building is a sports complex but does not include a part of any other building;

"public sports entertainment" means any sporting event to which the public are invited as spectators;

"sporting event" means any contest, exhibition or display of any sport;

"sports complex" means a building—

(a) which provides accommodation and facilities for both those engaging in sport and spectators; and

(b) the parts of which are so arranged that one or more sports can be engaged in simultaneously in different parts of the building; and

"sport" includes any game in which physical skill is the predominant factor and any form of physical recreation which is also engaged in for purposes of competition or display, except dancing (in any form)".

- (2) On and after the date of coming into force of this section an application made (but not decided) before that date for the grant or renewal of a licence for the use of premises as a place of public entertainment shall, where the entertainment for which the premises are to be used will be a public sports entertainment as mentioned in section 41A of the 1982 Act, be treated for all purposes as an application for a grant or renewal (as the case may be) of a licence under the said section 41A.
- (3) On and after the date of coming into force of this section a licence granted or renewed before that date for the use of premises as a place of public entertainment under section 41(2) of the 1982 Act shall, where the entertainment for which the premises are to be used will be a public sports entertainment as mentioned in section 41A of the 1982 Act, be deemed for all purposes to have been granted or renewed under the said section 41 A.
- (4) In section 9 of the 1982 Act (which makes provision for licensing authorities to resolve when licensing is to be required) in subsection (1) after the words "to 43" there shall be inserted the words "(except section 41A)".
- (5) In section 41 of the 1982 Act (which makes provision for public entertainment licences) in subsection (2) after paragraph (a) there shall be inserted the following paragraph—
- “(aa) premises in respect of which a licence is required under section 41A of this Act while such premises are being used for the purposes mentioned in that section;”.