



Government Gazette

REPUBLIC OF SOUTH AFRICA

Vol. 539 Cape Town

27 May 2010

No. 33232

STATE PRESIDENT'S OFFICE

No. 464

27 May 2010

It is hereby notified that the President has assented to the following Act, which is hereby published for general information:—

No. 2 of 2010: Safety at Sports and Recreational Events act, 2010

Please note that most Acts are published in English and another South African official language. Currently we only have capacity to publish the English versions. This means that this document will only contain even numbered pages as the other language is printed on uneven numbered pages.



AIDS HELPLINE: 0800-123-22 Prevention is the cure

(English text signed by the President.)
(Assented to 24 May 2010.)

ACT

To provide for measures to safeguard the physical well-being and safety of persons and property at sports, recreational, religious, cultural, exhibitional, organisational or similar events held at stadiums, venues or along a route; to provide for the accountability of event role-players; to provide for certain prohibitions; to provide for the risk categorisation of events; to provide for the establishment of measures to deal with safety and security at events; to provide for accreditation of role-players at events; to provide for event ticketing; to provide for the control of access of spectators and vehicles at events; to provide for the issuing of safety certificates for planned or existing stadiums or venues; to provide for the contents of safety certificates and amendments to safety certificates; to provide for appointment of inspectors and their powers of entry and inspection; to provide for the deployment of security services; to provide for spectator exclusion notices; to provide for prohibition notices; to provide for the establishment of an Appeal Board and for appeals; to provide for public liability insurance for events; to provide for payment of fees; to provide for offences and penalties; and to provide for matters connected therewith.

PREAMBLE

RECOGNISING that—

- the physical well-being and safety of all persons attending sports, recreational, religious, cultural, exhibitional, organisational or similar events as well as the safety of their property—
 - at stadiums or other venues; and
 - in the case of a race, tour or procession, along a route, must be promoted and protected;
- the rights of persons who attend sports, recreational, religious, cultural, exhibitional, organisational or similar events must be protected;

NOTING that—

- the planning, management and enforcement of safety and security at sports, recreational, religious, cultural, exhibitional, organisational or similar events held at stadiums, other venues and in respect of events in the form of a race, tour or procession along a route, must be handled by people experienced in the field of safety and security;
- all controlling bodies of sports, recreational, religious, cultural, exhibitional, organisational or similar activities, event organisers, stadium or venue owners and their managements must have proper safety and security measures in place; and

- controlling bodies of all sports, recreational, religious, cultural, exhibitional, organisational or similar activities, event organisers and stadium and venue owners and their managements must place the broader interests of sports, recreational, religious, cultural, organisational or similar activities above their own interests, particularly the promotion and maintenance of the safety, security and convenience of persons who attend sports, recreational, religious, cultural, organisational or similar events;

ACKNOWLEDGING—

- the need to determine and maintain minimum safety and security standards at sports, recreational, religious, cultural, exhibitional, organisational or similar events;
- the importance of the promotion of spectator-friendly, secure sports, recreational, religious, cultural, organisational or similar events;
- that the Republic has become a desirous destination for the hosting of major international sports, recreational, religious, cultural, exhibitional, organisational or similar events,

BE IT THEREFORE ENACTED by the Parliament of the Republic of South Africa, as follows:—

ARRANGEMENT OF SECTIONS

Sections

CHAPTER 1	5
DEFINITIONS AND APPLICATION OF ACT	
1. Definitions	
2. Application of Act	
3. Exemptions	
CHAPTER 2	10
ENSURING RESPONSIBILITY FOR SAFETY AND SECURITY AT EVENTS	
4. Responsibility for safety and security at events	
5. Prohibition	
6. Risk categorisation of events	
7. Safety certificates	15
8. Existing stadium or venue safety certificate	
9. New stadium or venue design safety certificate	
10. Certificate in respect of alteration or extension to stadium or venue	
11. High risk event safety certificate	
12. Contents of safety certificates	20
13. Amendments to safety certificates	
14. Inspectors and powers of entry and inspection	
CHAPTER 3	
PART 1	
MEASURES TO ENSURE SAFETY AND SECURITY AT EVENTS	25
15. Event safety and security planning committee	

16. Functions of event safety and security planning committee	
17. Venue operations centre	
18. Accreditation and access to designated areas	
19. Event ticketing	
20. Spectator and vehicle access control	5
21. Prohibition notices	
22. Spectator exclusion notices	
23. Event safety and security measures	
24. Deployment of state security services	
25. Public liability insurance	10

PART 2

APPEAL BOARD AND APPEALS

26. Establishment, composition and appointment of Appeal Board	
27. Acting by member of Appeal Board after expiry of term of office	
28. Resignation and casual appointment of member of Appeal Board	15
29. Quorum and decisions of Appeal Board	
30. Removal of member and dissolution of Appeal Board	
31. Appointment of interim Appeal Board	
32. Chairperson and Deputy Chairperson of interim Appeal Board	
33. Quorum of interim Appeal Board	20
34. Disqualification from Appointment to Appeal Board	
35. Conflicts and disclosure of interest by members of Appeal Board	
36. Functions of Appeal Board	
37. Procedure and rules of Appeal Board	
38. Administrative support to Appeal Board	25
39. Expenditure of Appeal Board	
40. Remuneration of members of Appeal Board	
41. Report of Appeal Board	
42. Appeals	

CHAPTER 4

30

GENERAL PROVISIONS, SHORT TITLE AND COMMENCEMENT

43. Fees	
44. Offences and penalties	
45. Regulations	
46. Delegation	35
47. Limitation of liability	
48. Short title and commencement	

CHAPTER 1

DEFINITIONS AND APPLICATION OF ACT

Definitions	40
-------------	----

1. In this Act, unless the context otherwise indicates—

“**access control officer**” means a person appointed in terms of section 20 to be in charge of access of persons and motor vehicles at an event;

“**accreditation**” means a process whereby persons and drivers of motor vehicles wishing to enter a designated area within a stadium, venue or along a route or their respective precincts must apply for, be evaluated, screened and subjected to meeting certain criteria set by the event safety and security planning committee and be issued with a special pass incorporating security features which entitles the

45

holder thereof to gain access to the designated area as contemplated in section 18;
“authorised member” means a police official designated in terms of section 15 as
 Chairperson of an event safety and security planning committee and has overall
 authority to direct measures relating to safety and security at an event;

“Authority” means the Private Security Industry Regulatory Authority estab- 5
 lished by section 2(1) of the Private Security Industry Regulation Act, 2001 (Act
 No. 56 of 2001);

“controlling body” means a national federation as defined in section 1 of the
 National Sport and Recreation Act, 1998 (Act No. 110 of 1998), a provincial 10
 federation or an international controlling body or other body governing a code of
 sport, recreational, religious, cultural or similar activity in the Republic, but
 excludes the National Department of Sport and Recreation of the Republic of South
 Africa;

“corporate hospitality” includes the provision of food, liquid refreshments and
 entertainment, to members of the public or invited guests within a permanent or 15
 temporary demarcated hospitality area which may be located within a stadium or a
 venue or along a route, or within the immediate or outer precincts thereof;

“designated area” means an area or zone designated by the event safety and
 security planning committee in the prescribed manner as contemplated in section 20
 16(1)(e) and in respect of which access is limited to a person specifically accredited
 to enter such area or zone;

“disaster management” means a process of planning and implementation of the
 disaster preventative and reactive measures referred to in section 1 of the Disaster
 Management Act, 2002 (Act No. 57 of 2002);

“disaster management centre” means a centre established in terms of the 25
 Disaster Management Act, 2002 (Act No. 57 of 2002);

“emergency services” means, in relation to a sports, recreational, religious,
 cultural, exhibitional, organisational or similar event, all public and private sector
 medical services, including emergency medical services and health services, the
 fire department, the disaster management department and local authority traffic or 30
 by-law enforcement department;

“essential services” means a department of state or other administrative unit, such
 as a disaster management centre and those departments responsible for electrical,
 water, sewerage and waste removal utilities in the administration of a local
 authority, including any functionary or institution performing the above or related 35
 public functions, or an external service provider as defined in section 1 of the Local
 Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), responsible for
 ensuring that the measures contemplated under the definition of ‘disaster
 management’ contained in section 1 of the Disaster Management Act, 2002 (Act
 No. 57 of 2002), are in place and complied with as far as the staging of an event at 40
 a stadium or venue or along a route is concerned;

“event” means sporting, entertainment, recreational, religious, cultural,
 exhibitional, organisational or similar activities hosted at a stadium, venue or along
 a route or within their respective precincts;

“event organiser” means any person who plans, is in charge of, manages, 45
 supervises or holds an event or sponsorship rights to an event or in any manner
 controls or has a material interest in the hosting of an event as contemplated in this
 Act;

“event safety and security planning committee” means the committee
 contemplated in section 15 responsible for coordinating the functions of the 50
 role-players that are involved in the provision of safety and security at an event, the
 safety and security planning for an event, the assignment of safety and security
 tasks to role-players at an event, the demarcation of safety and security areas and
 zones and to advise the National Commissioner of the committee’s assessment of
 the categorisation of an event; 55