

Safety at Sports and Recreational Events Act 2 of 2010 (SASREA)

Topic: Sport and Recreation

IN A CALABASH

Introduction

Various events are staged in South Africa on a daily basis, attended by thousands of people. Should something go wrong during one of these events, people could be injured or killed or assets damaged or destroyed.

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 or, in the case of a race, tour or procession, along a route, must be promoted and protected. Furthermore, the rights of persons who attend sports, recreational, religious, cultural, exhibitional, organisational or similar events must be protected.

The planning, management and enforcement of safety and security at sports, recreational, religious, cultural, exhibitional, organisational or similar events held at stadiums, other venues or along a route must be handled by experienced people.

All controlling bodies of sports, recreational, religious, cultural, exhibitional, organisational or similar activities, event organisers, stadium or venue owners and their management must have proper safety and security measures in place.

In order to give effect to the above, the Safety at Sports and Recreational Events Act (SASREA) was recently brought into operation in South Africa.

Objectives of the Act

The SASREA which came into operation in August 2010, seeks to promote spectator-friendly, safe and secure sports, recreational, religious, cultural, organisational or similar events and to set and maintain minimum safety and security standards at such events.

The main aims and objectives of SASREA are to—

- confirm and align the roles and responsibilities of the various role players who will be obliged to provide safety and security measures at all sports and recreational events held at stadiums and other venues in South Africa;

- ensure that the planning, management and enforcement of safety and security at sports and recreational events held at stadiums and other venues in South Africa are in the hands of professional and experienced people;
 - determine and maintain minimum reasonable safety and security standards at sports and recreational events held at stadiums and other venues in South Africa;
 - ensure that the rights and interests of all persons who attend sport and recreational events at stadiums and other venues are upheld;
 - ensure that all sports and recreational controlling bodies and their management must have proper safety and security structures in place and place the broader sport and recreational interests above their own, emphasising the promotion and maintenance of the safety, security and convenience of all persons who attend events at stadiums and other venues;
 - ensure that all legislation applicable to the hosting of any sports and recreational events at stadiums and other venues in South Africa are complied with; and
 - promote spectator-friendly yet secure sports and recreational events held at stadiums and other venues in South Africa.
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Application of the Act and its implication to Tourism

The Act applies to all entities who organise sports, recreational, religious, cultural, exhibitional, organisational or similar events.

The Act also applies to all property at venues where these events are organised, including stadiums or other venues and, in the case of a race, tour or procession, along a route.

The Act also applies to all persons who attend such events.

In relation to the tourism industry, service providers, tour operators, venue owners and many others involved in the industry occasionally organise sports, recreational, cultural or religious events which will be attended by tourists and South Africans. Hence, it is important for service providers to familiarise themselves with the respective obligations under the Act.

Summary of the provisions of the Act

Responsibility for safety and security at events

A controlling body, event organiser or stadium or venue owner must put in place measures to ensure the physical safety and security of persons and their property at an event.

No person may organise an event unless he or she complies with the requirements of the Act.

Sufficient number of safety persons

A person must appoint sufficient persons to be responsible for safety and security at an event, including–

- an event safety officer,
- security officers; and
- stewards.

The local police station must be informed prior to the event.

Written safety plan

An event organiser must prepare and implement a written safety plan for every event.

Sale and transfer of tickets

No person may resell event tickets for a commercial purposes without the prior written authorisation of the event organiser or a stadium or venue owner.

Schedule of events

An event organiser must submit an annual schedule of events to the National Commissioner at least six months before the start of a calendar year for a specific activity or a season, for a seasonal activity.

The schedule of events must contain sufficient particulars of the planned events in order to enable the National Commissioner to make a categorisation of the safety and security risk associated with each event.

Where an event cannot be planned by virtue of its unforeseen nature, the event organiser must submit the schedule for that event upon initiating plans for that event to enable the National Commissioner to make a risk categorisation.

Risk categorisation

The National Commissioner must consider the schedule and make a risk categorisation of each event contained in the schedule.

In making a risk categorisation for an event the National Commissioner must take into account–

- the popularity or reputation of any team or person participating in an event;
- the expected attendance at an event and a historic record of attendance at similar events, where available;
- the location where the event is to be held;
- the suitability of a stadium, venue or route, having regard to its physical structure, spectator facilities, precinct layout or any other factors that impact on its suitability for hosting an event;
- the level of physical, human resource and electronic safety and security infrastructure, as well as the state of readiness of such infrastructure for an event;
- the historic record of safety, security and medical incidents at similar events, where available;
- any relevant crime statistics and trends;
- any threat analysis information regarding an event, where available;
- the certified safe capacity of a stadium, venue or route and respective precincts;
- the age profile of attendees at an event, where available;

- any information regarding the consumption and sale of liquor to spectators at an event and the safety and security impact thereof on previous similar events;
- the day of the week on which an event is scheduled to be hosted, including factors impacting thereon;
- the commencement time and estimated duration of an event including the expected arrival or departure of participants and spectators;
- the relevance of the outcome of a competitive event;
- the level of intensity of the rivalry between competing sports teams or sports persons participating in an event and any tensions which may exist between the supporters of those sports teams or sports persons;
- the positions of the teams on the league or the rankings of the persons participating in an event;
- any international, national, local, social, economic, political or security related factors which might have an impact on an event from a safety and security perspective;
- the availability of police officials, emergency and essential services to assist at an event;
- the weather or other natural conditions which are anticipated to prevail before or on the day of an event;
- the nature of pre-event spectator entertainment and marketing promotions; and
- any other factor that the National Commissioner considers appropriate.

The National Commissioner must categorise each event reflected in the annual schedule of events as being either low-risk, medium-risk or high-risk.

Upon making the risk categorisation, the National Commissioner must give written notification–

- to a local authority of the events which are scheduled to be hosted within its jurisdiction and the risk categorisation of such events; and
- to the event organiser concerned of the risk categorisation of the events reflected in the schedule of events submitted by such event organiser.

Safety certificates in general

A local authority will issue a safety certificate in respect of the stadium or venue where the event will be held.

Application for a safety and grading certificate in respect of an existing stadium or venue safety certificate

A stadium or venue owner or anyone who wants to stage an event must obtain a safety certificate from the national commissioner and a grading certificate from the local authority in respect of each event.

Event safety and security planning committee

The National Commissioner must designate a police official as an authorised member in respect of an event.

Such person must establish an event safety and security planning committee for each event categorised as medium- or high-risk.

Functions of event safety and security planning committee



The event safety and security planning committee must–

- prepare the event specific written safety and security plan;
- demarcate a site or an area in a site at the event as an area that may only be entered by a person in possession of a special pass in the form of an accreditation card or the event ticket;
- demarcate a zone surrounding or adjacent to a stadium, venue or route as an exclusive zone where prescribed commercial activities may only be conducted by persons authorised by the event organiser; and
- advise the appointed persons on the steps necessary to safeguard a stadium, venue or route and its respective precincts, as well as to protect persons and property.

When the event is categorised as high-risk, the event safety and security planning committee must submit the plan to the National Commissioner for written approval, at least 60 days before the event.

When an event categorised as medium- or high-risk is to be hosted, the event safety and security planning committee must submit to the Authority the details of a security service provider or a security officer whose services are employed at the event to prove compliance with the Private Security Industry Regulation Act 56 of 2001.

Venue Operations Centre (VOC)

The Venue Operations Centre (VOC) at an event is the entire co-ordinated safety and security operation at a stadium, venue or along a route.

When the event is categorised as either medium- or high-risk and is held at a stadium or venue, the stadium or venue owner or the event organiser must establish the prescribed VOC.

The event safety and security planning committee may, on written application by the event organiser or the stadium or venue owner or of its own accord, approve the use of an alternative, temporary or mobile VOC for the event or decide that a VOC is not necessary for the event.

The authorised member must determine which of the following role-players or representatives of such role-players are to staff a VOC for the duration of the event–

- police officials;
- the disaster management services;
- the private emergency medical services;
- the fire department;
- the national or provincial health department or a member of the health department of the relevant local authority;
- the local authority and provincial traffic department;
- the private security service providers;
- the controlling body;
- the event organiser;

- the stadium or venue owner;
- the safety officer;
- volunteers;
- any person whom the event safety and security planning committee designates; and
- any person whom the VOC commander authorises in writing.

An authorised member must act as VOC commander or designate a police official, who is suitably qualified and experienced in event policing matters and at least the rank of Captain as VOC commander.

The VOC commander must–

- ensure that a written VOC contingency and operational plan is prepared by the event safety and security planning committee;
- ensure that a plan for an event categorised as high-risk is approved by the National Commissioner in writing; and
- distribute a copy of such plan at least 30 days before the commencement of the event or such lesser period as the authorised member or VOC commander may agree to in writing.

Accreditation and access to designated areas

The controlling body, event organiser or the stadium or venue owner may, in consultation with the event safety and security planning committee, in order to control access to any area within a stadium, venue or along a route designated, accredit the persons who will have access to specific areas within the stadium or event venue.

The event organiser must ensure that every entry point of a designated area is clearly identified and indicate on a notice at such entry point that access to that area is limited to accredited persons.

No person may enter a designated area without an accreditation card authorising him or her to enter such area.

A person who enters a designated area in without permission will be guilty of an offence and may be sentenced to a fine or to imprisonment for a period of up to six months or to both.

An access control officer may request any person who enters or is found in a designated area to produce an accreditation card authorising entry to such area.

An access control officer may refuse a person permission to enter a designated area unless such person produces an accreditation card authorising him or her to enter such area.

An access control officer may remove a person found in a designated area from that area if such person refuses or fails to produce an accreditation card authorising him or her to enter such area.

Event ticketing

Subject to the rules of a controlling body, the event organiser or a stadium or venue owner

may require persons to purchase the event ticket that entitles the holder to attend the event on the day and at the time indicated on the ticket.

Access to a stadium or venue for a ticketed event may only be gained by producing a valid event ticket issued by the event organiser, a stadium or venue owner or an authorised agent or written permission of the event organiser or a stadium or venue owner.

The total number of event tickets made available to spectators and special permissions for the event must not exceed the safe spectator capacity of a stadium or venue determined by a local authority.

The National Commissioner may, in the prescribed manner, prohibit the sale of event tickets at a stadium or venue on the day of the event.

If the sale of event tickets is permitted on the day of a high-risk event, such sale must be conducted at least one kilometre from a stadium or venue or at a location determined by the event safety and security planning committee.



An event ticket must contain information relating to the–

- name of the area where the event will be hosted including the name of the stadium or venue;
- nature of the event;
- date, day and time of the event;
- layout plan of the stadium or venue with block or sector spectator orientation information; and
- conditions of entry to the event.

Spectator and vehicle access control

A controlling body, event organiser or stadium or venue owner may appoint in writing–

- a security officer as an access control officer to be in charge of the control of access of persons and motor vehicles at an event; and
- peace officers to be in charge of searches and seizures at an event.

Prohibition notices

If the admission of spectators to a stadium, venue or route involves a serious risk to any person at the event, the National Commissioner or the authorised member may, after consulting the event safety and security planning committee, issue the prescribed prohibition notice prohibiting or restricting the admission of spectators to a stadium, venue or route.

Spectator exclusion notices

If the National Commissioner, event safety and security planning committee, authorised member or VOC commander has reasonable grounds to believe that there is a strong likelihood that the attendance of a person or group of persons may result in the disruption of the event or cause injury to a person or damage to property, the authorised member or VOC commander may issue a spectator exclusion notice to a person or group of persons.

Event safety and security measures

The event safety and security planning committee, taking into consideration the categorisation of the event, must ensure that prescribed measures relating to—

- safety;
- health and medical services or facilities as contemplated in the National Health Act 61 of 2003;
- security;
- the deployment of private security service providers;
- emergency and essential services; and
- access and safety for persons with disabilities,

are in place for that event.

Public liability insurance

The operator or organiser of the event must ensure that public liability insurance is in place for an event. The insurance must be sourced from a person registered or authorised under the Short-term Insurance Act 53 of 1998 or the Long-term Insurance Act 52 of 1998.



WHAT HAPPENS IF YOU DO NOT COMPLY?

Any failure to comply with the Act will lead to a fine being imposed, to imprisonment of up to 20 years or both.



RECOMMENDED ACTIONS OR CONTROLS WHICH SHOULD BE IMPLEMENTED BY THE TARGET AUDIENCE TO ENSURE COMPLIANCE WITH THE ACT

- Correct and proper safety and security at events;
- Co-ordination with the event safety and security planning committee and the VOC commander;
- Appointment of sufficient number of safety persons;
- Appointment of stewards and safety officers;
- Inform the local police station of the event details prior to the event;
- Written safety plan in place;
- Safety measures;
- Security measures;
- Crowd management measures;
- Motor vehicle parking arrangements;
- Emergency medical measures, including participant medical measures as contemplated in the National Health Act 61 of 2003;

- Conduct event risk assessments;
- Document event details, including duration;
- Stadium, venue or route design, safe capacity and compliance with other relevant safety certification;
- Spectator profile and expected spectator attendance;
- Control of event service providers;
- Availability of ablution facilities, refuse removal, water and lighting at the event control of liquor;
- Proactive and reactive fire measures;
- Emergency medical measures;
- Access and egress control;
- Safety information announcements;
- Emergency evacuation procedures detailing action to be taken by designated persons in the event of a major incident;
- Tickets in place;
- Compliance with prohibition on secondary sale and transfer of tickets;
- Submit schedule of events to National Commissioner and note ratings;
- Note and comply with risk categorisation;
- Safety certificates in place;
- Application for a safety certificate in respect of an existing stadium or venue safety certificate;
- Annexures to certificate in place;
- Safety certificate for a new stadium or venue design;
- Certificate in respect of alteration of or extension to stadium or venue;
- High-risk event safety certificate;
- Appoint event safety and security planning committee;
- Agreement on functions of event safety and security planning committee;
- Establish Venue Operations Centre (VOC);
- Accreditation and access to designated areas;
- Spectator and vehicle access control;
- Display prohibition notices;
- Spectator exclusion notices;
- Event safety and security measures;
- Deploy state security services; and
- Public liability insurance.

FURTHER INFORMATION

Regulator

Department of Sport and Recreation

Website

www.srsa.gov.za