



Police, Public Order and Criminal Justice (Scotland) Act 2006

2006 asp 10

PART 2

PUBLIC ORDER ETC.

CHAPTER 1

FOOTBALL BANNING ORDERS

Miscellaneous and general

67 Service of documents

- (1) A document required by this Chapter to be served on a person is served on the person if—
 - (a) given to the person; or
 - (b) sent to the person by registered post or a recorded delivery service.
- (2) A certificate of posting of a letter sent under subsection (1)(b) issued by the postal operator concerned is sufficient evidence of the sending of the letter on the day specified in the certificate.
- (3) In subsection (2), “postal operator” has the meaning given by section 125(1) of the Postal Services Act 2000 (c. 26).

68 Offences under this Chapter

- (1) A person who fails to comply with any requirement imposed on the person—
 - (a) by a football banning order;
 - (b) under section 61(1); or
 - (c) by a notice under section 61(4),commits an offence.

Status: This is the original version (as it was originally enacted).

- (2) It is a defence for a person charged with an offence under subsection (1) to prove that the person had a reasonable excuse for failing to comply with the requirement.
- (3) A person who commits an offence under subsection (1)(a) or (c) is liable on summary conviction to—
 - (a) imprisonment for a term not exceeding 6 months;
 - (b) a fine not exceeding level 5 on the standard scale; or
 - (c) both such imprisonment and such a fine.
- (4) A person who commits an offence under subsection (1)(b) is liable on summary conviction to a fine not exceeding level 2 on the standard scale.
- (5) A person who, in connection with an application under section 64 to be exempted from a notice under section 61(4)—
 - (a) knowingly or recklessly makes a statement which is false or misleading in a material particular; or
 - (b) knowingly or recklessly produces, furnishes, signs or otherwise makes use of a document which is false or misleading in a material particular,commits an offence.
- (6) A person who commits an offence under subsection (5) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

69 Interpretation of Chapter 1

- (1) In this Chapter—

“the football banning orders authority” means the chief constable of the police force maintained for the Strathclyde combined police area; and

“passport” means a United Kingdom passport within the meaning of the Immigration Act 1971 (c. 77).
- (2) The Scottish Ministers may by order modify the definition of “the football banning orders authority” in subsection (1).